

STATE OF MINNESOTA IN DISTRICT COURT
COUNTY OF POLK NINTH JUDICIAL DISTRICT

RONALD VASEK,

Plaintiff,

vs.

DIOCESE OF CROOKSTON,

Defendant.

DOE 457,

Plaintiff,

vs.

DIOCESE OF CROOKSTON and ST. MARY'S MISSION
CHURCH a/k/a ST. MARY'S MISSION CHURCH, RED
LAKE,

Defendants.

Videotape deposition of MONSIGNOR

MICHAEL FOLTZ, taken pursuant to Notice of

Taking Deposition, and taken before Gary W.

Hermes, a Notary Public in and for the County

of Ramsey, State of Minnesota, on the 27th day

of November, 2018, at 366 Jackson Street, St.

Paul, Minnesota, commencing at approximately

1:12 o'clock p.m.

AFFILIATED COURT REPORTERS, 2935 OLD
HWY. 8, ST. PAUL, MN 55113 (612)338-4348

INDEX

EXAMINATION BY MS. LINDSTROM.....	5
EXHIBIT 10.....	16
EXHIBIT 16.....	16
EXHIBIT 12.....	20
EXHIBIT 9.....	32
EXHIBIT 22.....	47
EXHIBIT 3.....	50
EXHIBIT 29.....	55
EXHIBIT 6.....	71
EXHIBIT 2.....	82
EXHIBIT 38.....	87
EXHIBIT 14.....	89
* * *	

APPEARANCES:

ELIN M. LINDSTROM, ESQ., Attorney at
Law, 366 Jackson Street, Suite 100, St. Paul,
Minnesota 55101, appeared for Plaintiff.

THOMAS R. BRAUN, ESQ., Attorney at
Law, 117 East Center Street, Rochester,
Minnesota 55904, appeared for Diocese of
Crookston.

DAVID E. CAMAROTTO, ESQ., Attorney at
Law, 100 South 5th Street, Suite 1500,
Minneapolis, Minnesota 55402, appeared for
Diocese of Crookston.

ALSO PRESENT:

Tim Schultz
Adam Wallin, videographer

* * *

PROCEEDINGS

* * *

MR. WALLIN: We are on the record.

This is the video deposition of Monsignor
Michael Foltz taken on November 27th, 2018.
The time now is 1:12 p.m.

This deposition is being taken in
the matter of Doe 457 versus Diocese of
Crookston et al. in the state of Minnesota
District Court, County of Red Lake, Ninth
Judicial District, court file number
63-CV-17-267. And also in the matter of
Ronald Vasek versus Diocese of Crookston in
the State of Minnesota District Court, County
of Polk Ninth Judicial District, court file
number 60-CV-17-921. This deposition is
taking place in St. Paul, Minnesota. My name
is Adam Wallin. I'm the videographer
representing Affiliated Video.

Will counsel please identify
themselves for the record?

MS. LINDSTROM: Elin Lindstrom from
Jeff Anderson & Associates representing the
Plaintiff along with Tim Schultz.

MR. BRAUN: Thomas Braun, B-r-a-u-n,

1 on behalf of the Diocese of Crookston from
2 Restovich Braun & Associates.
3 MR. CAMAROTTO: David Camarotto,
4 also on behalf of the Diocese of Crookston,
5 Bassford Remele.

6 MR. WALLIN: Will the court reporter
7 please swear in the witness?

8 MONSIGNOR MICHAEL FOLTZ,
9 called as a witness, being first duly sworn,
10 was examined and testified as follows:

11 EXAMINATION

12 BY MS. LINDSTROM:

13 Q. Monsignor Foltz, can you please state your
14 full name and spell your last name for the
15 record?

16 A. **Michael Henry Foltz, F-o-l-t-z.**

17 Q. And have you ever had your deposition taken
18 before?

19 A. **I have not.**

20 Q. Okay. So I'll lay out a couple of ground
21 rules. The first is that you can take a break
22 at any time, just let me know you'd like to
23 take a break and we can stop. If there's a
24 question that I've asked and you haven't
25 answered it yet, I'd appreciate it if you

1 could answer the question before we take a
2 break.

3 A. **(Nods head).**

4 Q. The other thing is, if you answer a question,
5 I'm going to assume that you've understood
6 what I'm asking, and so if you can't
7 understand me or you can't hear me, please ask
8 me and I'll speak louder or I'll rephrase.

9 The other thing that we need to do,
10 sometimes we say uh huh or huh uh and we need
11 to answer audibly, either yes or no or
12 whatever your answer may be so that the court
13 reporter can take it down accurately.

14 A. **(Nods head).**

15 Q. The other thing is, that we might develop a
16 conversational tone. You can anticipate where
17 I might go with the question. I'd just ask
18 that you let me finish the question completely
19 before you begin to answer and then I'll also
20 respect you with that.

21 A. **(Nods head).**

22 Q. So if I badger you with any of these rules
23 throughout the deposition, I'm not trying to
24 bother you or anything like that, I just want
25 to make sure the record is clear.

1 A. **Understood.**

2 Q. So, Monsignor Foltz, you are currently the
3 vicar general in the Diocese of Crookston, is
4 that right?

5 A. **Yes.**

6 Q. When did you become vicar general?

7 A. **July 1st, 2015.**

8 Q. When were you ordained?

9 A. **May 27th, 1989.**

10 Q. And was that in the Diocese of Crookston?

11 A. **Yes.**

12 Q. Where did you attend seminary?

13 A. **A couple different places. I attended at St.
14 Meinrad in southern Indiana and then St.
15 John's in Collegeville.**

16 Q. Are you from the Crookston area originally?

17 A. **I'm from Detroit Lakes, Crookston Diocese.**

18 Q. What was your first assignment after
19 ordination?

20 A. **It was at the Cathedral in Crookston.**

21 Q. How long were you there?

22 A. **I was there for two years.**

23 Q. So '89 to '91?

24 A. **Correct.**

25 Q. And were you an associate?

1 A. **I was.**

2 Q. What was your next position in the diocese?

3 A. **Two years of studying canon law at St. Paul's
4 University in Ottawa.**

5 Q. And did you graduate with a canon law degree?

6 A. **I did.**

7 Q. And what did you do after you left St. Paul's?

8 A. **Then I was appointed chancellor and moderator
9 of the curia in the Diocese of Crookston and I
10 had that for six years. And then also during
11 that time I was vocation director of the
12 diocese. And part of that time I was
13 associate, part-time associate at the
14 Cathedral in its missions.**

15 **And then in '96 I was -- while I was
16 still in Crookston, the chancellor, I was
17 pastor at St. Rose of Lima in Argyle and St.
18 John the Baptist in Alma.**

19 Q. So what were the dates that you were the
20 chancellor and moderator of the curia?

21 A. **From July 1st, 1993, to June 30th, 1999.**

22 Q. And so part of the time you were pastor at St.
23 Rose of Lima, were you also serving as the
24 chancellor?

25 A. **Yup.**

- 1 Q. Did you serve at any other parishes during
2 that time period that you were chancellor?
3 A. **Just like I said, the -- as an associate at**
4 **the Cathedral and then there's a couple**
5 **mission parishes, like St. Peter's in Gently**
6 **and St. Mary's in Euclid.**
7 Q. What was your next assignment after you
8 stopped being the chancellor in 1999?
9 A. **On July 1st, 1999, I went to St. Joseph's**
10 **parish in Moorhead.**
11 Q. How long were you there?
12 A. **Fourteen years, along with the Newman Center.**
13 Q. That's a long assignment, isn't it, 14 years?
14 A. **Yes. I loved it.**
15 Q. And did you have another assignment before you
16 became vicar general?
17 A. **Yes. After I left St. Joe's and became pastor**
18 **at St. -- Sacred Heart, East Grand Forks, on**
19 **July 1st, 2013, along with its two missions,**
20 **Holy Trinity in Tabor and St. Francis of**
21 **Assisi in Fisher.**
22 Q. Any assignments that you've had since then at
23 a parish?
24 A. **Nope.**
25 Q. Can you --

- 1 A. **I'm back -- I'm back now as pastor of St.**
2 **Francis. I mean, those three parishes I just**
3 **mentioned. So I was gone for three years and**
4 **the vicar general, but now I'm back as pastor**
5 **and continue as vicar general.**
6 Q. Can you describe for me your role as
7 chancellor? What were your day-to-day
8 activities, what was your job description?
9 A. **I would say it was pretty much similar to --**
10 **our structure was a little different then. It**
11 **was pretty much similar to my role now as**
12 **vicar general. The vicar general then was**
13 **whoever was the rector or pastor at the**
14 **Cathedral, so they just came in for the**
15 **ex-officio meetings. But I worked in the**
16 **office with the bishop all the time.**
17 Q. Was that Bishop Balke?
18 A. **Correct.**
19 Q. And how about as moderator of the curia, what
20 was your position or job description?
21 A. **Just coordinating the curia staff.**
22 Q. And as vicar general in the diocese, you've
23 always worked under Bishop Hoepfner, is that
24 correct?
25 A. **Correct.**

- 1 Q. Did you have any official positions in the
2 diocese between 1999 and 2015 when you were
3 installed as vicar general?
4 A. **For a -- maybe a year or two, I was judicial**
5 **vicar while I remained in Moorhead and --**
6 Q. What does that con -- what does that position
7 consist of?
8 A. **It's just a tribunal.**
9 Q. Describe that for me.
10 A. **So there's a moderator of the tribunal;**
11 **actually, it was Jennifer Haselberger. And**
12 **then the judicial vicar just oversees and**
13 **signs off on the sentences.**
14 Q. Do you remember the dates that you were the
15 judicial vicar?
16 A. **Oh, I would say 2005 or six to 2007.**
17 Q. And the current judicial vicar, is that Father
18 Joseph Richards?
19 A. **Correct.**
20 Q. How much interaction do you have with Father
21 Richards on a day-to-day basis?
22 A. **Well, it's a pretty part-time position, so**
23 **he's not -- I may see him once a week in the**
24 **office.**
25 Q. Monsignor Foltz, did you talk to anybody,

- 1 aside from your attorneys, in anticipation of
2 the deposition today?
3 A. **I did not.**
4 Q. Did you talk to Bishop Hoepfner about the
5 deposition?
6 A. **No. Even driving down in the car, we didn't**
7 **talk about it.**
8 Q. Did you review any materials before your
9 deposition today?
10 A. **I reviewed the medical record for Pat**
11 **Sullivan.**
12 Q. What medical records were you referring to?
13 A. **The ones from 2009 when he was at St. John**
14 **Vianney.**
15 Q. Had you seen those records before?
16 A. **I had.**
17 Q. Did you review any other medical records of
18 any other cleric before you sat for the
19 deposition today?
20 A. **No.**
21 Q. Monsignor Foltz, when is the first time you
22 dealt with an allegation of child sexual abuse
23 in the Diocese of Crookston?
24 A. **When -- it was probably '94 or five.**
25 Q. What was the allegation?

- 1 A. **were sexually abused by one of**
 2 **our priests.**
 3 Q. Was that Father Foley?
 4 A. **No.**
 5 Q. What priest was it?
 6 A. **Henry Carriere**
 7 Q. Did you receive a report from one of the
 8 brothers or how did you come about that
 9 information?
 10 A. **The mother spoke to me.**
 11 Q. How did you handle the report --
 12 A. **Sorry, I have to go back. It wasn't Henry**
 13 **Carriere, it was Frank Reid.**
 14 Q. And how did you handle the mother's report?
 15 A. **We got in touch with**
 16 Q. And Father Frank Reid was not in ministry at
 17 this time or was he?
 18 A. **He was removed from ministry.**
 19 Q. Prior to you receiving this report?
 20 A. **I believe so.**
 21 Q. Did you contact law enforcement when you
 22 received the report?
 23 A. **I did not.**
 24 Q. Did you discuss the report with Bishop Balke?
 25 A. **Yes.**

- 1 Q. What was the report, actually? What were the
 2 allegations lodged against Father Reid?
 3 A. **That he had fondled and that**
 4 **Bishop Balke met with them.**
 5 Q. Was Father Reid under any kind of monitoring
 6 or restrictions at this time, that you know
 7 of?
 8 A. **I do not recall that. I know he had been sent**
 9 **for treatment.**
 10 Q. What came about as a result of this report, if
 11 anything?
 12 A. **Well, he wasn't ministering anymore and the --**
 13 **we had a settlement with**
 14 Q. Was it a monetary settlement?
 15 A. **Yeah, to help them with counseling and --**
 16 Q. When is the next allegation that you had of
 17 child sexual abuse in the diocese?
 18 A. **That's probably Henry Carriere.**
 19 Q. And what did that allegation consist of?
 20 A. **He was -- had a few years back abused**
 21 **and then he was removed from ministry.**
 22 Q. Was it who was reporting?
 23 A. **Yes.**
 24 Q. And what did he report the abuse consisted of?
 25 A. **I'd say similar, fond -- fondling.**

- 1 Q. How did you handle that report?
 2 A. **Again, we met with him and we gave him**
 3 **counseling and -- but then Henry Carriere was**
 4 **out of ministry as well.**
 5 Q. What is the next allegation that you received
 6 of child sexual abuse?
 7 A. **I can't recall. This is 25 years ago. When I**
 8 **first came into the office, we were finishing**
 9 **up with the Porter cases, so that -- actually,**
 10 **that would be the first, but that had already**
 11 **been in the works.**
 12 Q. When you became chancellor or moderator of the
 13 curia, did you take any actions on your own or
 14 at the direction of Bishop Balke to review any
 15 of the files of the clerics who had been
 16 accused of abuse?
 17 A. **I didn't.**
 18 Q. Monsignor Foltz, I want to ask you about
 19 Father Pat Sullivan. Can you tell me which
 20 medical records you reviewed before your
 21 deposition today or would it help if I walked
 22 you through them?
 23 A. **It was the August, the final report from his**
 24 **month at St. John Vianney.**
 25 Q. Was it a report of psychological assessment

- 1 dated August 26th?
 2 A. **I believe so.**
 3 (Discussion out of the hearing of
 4 the court reporter)
 5 BY MS. LINDSTROM:
 6 Q. (Handing documents).
 7 A. (Examining documents).
 8 Q. I'm going to show you two different exhibits,
 9 Monsignor.
 10 MS. LINDSTROM: And Exhibit 16,
 11 please, and 10 if you have them.
 12 BY MS. LINDSTROM:
 13 Q. (Handing documents).
 14 A. (Examining documents) **These two I have not**
 15 **seen (Indicating). This is the one, I think.**
 16 Q. So you're looking at Exhibit 10, which is an
 17 August 26, 2009, letter to Father Baumgartner
 18 from St. John Vianney, and this is the
 19 document that you reviewed prior to coming
 20 today?
 21 A. **Correct.**
 22 Q. When did you first see this document,
 23 Monsignor Foltz?
 24 A. **Probably in 2016.**
 25 Q. Do you remember what precipitated you looking

1 at this document?

2 **A. When an alleged allegation -- or someone**
3 **brought one.**

4 **Q.** Someone brought what? I'm sorry.

5 **A. Alleged allegation.**

6 **Q.** What do you mean by "alleged allegation"?

7 **A. Well, some -- someone, not the victim, but**
8 **Michael Fairbanks, said he had information and**
9 **wanted to meet with me.**

10 **Q.** Did he contact you directly?

11 **A. No. He contacted Monsignor Baumgartner, who**
12 **then contacted Jim Clauson.**

13 **Q.** And then did Jim Clauson contact you?

14 **A. Correct.**

15 **Q.** Did Jim Clauson call you or how did he contact
16 you?

17 **A. Monsignor Baumgartner had sent an e-mail and**
18 **then I was out of the office for a couple**
19 **days. When I returned, he brought a copy of**
20 **the e-mail.**

21 **Q.** What did you do when you got the copy of the
22 e-mail?

23 **A. I got ahold of Mr. Fairbanks and met with him.**

24 **Q.** And where was the meeting?

25 **A. At Sacred Heart parish in Wilton, Minnesota,**

1 **by Bemidji.**

2 **Q.** When did this meeting take place, Monsignor
3 Foltz?

4 **A. Probably early February of 2016.**

5 **Q.** And was anybody else present at the meeting?

6 **A. Yes, Father Jerry Rogers.**

7 **Q.** And what happened at the meeting with Mr.
8 Fairbanks and Father Rogers?

9 **A. Well, Mr. Fairbanks said he had information,**
10 **but he wouldn't give me any information, so I**
11 **said, "Well, unless you give me something, I**
12 **-- I can't do anything."**

13 **Q.** Did he give you a hint of what he was talking
14 about? What information did he provide to
15 you?

16 **A. I can't -- well, the name of the alleged**
17 **victim and that he was in [REDACTED] you know, we**
18 **couldn't contact him.**

19 MR. BRAUN: So he gave you that
20 information or he didn't?

21 THE WITNESS: He -- he did say that.

22 BY MS. LINDSTROM:

23 **Q.** Did he say anything else at the meeting?

24 **A. Well, he said he had -- he had an allegation,**
25 **but he wouldn't give it.**

1 **Q.** Did he say the allegation involved Father Pat
2 Sullivan?

3 **A. Yes.**

4 **Q.** Did he describe for you in any way what the
5 allegation consisted of?

6 **A. No.**

7 **Q.** So what did you do, Monsignor Foltz,
8 subsequent to this meeting?

9 **A. I went back, shared the information with the**
10 **bishop. Then wrote Mr. Fairbanks a letter and**
11 **quoting some of our stuff from our policy --**
12 **sexual misconduct policy and said this -- you**
13 **know, "If you can give me that information, I**
14 **can act on this."**

15 **Q.** And did he give you any further information
16 about the allegations?

17 **A. He did not.**

18 **Q.** Did you report to law enforcement after your
19 initial meeting with Fairbanks?

20 **A. I did not.**

21 **Q.** Do you know if anybody in your office reported
22 the allegation to law enforcement in February
23 of 2016?

24 **A. I do not believe so.**

25 MS. LINDSTROM: Can I have 12,

1 please, Tim?

2 BY MS. LINDSTROM:

3 **Q.** Monsignor, I'm showing you what's been marked
4 as Exhibit 12. The title of these says,
5 "Investigation Notes," February 3rd, 2016, by
6 Monsignor Mike Foltz. Are these notes that
7 you put together?

8 **A. (Examining documents) Yes.**

9 **Q.** At the bottom of paragraph 2 on this page, it
10 says, "As a mandatory reporter, I reported the
11 alleged incident to the Red Lake law
12 enforcement. I spoke with a Samantha on
13 Friday afternoon." So did you report an
14 allegation to Red Lake law enforcement after
15 meeting with Fairbanks?

16 **A. I must have.**

17 **Q.** But as you recall today -- or you don't recall
18 as you sit here today?

19 **A. Yeah, I do recall talking to the -- after the**
20 **civil lawsuit to the Red Lake County and then**
21 **the FBI, but now that I review this, I believe**
22 **I did.**

23 **Q.** Did you create these notes contemporaneous in
24 time to when the meetings happened or did you
25 go back and create these notes later in time?

1 A. I -- I think the date on here is when I
2 created 'em, so after I came back and wrote
3 Mr. Fairbanks. And I think I -- I added to
4 them later.

5 Q. Where would these notes have been saved?

6 A. On my computer.

7 Q. Is that a work computer through the diocese or
8 a personal computer?

9 A. No. A work computer.

10 Q. Did the diocese do anything, after receiving
11 the name from Fairbanks at your initial
12 meeting with him, to locate the alleged victim
13 of Father Pat Sullivan?

14 A. I do -- do not believe so.

15 Q. Did you do anything, either on your own or at
16 the bishop's direction, to try to locate the
17 victim of Father Pat Sullivan?

18 A. Well, we -- we knew he was in [REDACTED]

19 Q. But you did not try to reach out to him?

20 A. From what I recall from the discussion with
21 Mr. Fairbanks, that he asked us not to. And I
22 didn't know what the allegation was.

23 Q. At this time, did you contact Father Pat
24 Sullivan about the allegation?

25 A. I do not believe so.

1 Q. Why not?

2 A. Because at this point, I think we considered,
3 until we received more information, that we
4 couldn't -- weren't pursuing it.

5 Q. At this time, did you know that there had been
6 a prior investigation done in 2009 regarding
7 the allegation into Father Pat Sullivan?

8 A. Yeah, well, when this happened, then I
9 reviewed the file.

10 Q. And what did you find in the file about Father
11 Pat Sullivan?

12 A. I found the phone call, the letter that Father
13 Jerry Rogers had written, follow-up by
14 Monsignor Baumgartner and then the medical
15 records.

16 Q. You said, "medical records," but you testified
17 that you had only seen one of these records
18 prior to today. Is that correct?

19 A. Right, I haven't seen these (Indicating).

20 Q. Do you recall, looking at Father Pat's file in
21 2016, how many different medical records there
22 were or were there numerous records from St.
23 John Vianney?

24 A. All I recall is Monsignor Baumgartner's notes
25 about the intake, and then a couple

1 communications back and forth, and then the
2 discharge -- or the results of the --

3 Q. Do you remember seeing Exhibit 10 in the file
4 when you reviewed it?

5 A. Yes.

6 Q. So what precipitated Father Sullivan being
7 removed from ministry in 2016?

8 A. When the allegation came through the civil
9 lawsuit.

10 Q. Who contacted Father Pat Sullivan about the
11 civil lawsuit?

12 A. Bishop Hoepfner.

13 Q. And how did he convey that information to
14 Father Pat?

15 A. He called him.

16 Q. Were you present for the conversation?

17 A. I was.

18 Q. What did the conversation consist of?

19 A. Basically, the bishop just telling him that we
20 received the -- a civil lawsuit with an
21 alleged allegation against him.

22 Q. Did the bishop ask Father Pat any questions
23 about the allegation?

24 A. I don't believe so.

25 Q. Did the bishop tell Father Pat that he was

1 removed from ministry at that time?

2 A. Yes, and that he needed to be out of the
3 rectory either that day or the next day and
4 that I was coming to have the weekend Masses
5 and inform the community.

6 Q. Did he place any restrictions on Father Pat at
7 that time in terms of his ministry?

8 A. Yeah, that he couldn't function as a priest.

9 Q. Was any monitoring program set up for Father
10 Pat to ensure that he wasn't functioning as a
11 priest when he was on leave?

12 A. Well, he came to live at his parents' house,
13 which is across from the chancery. And he
14 would check in at the chancery frequently.

15 Q. How frequently?

16 A. Well, he's come in there for a daily Mass.

17 Q. Was that required of him to check in with the
18 diocese?

19 A. I don't recall.

20 Q. Is it your testimony that Father Pat was being
21 monitored just by proximity, where he was
22 living in relation to the chancery?

23 A. Could you repeat that?

24 Q. How was Father Pat being monitored? He would
25 come for daily Mass; was anybody checking in

1 on him to make sure his ministry was
 2 restricted or are you saying just by being
 3 close to the chancery and coming for daily
 Mass he was being monitored?
 4 **A. Well, Crookston's small and he grew up in**
 5 **Crookston, so every -- everyone knows him.**
 6 **And so he -- when he was asked not to**
 7 **minister, he -- he didn't minister.**
 8 **Q.** But as far as you know, there were no formal
 9 -- there's no formal supervision process or
 10 check-in process on Father Pat?
 11 **A. No.**
 12 **Q.** At any time, did you have a conversation with
 13 Father Pat about the allegations against him?
 14 **A. I think when I gave him a copy of the lawsuit.**
 15 **Q.** Is that a copy of the complaint?
 16 **A. Correct.**
 17 **Q.** Did you speak to him at that time?
 18 **A. I don't believe we did that at that time. He**
 19 **brought it back another time.**
 20 **Q.** So you met with him more than once?
 21 **A. Yeah, well, he came to Mass, so he'd stop in**
 22 **after Mass. My office was there.**
 23 **Q.** Well, when did you give him a copy of the
 24 complaint?
 25

1 **A. I don't recall. It was probably a couple**
 2 **weeks after because he was going to get an**
 3 **attorney.**
 4 **Q.** Did the diocese help Father Pat get a lawyer?
 5 **A. He got the lawyer on his own.**
 6 **Q.** At any time, did you discuss with Father Pat
 7 the substance of the allegations?
 8 **A. I did not.**
 9 **Q.** At any point, did you interview Father Pat
 10 about the allegations made against him?
 11 **A. Well, we didn't want to -- because I had**
 12 **reported it to the Red Lake Police Department**
 13 **and then the FBI, so as far as we knew, it was**
 14 **an active investigation.**
 15 **Q.** Was Red Lake or the FBI in contact with the
 16 diocese about the progress of the
 17 investigation?
 18 **A. I think it's in -- it would be in these notes.**
 19 **I called numerous times, but the FBI --**
 20 **eventually they said it was the FBI that was**
 21 **doing it, but they said they don't give**
 22 **reports on active investigations -- if they're**
 23 **investigating or not, actually.**
 24 **Q.** Had you received any final investigative
 25 report or indication that the FBI had wrapped

1 up or completed their investigation prior to
 2 when Father Pat was placed back into ministry?
 3 **A. No.**
 4 **Q.** So it's the diocese's understanding that the
 5 law enforcement investigations were still
 6 pending when Father Pat was placed back in
 7 ministry?
 8 **A. (Examining documents) One more time.**
 9 **Q.** So it's your understanding the diocese placed
 10 Father Pat back into ministry when there was
 11 still an active investigation going on with
 12 law enforcement?
 13 **A. No. We -- we didn't know if they were**
 14 **investigating or not. The FBI wouldn't tell**
 15 **us.**
 16 **Q.** You had received no indication that the FBI
 17 had completed an investigation at this --
 18 **A. That's correct.**
 19 **Q.** -- point in time? Monsignor Foltz, on page 2
 20 of Exhibit 10, in the middle of the page, it
 21 says there are specific recommendations
 22 delineated in Father Sullivan's psych report
 23 and it talks about, "He identifies this as an
 24 area of need," and that boundaries of
 25 appropriate behavior, "which coupled with

1 testing results, strongly indicates boundary
 2 education should be addressed immediately.
 3 His view on this topic is naive, as he would
 4 face serious consequences were he to touch a
 5 child or adult inappropriately. It appears
 6 that without boundary education, both Father
 7 Sullivan and those with whom he interacts may
 8 be at risk." Do you remember reviewing that
 9 when you read the file of Father Sullivan?
 10 **A. I did.**
 11 **Q.** Did it cause you any alarm?
 12 **A. Well, it's -- it was seven, eight years old**
 13 **and it was a public -- rather public**
 14 **allegation in the news and stuff and no one**
 15 **else had come forward. He'd ministered for**
 16 **many years and I wasn't aware of anything.**
 17 **Q.** What was a public allegation?
 18 **A. When the -- the civil lawsuit.**
 19 **Q.** That was in 2016, correct?
 20 **A. Correct.**
 21 **Q.** But this report is dated from 2009, is that
 22 correct?
 23 **A. Correct. And I saw it in 2016.**
 24 **Q.** And so reading this, you had not seen this
 25 prior to 2016, correct?

1 **A. Correct.**

2 **Q.** After reading this, this is prior to when the
3 civil lawsuit was filed by our office, is that
4 correct?

5 **A. Correct.**

6 **Q.** Upon reading this, did you go talk to Bishop
7 Hoeppner?

8 **A. I don't recall that I did.**

9 **Q.** Did you discuss this with anybody, this
10 paragraph here, and the risk that Father
11 Sullivan posed?

12 **A. (Examining documents) I guess I viewed it that
13 this could be written for any professional if
14 -- if we were to touch a child or --**

15 **Q.** But Father Pat was sent to St. John Vianney.
16 It says up here that he has -- he has -- needs
17 to increase his understanding of the
18 boundaries of appropriate behavior, he's
19 having boundary issues. As a result of that,
20 this is the recommendation made. Is that the
21 same recommendation other professionals would
22 receive without having any indication of
23 boundary issues?

24 **A. You'd have to ask them.**

25 **Q.** So this didn't cause you any concern when you

1 read this in 2016?

2 **A. I just thought it was something that they --
3 right, because they left -- you know, he came
4 back, there's an allegation, alleged
5 allegation, Monsignor Baumgartner investigated
6 that, he had -- he received this material and
7 didn't do anything then, so I thought, you
8 know, this is years later.**

9 **Q.** As vicar general, would you receive and were
10 in charge of all reports of either misconduct
11 with children or reports of sexual abuse, is
12 that correct?

13 **A. Correct.**

14 **Q.** And so you, who's in charge of keeping kids
15 safe for the diocese, essentially, and making
16 recommendations to Bishop Hoeppner, read this
17 on Father Sullivan and it doesn't cause you
18 any alarm?

19 **MR. CAMAROTTO:** I'm going to object,
20 asked and answered.

21 **MR. BRAUN:** I concur. It's also
22 argumentative. You can answer.

23 **A. I guess knowing Father Pat, I didn't think it
24 was a risk.**

25 **BY MS. LINDSTROM:**

1 **Q.** So no action was taken by you after reading
2 this document or by the diocese until Father
3 Pat is removed from ministry after the civil
4 lawsuit is filed, is that correct?

5 **A. Correct.**

6 **Q.** Father Pat Sullivan indicated that people have
7 told him over the years that he's a toucher
8 and some priests have talked to him about
9 hugging or touching children and that he
10 shouldn't do that. Have you ever had a
11 conversation like that with Father Sullivan?

12 **A. I'm aware that he's a touchy-feely guy. And
13 I've asked him, you know, not to give me back
14 (Indicating) -- on my shoulders.**

15 **Q.** How many times have you talked to him about
16 that?

17 **A. Once or twice.**

18 **Q.** Has anyone complained to you about him
19 touching them in a way they didn't like?

20 **A. Not that I recall.**

21 **Q.** Have you heard anyone complain about others
22 making complaints about Father Pat Sullivan,
23 either parishioners or children, touching them
24 in a way that they didn't like?

25 **A. Not that I recall.**

1 **Q.** Is your experience with Father Sullivan being
2 a touchy-feely guy, that's just based on your
3 perception and your experience, correct?

4 **A. Well, it -- I've seen him like at priest
5 gatherings.**

6 **Q.** Seen him at priest gatherings touching other
7 priests?

8 **A. Yeah, just what he would do on the shoulders
9 (Indicating).**

10 **Q.** Monsignor Foltz, in Exhibit 9 in front of you
11 there on the right, page 4 of this exhibit is
12 Bates stamped Sullivan 000257 at the bottom.
13 Do you see that?

14 **A. (Examining documents) Yes.**

15 **Q.** The last paragraph states, "Father Sullivan
16 offered that he struggles at times with
17 understanding the appropriate boundaries with
18 physical touch, which is of particular concern
19 because he will be expected to interact with
20 middle school age students at his next
21 assignment." The next page goes on, "He
22 maintains that he likes to tickle children,
23 though he becomes uncomfortable doing so with
24 adolescent girls. He does not experience that
25 level of discomfort with males. He states

1 that he is comfortable with males not nearly
2 because of his sports background, but because
3 of his limited contact with girls. As an
4 example, he claims that he is unaware how
5 sensitive female breasts are."

6 On Bates stamped 261 of this same
7 document, the last paragraph states, "Of
8 concern for Father Sullivan is his self-report
9 that he struggles with understanding the
10 appropriate boundaries of physical touch with
11 children." It goes on to state, "It would be
12 critical for Father Sullivan to gain a better
13 understanding of boundaries of physical and
14 emotional contact with children so as to make
15 sure that he does not violate a boundary."

16 The last page of this goes on to
17 state, "Father Sullivan should participate in
18 programming designed to increase his
19 understanding of the boundaries of appropriate
20 behavior. He identifies this as an area of
21 need, which coupled with testing results,
22 strongly indicates boundary education should
23 be addressed immediately. His view on this
24 topic is naive as he would face serious
25 consequences were he to touch a child or adult

1 inappropriately. It appears that without
2 boundary education, both Father Sullivan and
3 those with whom he interacts may be at risk."
4 Have you seen this document before?

5 **A. I -- I have not seen this document.**

6 **Q.** Reading that, does that cause you concern
7 about Father Sullivan's boundaries with
8 children in the diocese?

9 **A. It's not what I knew of Father Pat.**

10 **Q.** Does it cause you concern?

11 **A. Like I said, it's not what I know of Father
12 Pat.**

13 **Q.** Does it cause you concern? Yes or no.

14 **A. Yes.**

15 **Q.** If these were not in the file of Father Pat
16 that you reviewed in 2016, where would
17 documents like this be kept?

18 **A. (Examining documents) I don't know if they
19 were at St. John Vianney. I'm -- I haven't
20 seen these before. This report I have
(Indicating).**

22 **Q.** And that's Exhibit 10, correct?

23 **A. Correct.**

24 **Q.** Do you know if the review board, when they
25 looked at Father Pat's case, had access to

1 these documents from St. John Vianney?

2 **A. They did not.**

3 **Q.** Do you think it would have been important for
4 the review board to see these documents from
5 St. John Vianney prior to making a
6 recommendation to Bishop Hoepfner to reinstate
7 Father Pat Sullivan?

8 **A. So in saying that, you mean Exhibit 10?**

9 **Q.** I mean Exhibit 10, I mean Exhibit 9, I mean
10 Exhibit 16.

11 **A. Well, I don't think these were in the file --
12 his file.**

13 **Q.** I'm not asking if they were in the file. I'm
14 asking if you think it would be important for
15 the review board to see these documents from
16 St. John Vianney about Father Pat Sullivan
17 before they would make a recommendation to the
18 bishop that he be appointed back into
19 ministry?

20 **A. They could have been helpful.**

21 **Q.** Don't you think it would be necessary for them
22 to see these documents, rather than just
23 helpful?

24 **A. I was so focused on the alleged allegation and
25 the deposition that -- and this is the only**

1 **one that I'm aware of (Indicating), that I --
2 I included, you know, all the other materials
3 that -- from the first alleged allegation and
4 -- and the results of that from Monsignor
5 Baumgartner.**

6 **Q.** Don't you think -- as vicar general you are
7 the bishop's representative essentially when
8 it comes to complaints of sexual misconduct to
9 boundaries issues with children of the
10 diocese, is that correct?

11 **A. Correct.**

12 **Q.** Don't you think as that person who's appointed
13 with receiving those reports and making
14 recommendations that you should have had
15 access to these documents from St. John
16 Vianney?

17 **A. Well, I was not in the office when -- so I
18 don't know what -- if -- if these are -- I
19 don't know if these were with St. John Vianney
20 only and we got 'em later or --**

21 **Q.** I don't want to know -- I don't need to know
22 when you got them. I'm asking, wouldn't this
23 be helpful for you as vicar general, who's
24 tasked with managing reports and allegations
25 of child sexual abuse, who's investigating the

1 Father Pat Sullivan matter, wouldn't it be
 2 necessary for you to see these documents?
 3 **A. I thought I was seeing the documents**
 4 **(Indicating).**
 5 **Q.** Would it have been helpful for you to see the
 6 rest of the St. John Vianney documents?
 7 **A. Could have been.**
 8 THE WITNESS: Can I take a break?
 9 MS. LINDSTROM: Yes.
 10 MR. WALLIN: We are going off the
 11 record at 1:59 p.m.
 12 (Recess taken)
 13 MR. WALLIN: We are back on the
 14 record at 2:07 p.m.
 15 BY MS. LINDSTROM:
 16 **Q.** Monsignor Foltz, at some point the review
 17 board -- you had provided them with
 18 information about Father Pat Sullivan, is that
 19 correct?
 20 **A. Correct.**
 21 **Q.** When was that?
 22 **A. November of 2017.**
 23 **Q.** And what did you provide them with?
 24 **A. The information that had been in his file**
 25 **regarding the -- that phone call of September**

1 **of 2009, the results of that follow-up, the**
 2 **deposition of the alleged victim. And the**
 3 **review board was invited to come early, any**
 4 **member that wanted, to review the deposition.**
 5 **And two people did, the vice police chief and**
 6 **the sheriff.**
 7 **Q.** Did they come early? Did they watch the video
 8 deposition or just read the transcript?
 9 **A. They read the transcript.**
 10 **Q.** So it sounds like not everyone read the
 11 transcript, but you know two individuals who
 12 did?
 13 **A. Yeah. Everyone had the opportunity, but only**
 14 **the two did.**
 15 **Q.** And who were those two again? I'm sorry.
 16 **A. Their names?**
 17 **Q.** Yes.
 18 **A. Sheriff Phil Hodapp and vice police chief of**
 19 **Grand Forks, Jim Remer.**
 20 **Q.** And you did not provide them with any of the
 21 documents from St. John Vianney, is that
 22 correct?
 23 **A. That's correct.**
 24 **Q.** And that includes Exhibit 10, which you
 25 remembered seeing in the file at this point --

1 **A. Correct.**
 2 **Q.** -- correct?
 3 **A. That was my mistake.**
 4 **Q.** How often did the review board meet about
 5 Father Pat Sullivan?
 6 **A. Under -- in my time?**
 7 **Q.** Yes.
 8 **A. Twice.**
 9 **Q.** When was the first meeting?
 10 **A. In November.**
 11 **Q.** When was the second meeting?
 12 **A. In December.**
 13 **Q.** So what was discussed at the November meeting?
 14 **A. The deposition, mainly.**
 15 **Q.** And what did the discussion --
 16 **A. The history, you know, the case and then the**
 17 **deposition.**
 18 **Q.** What did the discussion consist of mainly?
 19 **A. Well, I'm -- I'm present, but I'm not a member**
 20 **of the review board, so Jim Remer took the**
 21 **lead and walking the review board through the**
 22 **deposition and Phil assisted him in doing**
 23 **that.**
 24 **Q.** Who else was present at this meeting besides
 25 Jim, Phil and yourself?

1 **A. Judy Anderson -- Anderson, she's the chair;**
 2 **Jennifer Nessholt. Trying to think of who's**
 3 **all on the -- and then Bonnie Sullivan is the**
 4 **chancellor and recorder.**
 5 **Q.** Did you speak --
 6 **A. And Father -- Father Vincent.**
 7 **Q.** Is that Father Vincent's last name or first
 8 name?
 9 **A. First name, Miller.**
 10 **Q.** Did you speak at this meeting, Monsignor
 11 Foltz?
 12 **A. I may have said a few things, I think to walk**
 13 **'em through the history and the documents that**
 14 **they were given.**
 15 **Q.** Did you give any opinion on the allegation or
 16 try to influence the decision of the review
 17 board in any way?
 18 **A. Not that I recall.**
 19 **Q.** So the review board didn't have the St. John
 20 Vianney documents; did they know that Father
 21 Sullivan had been sent to St. John Vianney for
 22 treatment?
 23 **A. He was sent for rest and -- because he was fat**
 24 **-- fatigued. It wasn't my understanding that**
 25 **it was treatment.**

- 1 Q. They also addressed boundary issues at St.
2 John Vianney, correct?
- 3 A. **Do they?**
- 4 Q. They also did in Father Pat's case, they
5 addressed his boundary issues, is that
6 correct?
- 7 A. **Yeah, that's what the document says.**
- 8 Q. Did the review board know that Father Pat had
9 been sent to St. John Vianney?
- 10 A. **I don't recall.**
- 11 Q. Did you tell them that he had been sent there?
- 12 A. **I don't recall.**
- 13 Q. Prior to this, Father Jim Clauson testified
14 that he had been present for review board
15 meetings and then suddenly he became excluded
16 from the meetings and he was not present for
17 the review board meetings regarding Father Pat
18 Sullivan and that you had asked him not to
19 attend the meeting. Is that your
20 recollection?
- 21 A. **Yeah, well, he's safe environment coordinator,
22 so he -- he would come in -- we followed a
23 policy. He came into the meetings to present
24 results from the audit and what we were doing
25 with the safe environment program. He's not a**

- 1 **member of the board.**
- 2 Q. Had he been at review board meetings prior to
3 this November 2017 meeting?
- 4 A. **He had.**
- 5 Q. Why did you ask him not to come to this
6 meeting regarding Father Pat Sullivan?
- 7 A. **It wasn't because of the meeting of Father Pat
8 Sullivan. It was just, as I was getting into
9 the office and reviewing, you know, the
10 diocesan review board and it's not good to
11 have a lot of diocesan employees on review
12 boards, so --**
- 13 Q. He testified that you also said you wouldn't
14 be present for the meetings any longer, but he
15 saw you in the meeting that you had regarding
16 Father Pat Sullivan. Is there a reason you
17 changed your mind and decided to instead sit
18 in the meeting?
- 19 A. **If I recall my discussion is that's a --
20 that's where we're moving to for our diocese
21 as we are reviewing our diocesan review board.**
- 22 Q. Has that change happened yet, that --
- 23 A. **Well, the -- we had -- just had a meeting and
24 we're discussing that.**
- 25 Q. Was there any kind of consensus reached by the

- 1 review board at that November meeting about
2 Father Pat?
- 3 A. **What I recall is they were -- wanted to wait
4 one more time on this deposition of Michael
5 Fairbanks because it was a deposition set up
6 and then, of course, that got canceled.**
- 7 Q. And then what happened at the December meeting
8 of the review board?
- 9 A. **Then they decided to go through with rec --
10 the recommendation and place him back in -- to
11 recommend to the bishop to place Father Pat
12 back to ministry because they did not deem the
13 allegation credible.**
- 14 Q. Was there a vote?
- 15 A. **I don't recall that.**
- 16 Q. Did it seem unanimous by the review board to
17 send him back in?
- 18 A. **I think -- I think it was.**
- 19 Q. And was that recommendation communicated to
20 Bishop Hoepfner?
- 21 A. **Yes, the chairperson wrote a letter to him.**
- 22 Q. Was there any concern by the review board that
23 there was a pending civil lawsuit related to
24 Father Pat Sullivan at the time he was
25 reinstated?

- 1 A. **I don't recall that.**
- 2 Q. How was -- I'm sorry if I just asked you this
3 -- how was the recommendation of the review
4 board communicated to Bishop Hoepfner?
- 5 A. **The chairperson wrote him a letter.**
- 6 Q. Thank you. I did just ask you that.
7 And did you meet with Bishop
8 Hoepfner at any time after the chairperson
9 gave the bishop that letter prior to when
10 Father Pat was reinstated?
- 11 A. **Yes.**
- 12 Q. And when did you meet with the bishop?
- 13 A. **Probably after he received the letter and then
14 we talked about what to do.**
- 15 Q. What did you talk about?
- 16 A. **I think we -- it was decided that since the
17 review board deemed the alleged allegation not
18 credible, that we'd follow our processes.**
- 19 Q. Did Bishop Hoepfner at any time mention to you
20 the fact that there were additional documents
21 from St. John Vianney about Father Pat
22 Sullivan?
- 23 A. **Not that I recall.**
- 24 Q. Having seen these documents today, do you
25 think it's worth taking a second look about

1 whether Father Pat should be in ministry right
2 now, given the fact that St. John Vianney says
3 he could pose a risk of boundaries for
children?

4 **A. Well, I think it -- as much information as**
5 **possible to provide for the review board.**
6 **Like I said, the -- I think it was my mistake**
7 **not to give 'em this document (Indicating).**

8 **Q.** Does the diocese have plans or, now that
9 you've seen this, do you have plans to convene
10 the review board again to provide them with
11 these documents regarding Father Pat?

12 MR. CAMAROTTO: Has he made plans in
13 the last half-hour, is that what you're asking
14 him?

15 BY MS. LINDSTROM:

16 **Q.** Do you intend to reconvene the review board to
17 discuss these documents regarding Father Pat?

18 **A. I will take that under advisement with the**
19 **bishop, but I think all the information that**
20 **we can have to protect children is important.**
21 **I have**

22 **Q.** Are you currently in Father Sullivan's priest
23 support group or were you at some point?

1 **A. I am.**

2 **Q.** What does that consist of, the priest support
3 group? How often do you meet?

4 **A. Approximately once a month. We meet for**
5 **evening prayer on the -- typically on a Sunday**
6 **and then supper and maybe some cards.**

7 **Q.** And is the support group specifically convened
8 because of the allegation against Father Pat
9 or is this something where you meet frequently
10 regardless?

11 **A. Frequently regardless. We've been meeting --**
12 **well, I've been in the same priest support**
13 **group for -- since I've been ordained.**

14 **Q.** Did you discuss the allegations made against
15 Father Pat in the priest support group?

16 **A. No.**

17 **Q.** Monsignor Foltz, are you familiar with Father
18 Joseph Richards? I think you said he's the
19 current judicial vicar. Is that correct?

20 **A. Correct.**

21 **Q.** At some point in the '90s, Father Richards was
22 sent to Servants of the Paraclete and your
23 name is on some of those documents as having
24 been involved in that. Do you recall that?

25 **A. Yeah, he went to St. Michael's in St. Louis.**

1 **Q.** What can you tell me about why Father Richards
2 went to St. Michael's?

3 **A. He came to -- I don't know if it was me or**
4 **Bishop Balke, but he came to, I'll say, me to**
5 **say that when he was a child, he was sexually**
6 **abused by an uncle.**

7 **Q.** And what precipitated him going down to St.
8 Louis?

9 **A. He just felt like that's something that he**
10 **needed to -- to deal with to be healthy.**

11 **Q.** Was it your recommendation that he go to St.
12 Louis or was it his on his own initiative?

13 **A. I think he came and asked if he could go.**

14 **Q.** And at this point you were the chancellor,
15 correct?

16 **A. Correct.**

17 (Discussion out of the hearing of
18 the court reporter)

19 BY MS. LINDSTROM:

20 **Q.** Monsignor Foltz, this has been marked as
21 Exhibit 22. It's a document produced to us
22 from Father Richards' file. This appears to
23 be a letter from you to St. Michael's
24 Community in July of 1993. Is that correct?

25 **A. Correct.**

1 **Q.** And in this document in the first paragraph,
2 it indicates that about once a month Father
3 Richards has been driving to Minneapolis to
4 see a counselor.

5 **A. (Examining documents) Yes.**

6 **Q.** Was that something that you helped facilitate,
7 Father Richards seeing a counselor in
8 Minneapolis?

9 **A. I don't recall that.**

10 **Q.** Do you know why he was going to a counselor?

11 **A. Well, I would assume that it's from what he**
12 **had shared about.**

13 **Q.** A little bit further down in this same
14 paragraph you write, "As far as I'm aware,
15 there's been no inappropriate acting out
16 sexually with anyone." Had you had any
17 concerns at this point of Father Richards
18 acting out inappropriately with anybody prior
19 to being sent down to St. Michael's Community?

20 **A. No.**

21 **Q.** At this point have you sent any other priests
22 to St. Michael's Community?

23 **A. Well, I -- I hadn't, I don't believe, because**
24 **this is -- I just took office in '93.**

25 **Q.** Is it your understanding that that is one of

- 1 the facilities that has been used by the
2 diocese and other dioceses around the country
3 for priests who have had either boundary
4 issues or had acted inappropriately with
5 children?
6 **A. Or for a variety of other reasons as well.**
7 **Q.** What other facilities has the diocese used for
8 treatment for priests?
9 MR. BRAUN: Any kind of treatment?
10 BY MS. LINDSTROM:
11 **Q.** How about for abusing -- inappropriate
12 boundaries with kids or sexually abusing kids.
13 **A. I -- St. Luke's Institute was -- I don't know**
14 **if it was to St. Michael's or not, but I know**
15 **for sure St. Luke's.**
16 **Q.** St. John Vianney?
17 **A. Well, that -- not in my time.**
18 **Q.** But in the diocese, has the diocese used that
19 as a facility for priests who have had issues
20 with kids?
21 **A. I'm not sure about that.**
22 **Q.** Did you have communications with St. Michael's
23 Community by phone during the time that Father
24 Richards was there?
25 **A. I imagine I did.**

- 1 **Q.** Do you remember any of the conversations?
2 **A. No.**
3 **Q.** Do you know if Bishop Balke had any
4 conversations with anyone at St. Michael's?
5 **A. He mighta.**
6 **Q.** Did you go down and visit with Father Richards
7 when he was there?
8 **A. I did not.**
9 **Q.** Do you remember seeing the records from St.
10 Michael's Community after Father Richards had
11 been through the treatment program?
12 **A. Oh, I'm sure I did.**
13 **Q.** Have you reviewed them recently?
14 **A. No.**
15 (Discussion out of the hearing of
16 the court reporter)
17 MS. LINDSTROM: I think you guys
18 have a copy of this one already, but --
19 MR. BRAUN: Yeah.
20 BY MS. LINDSTROM:
21 **Q.** Monsignor Foltz, this is a psycho/social
22 history of Father Richards dated July 14th,
23 1993, and it is stamped as being from St.
24 Michael's Community and is being produced to
25 us in this case.

- 1 The second page, Bates stamped at
2 the bottom as 000150, the second-to-last
3 paragraph says, "Joseph said that he considers
4 himself to be bisexual at this time, although
5 he has never had sexual relations. He admits
6 to feeling somewhat confused regarding his
7 sexuality. He feels that his masturbation,
8 need for pornography and sexual fantasizing
9 would become out of control whenever he would
10 go out of town. When he began to have
11 fantasies about abusing a child and felt an
12 attraction toward children, he decided to
13 voluntarily seek help." Reading that, does
14 that -- have you seen this record before?
15 **A. (Examining documents) Like I'm sure I did read**
16 **it.**
17 **Q.** Do you remember what you did in response to
18 receiving the record in the '90s?
19 **A. Well, he was in treatment.**
20 **Q.** But he came back from treatment, right?
21 **A. Well, this is his initial report, I think.**
22 **Q.** But he eventually came back from St. Louis
23 Community (sic), correct?
24 **A. Correct.**
25 **Q.** And he worked in the diocese, correct?

- 1 **A. Correct.**
2 **Q.** The second page under "Impressions" -- I'm
3 sorry, the third page, last paragraph says,
4 "His fantasies regarding children, while not
5 uncommon for sexual abuse victims, are
6 disturbing and should be treated as a cry for
7 help. He would probably benefit from an
8 intensive inpatient program." So upon reading
9 this, Father Richards was appointed back into
10 a parish when he got back to the diocese,
11 correct?
12 **A. So he stayed for six months or whatever and I**
13 **imagine they -- they gave a recommendation**
14 **that he was -- had dealt with the issues and**
15 **could be in ministry.**
16 **Q.** Did you remember getting a recommendation from
17 St. Michael's Community?
18 **A. I can't recall that now, but I imagine we did.**
19 **Q.** Did you do anything to follow up with Father
20 Richards after he came back to the diocese
21 from receiving treatment?
22 **A. He had a care plan or -- to -- to family**
23 **members and lay people and I don't know if**
24 **there's a priest or two in his care plan.**
25 **Q.** Was the care plan made aware of Father

- 1 Richards' sexual fantasies about abusing
2 children?
- 3 **A. I was not on the care plan, but they sent
4 someone from St. Michael's, that was the
5 typical way of doing things, so I -- whatever
6 they shared with that group. My understanding
7 is it was pretty open when they do that.**
- 8 **Q.** Do parishioners in the diocese now know about
9 Father Richards' past of having sexual
10 fantasies about kids?
- 11 **A. I don't believe so.**
- 12 **Q.** Was any kind of supervision implemented or
13 monitoring for Father Richards when he came
14 back from St. Michael's?
- 15 **A. What I recall is he was placed in with the --
16 as an associate, so he had a pastor that was
17 in the know.**
- 18 **Q.** Do you know if Bishop Balke was supervising or
19 checking in on Father Richards when he came
20 back from treatment?
- 21 **A. I imagine he was.**
- 22 **Q.** But you don't know for sure, correct?
- 23 **A. Correct.**
- 24 **Q.** And you were not doing any supervision or
25 monitoring of Father Richards' ministry when

- 1 he came back from St. Michael's?
- 2 **A. Not that I recall.**
- 3 **Q.** At the time, did you think that Father
4 Richards' issues regarding fantasizing about
5 abusing kids and sexual compulsivity had been
6 addressed by St. Michael's?
- 7 **A. Well, that's 25 years ago and, I mean, I --
8 like I said, I didn't review the file, but,
9 typically, if we put someone back into
10 ministry it's because they -- they recommend
11 that they would -- could go back to ministry.**
- 12 **Q.** There have been some changes in the way the
13 church handles allegations of abuse since the
14 1990s, is that correct?
- 15 **A. Correct.**
- 16 **Q.** Now, knowing what you know about the diocese
17 and its policies and the charter promulgated
18 by the USCCP, reading this, do you think that
19 Father Richards' file should be re-evaluated?
- 20 **A. Well, the information -- bringing it all
21 together is always helpful.**
- 22 **Q.** Bishop Hoepfner testified today that he'd
23 never seen this document.
- 24 **MR. BRAUN:** Is that a question?
- 25 **BY MS. LINDSTROM:**

- 1 **Q.** Why didn't you show Bishop Hoepfner this
2 document?
- 3 **A. He wasn't in the -- in the diocese.**
- 4 **Q.** But Father Richards is working in the diocese
5 now, correct?
- 6 **A. I don't -- I didn't recall this.**
- 7 **Q.** So you are, as a vicar general, tasked with
8 receiving complaints and accusations regarding
9 child sexual abuse and boundary issues and you
10 know this letter is in Father Richards' file,
11 but you didn't alert the bishop of the letter,
12 correct?
- 13 **MR. BRAUN:** Objection, misstates his
14 testimony.
- 15 **A. I don't -- didn't recall -- the only thing I
16 recalled about the thing, and I didn't review
17 the file when I went back into the chancery,
18 is that, like I said in this letter, he came
19 forward on his own as a cry for help to get
20 help.**
- 21 **BY MS. LINDSTROM:**
- 22 **Q.** Monsignor Foltz, I want to show you an Exhibit
23 29.
- 24 **MR. BRAUN:** I already got one.
- 25 **MS. LINDSTROM:** You guys already

- 1 have it.
- 2 **MR. CAMAROTTO:** I have it as well.
- 3 Thanks.
- 4 **BY MS. LINDSTROM:**
- 5 **Q.** This looks like a letter authored by you.
6 That's your signature at the bottom, correct?
- 7 **A. Correct.**
- 8 **Q.** Do you remember the date of this letter,
9 Monsignor Foltz?
- 10 **A. It kinda got cut off, but must have been
11 during his time at St. Michael's.**
- 12 **Q.** And this letter goes on to state, "That 16 or
13 17 years ago, he - Joe at the age of about 15,
14 sexually abused a five- or six-year-old boy he
15 was baby-sitting." Do you remember this?
- 16 **A. I do not remember this.**
- 17 **Q.** You don't remember Father Richards telling you
18 this?
- 19 **A. I don't.**
- 20 **Q.** But you wrote the letter, correct?
- 21 **A. Correct. As I said before, what I recall is
22 that he was -- he, Father Joe, was abused as a
23 child by an uncle, that's the main -- only
24 thing I remembered about.**
- 25 **Q.** But you don't remember him telling you that he

- 1 abused a child?
- 2 **A. No.**
- 3 **Q.** Reading this now, do you feel that Father Richards' file should be gone back through to evaluate whether he should be in ministry right now, knowing that there's an allegation in his file that he admitted to?
- 4 **A. As a child, as a teenager?**
- 5 **Q.** Yes.
- 6 **A. Well, it's always helpful to bring all the -- everything together and re-evaluate.**
- 7 **Q.** When Father Richards was to become judicial vicar, did anyone look back through his file?
- 8 **A. I was not in the chancery. You'd have to ask Monsignor Baumgartner.**
- 9 **Q.** Do you remember if you did anything -- you don't remember receiving the reports, I'm assuming you don't remember doing anything after you received this report, correct?
- 10 **A. Which report?**
- 11 **Q.** The report from Father Richards that he abused a five- or six-year-old boy.
- 12 **A. I don't remember.**
- 13 **Q.** The letter indicates that the meeting was also with Bishop Balke. Do you know if Bishop

- 1 Balke did anything in response to this report?
- 2 **A. I think our response was for them -- for him to deal with it at St. Michael's, the aftercare program.**
- 3 **Q.** To your knowledge, did Father Richards participate in the St. Michael's aftercare program?
- 4 **A. Yes, because, as I mentioned before, there was a group that he would meet with, I don't know how frequently, but it was set up by St. Michael's.**
- 5 **Q.** Do you remember who was in that group?
- 6 **A. I have -- I can't.**
- 7 **Q.** At some point did that group end or is he still meeting with that group?
- 8 **A. I think that at some point that ended.**
- 9 **Q.** Monsignor Foltz, another priest, is someone who is in ministry recently, and Father Jim Clauson testified that there have been some concerns raised about [REDACTED] relationship with minors. Have you heard this before?
- 10 **A. So it -- it's Jim Clauson, he's not a priest.**
- 11 **Q.** Sorry. Jim Clauson. Former safe environment coordinator. Have you heard about any

- 1 relationships that [REDACTED] has had with kids that caused people to have concerns?
- 2 **A. Jim Clauson had shared that with me.**
- 3 **Q.** When was that?
- 4 **A. Year or two ago.**
- 5 **Q.** And what did he tell you?
- 6 **A. I don't recall, other than -- I -- I don't recall. I do remember having a conversation.**
- 7 **Q.** Did you have any subsequent conversations with Jim Clauson about
- 8 **A. I don't believe after that.**
- 9 **Q.** Have you ever talked to Bishop Hoeppner about
- 10 **A. Yeah, we've had discussions.**
- 11 **Q.** What did you talk about?
- 12 **A. Well, Bishop Hoeppner said that Father [REDACTED] was checking in with him every week.**
- 13 **Q.** Do you know why?
- 14 **A. I think that was part of his aftercare from his treatment.**
- 15 **Q.** Did Bishop Hoeppner tell you why Father [REDACTED] had been in treatment?
- 16 **A. I don't recall us discussing that.**
- 17 **Q.** Do you remember at what point you became aware

- 1 that [REDACTED] had gone to treatment?
- 2 **A. Well, we're a small diocese, so I knew in -- when he went. I didn't know why.**
- 3 **Q.** Do you know, did you find out at some point in time why he went to treatment?
- 4 **A. I think through Jim Clauson when I came into the chancery.**
- 5 **Q.** Did Bishop Hoeppner tell you why he was checking in on
- 6 **A. I think [REDACTED] was calling Bishop to check in.**
- 7 **Q.** Were you aware of any restrictions or monitoring of [REDACTED] ministry?
- 8 **A. I'm aware that, similar to Father Joe Richards, that when he came back from treatment, he was an associate living with a pastor.**
- 9 **Q.** At any point, did you learn that [REDACTED] had previously been sent to treatment in St. Louis?
- 10 **A. I knew that years ago.**
- 11 **Q.** Do you know why?
- 12 **A. (Shakes head).**
- 13 **Q.** Is that a no?
- 14 **A. No.**

- 1 Q. Sorry. Was that when you were chancellor?
- 2 A. **No.**
- 3 Q. Was it prior to that?
- 4 A. **Yes.**
- 5 Q. Who did you hear that from?
- 6 A. **Well, as I mentioned, we're a small diocese,**
- 7 **so when someone goes away, we all know. I**
- 8 **think they sent -- probably sent out a --**
- 9 **didn't have e-mails back then. Sent out a**
- 10 **letter.**
- 11 Q. Did anyone come to you with any complaints
- 12 regarding and his
- 13 relationship with kids?
- 14 A. **No.**
- 15 Q. Jim Clauson was let go recently, correct?
- 16 A. **Well, it was -- what do you mean by "let go"?**
- 17 Q. Jim Clauson testified that his position was
- 18 terminated.
- 19 A. **It was more that he was retiring.**
- 20 Q. So Jim Clauson testified that he specifically
- 21 didn't want to say he was retiring because he
- 22 wasn't retiring. Was it your understanding
- 23 that Jim Clauson was retiring or were you
- 24 terminating his position in the diocese?
- 25 A. **Well, I was under the impression that he was**

- 1 **retiring, but either way, the position got**
- 2 **eliminated.**
- 3 Q. What were the circumstances of that?
- 4 A. **Well, we have for safe environment**
- 5 **coordinator, we have a person on staff that**
- 6 **took that over. And then for the -- the**
- 7 **benefits we have a person on staff that took**
- 8 **that over. So it was finances.**
- 9 Q. Who is the current safe environment
- 10 coordinator?
- 11 A. **Renee Tate.**
- 12 Q. And what background does Renee have?
- 13 A. **She's worked with Jim the last three or four**
- 14 **years.**
- 15 Q. Prior to that, what was her job?
- 16 A. **She -- administrative work, clerical. So Jim**
- 17 **kinda trained her in and last year she did --**
- 18 **did most of the audit.**
- 19 Q. She have any background in either law
- 20 enforcement or child protection?
- 21 A. **I don't believe so.**
- 22 Q. Monsignor Foltz, at some point did you become
- 23 aware of a court order in the Doe 19 civil
- 24 lawsuit that required the diocese to turn over
- 25 files of clerics who had been accused of

- 1 misconduct with kids prior to 1985?
- 2 A. **Doe 19?**
- 3 Q. Doe 19.
- 4 A. **Correct, yes.**
- 5 Q. When did you become aware of that court order?
- 6 A. **I was new to the office when that came, so I**
- 7 **-- summer of 2015.**
- 8 Q. Were you involved in any way in compiling the
- 9 list of names of the files for review to
- 10 respond to that court order?
- 11 A. **I was not.**
- 12 Q. Who was?
- 13 A. **It was our former attorney and Monsignor**
- 14 **Baumgartner.**
- 15 Q. Why was Monsignor Baumgartner involved in that
- 16 if he wasn't the vicar general any longer?
- 17 A. **Well, I think they were putting that -- it all**
- 18 **together or reviewing the files and to release**
- 19 **names of the credibly accused priests. And I**
- 20 **don't recall exactly when that court order**
- 21 **was.**
- 22 Q. It was August of 2015.
- 23 A. **Yeah, so that's what Susan Gaertner had**
- 24 **reviewed those of Baumgartner and then she**
- 25 **sent those in.**

- 1 Q. Did you review the list of names or the list
- 2 of files that was going to be provided to the
- 3 plaintiff under that court order before they
- 4 were sent over?
- 5 A. **I don't recall.**
- 6 Q. Were you asked about any of the files in
- 7 response to that order? Did anyone consult
- 8 with you, since you had been the chancellor
- 9 back in the 1990s, to see whether you had any
- 10 additional names to add or files that they
- 11 should review?
- 12 A. **I don't recall.**
- 13 Q. Did you help provide any guidance on where
- 14 anyone should look for the files in the
- 15 chancery office or other places?
- 16 A. **I think my secretary made everything available**
- 17 **to them.**
- 18 Q. At some point did you find out that the
- 19 diocese had violated that court order and not
- 20 produced all the names that they were in
- 21 possession of who had been accused of abuse of
- 22 minors prior to 1985?
- 23 A. **Could you restate that?**
- 24 Q. At some point did you find out or realize that
- 25 the diocese has been accused of violating that

1 court order and not producing the names and
 2 files required by the court?
 3 **A. I don't recall.**
 4 **Q.** As you sit here --
 5 **A. At -- at some point, but I don't recall when.**
 6 **Q.** At that point, did you look and see what files
 7 had been produced by the diocese?
 8 **A. Oh, I must have seen a list.**
 9 **Q.** Who would have showed you that list?
 10 **A. I'd imagine Susan Gaertner.**
 11 **Q.** Do you remember when you looked at that list,
 12 did you notice that anyone was missing on that
 13 list?
 14 **A. I don't.**
 15 **Q.** Father Joseph Richards' name was not on that
 16 list. Correct?
 17 **A. Correct.**
 18 **Q.** Did you think to go back and look at his file
 19 and review the allegation that he had told you
 20 about that he had abused a five- or
 21 six-year-old?
 22 **A. I had no recollection of that.**
 23 **Q.** At some point did you come by the information
 24 that Monsignor Roger Grundhaus had been
 25 accused of abuse?

1 **A. At one point I was aware that there was**
 2 **someone, Ron.**
 3 **Q.** When?
 4 **A. October of 2015, I think.**
 5 **Q.** What were the circumstances of you finding
 6 that out?
 7 **A. The vicar general of Fargo called me and said,**
 8 **"You know, with all the priests on the border,**
 9 **instead of sending individual letters, why**
 10 **don't we just make a list of priests in good**
 11 **standing?" So when I did that, I included,**
 12 **you know, Crookston priests as well and**
 13 **Monsignor Grundhaus's name was on that. And I**
 14 **received a phone call from the vicar general**
 15 **saying, "I'm surprised to see Monsignor**
 16 **Grundhaus's name on that."**
 17 **Q.** Was that Monsignor Geuring, Goering?
 18 **A. Yup.**
 19 **Q.** And what did he tell you about why he was
 20 surprised to see Grundhaus on that list?
 21 **A. He said that he had chatted with the bishop,**
 22 **Ron had come to see him and he had chatted**
 23 **with our bishop, and so that was in 2011. And**
 24 **I don't know if they had one -- one or two**
 25 **conversations, but somewhere in there he said**

1 **that he had reported it to law enforcement.**
 2 **Q.** Did he tell you what law enforcement agency it
 3 was?
 4 **A. Columbus, Ohio.**
 5 **Q.** And did you know what he was talking about
 6 when he was telling you this?
 7 **A. He said, "You should talk with your bishop."**
 8 **Q.** So prior to October 2015, you had never heard
 9 about any allegations made against Father
 10 Grundhaus of sexual misconduct with a minor?
 11 **A. No.**
 12 **Q.** So did you talk to the bishop?
 13 **A. I did. And he said, "Well, I thought I had**
 14 **dealt with this." He said, "Well, I'll call**
 15 **him again and -- and chat with him."**
 16 **Q.** "Call him" being Ron?
 17 **A. Correct.**
 18 **Q.** Did you return the call to the Diocese of
 19 Fargo at this point or did you leave it in
 20 Bishop Hoepfner's hand?
 21 **A. Well, he was gonna call Ron and speak with**
 22 **Ron.**
 23 **Q.** And do you know if he did?
 24 **A. Well, what I recall from that is, Bishop said**
 25 **that, you know, he didn't want to bring in**

1 **that -- that accusation and -- and allegation,**
 2 **"So I'll call him and see if he's changed his**
 3 **mind," or something to that regard. Yes, he**
 4 **did. I'm not sure exactly the timeline of**
 5 **that.**
 6 **Q.** Did he tell you anything else about the
 7 accusation?
 8 **A. I don't recall.**
 9 **Q.** It's your understanding that Bishop Hoepfner
 10 first learned of Ron's accusation in 2011,
 11 correct?
 12 **A. That's what my understanding is.**
 13 **Q.** And it's the diocese's code of conduct and
 14 safe environment policy that the allegations
 15 of misconduct are supposed to go to the vicar
 16 general, is that correct?
 17 **A. Correct.**
 18 **Q.** Did Bishop Hoepfner contact you in September
 19 of 2011 or prior to October 2015 to discuss
 20 Ron Vasek's allegations against Monsignor
 21 Grundhaus?
 22 **A. No. I wasn't vicar general until July 1st,**
 23 **2015.**
 24 **Q.** Between July 1st of '15 and October of 2015,
 25 no discussions with you about the allegations,

1 correct?

2 **A. Correct.**

3 **Q.** Was there any indication or do you have any
 4 knowledge that Bishop Hoepfner discussed the
 5 allegations with Monsignor Baumgartner?

6 **A. I do not.**

7 **Q.** What else did you talk about with Bishop
 8 Hoepfner when you first went to him in October
 9 of 2015 about the Diocese of Fargo phone call?

10 **A. I -- what I recall is that he said that Ron**
 11 **didn't wanna make a complaint or whatever and**
 12 **that he thought he had dealt with it, but he'd**
 13 **call him and talk about it again. I don't**
 14 **recall any details.**

15 **Q.** Did you follow up with Bishop Hoepfner after
 16 he made the phone call to Ron?

17 **A. I -- I don't know the timeline, but a few days**
 18 **later, he -- he brought me a -- a letter or**
 19 **short paragraph signed by Ron Vasek.**

20 **Q.** What did you do with the letter?

21 **A. I put it in his file.**

22 **Q.** Whose file?

23 **A. Well, I had -- I had a -- made a file with his**
 24 **name on it because he was in the deaconate**
 25 **program, so Father Schreiner had all the --**

1 **all those files.**

2 **Q.** So a file with Ron's name on it and you put a
 3 copy of the letter in the file?

4 **A. Correct, or I think it was the letter, not a**
 5 **copy.**

6 (Discussion out of the hearing of
 7 the court reporter)
 8 BY MS. LINDSTROM:

9 **Q.** Monsignor Foltz, does that look like the
 10 letter that you're talking about or
 11 referencing that you put in Ron Vasek's file?

12 **A. Yes.**

13 **Q.** Who had access to that file?

14 **A. Me.**

15 **Q.** Is that your personal file?

16 **A. No. In my office.**

17 **Q.** What else did you and the bishop talk about
 18 when he gave you this letter?

19 **A. I think, basically, a repeat of the**
 20 **conversation before, that he doesn't want to**
 21 **make a -- an accusation or a complaint.**

22 **Q.** At this point, now that you are vicar general
 23 and you hear that Ron doesn't want to make an
 24 accusation, isn't it under the code of conduct
 25 and the safe environment policy that you're

1 supposed to go talk with Ron Vasek about what
 2 his options are and about reporting the
 3 allegation?

4 **A. I thought the bishop dealt with it and I -- I**
 5 **was Ron's pastor for a couple years, so,**
 6 **obviously, we knew each other and I think he**
 7 **knew that I knew something, so I figured he**
 8 **would come to me if he wanted to make an**
 9 **accusation. If he had, I would have followed**
 10 **the policy.**

11 **Q.** The policy specifically states, though, that a
 12 vicar general is supposed to go and talk to
 13 the victim who's making the allegation,
 14 correct?

15 **A. He spoke with the bishop.**

16 **Q.** Did you ever talk to Ron about the allegation?

17 **A. Never.**

18 **Q.** Did you offer this letter, Exhibit 6?

19 **A. I did not.**

20 **Q.** Did you talk to Bishop Hoepfner about this
 21 letter before he had Ron sign it?

22 **A. I do not believe so.**

23 **Q.** Did Bishop Hoepfner tell you he was going to
 24 have Ron sign a letter?

25 **A. No.**

1 **Q.** Do you know why Bishop Hoepfner had Ron sign a
 2 letter?

3 **A. What I recall is when he gave me the letter,**
 4 **he said, "You know, it's good to get things in**
 5 **writing if people don't want to follow through**
 6 **with things."**

7 **Q.** Do you know if any other copies were saved of
 8 this letter?

9 **A. I do not.**

10 **Q.** Was a copy of the letter put in Monsignor
 11 Grundhaus's personnel file?

12 **A. At the time of this?**

13 **Q.** Yes.

14 **A. I do not believe so.**

15 **Q.** Why not?

16 **A. Bishop said it was a confidential matter.**

17 **Q.** Have you ever seen any other letters similar
 18 to this signed by any other parishioners or
 19 victims who made an allegation?

20 **A. No.**

21 **Q.** Did you think that this was an unusual
 22 circumstance, given that you'd never seen a
 23 letter like this before?

24 **A. Yeah, I thought that the whole thing was**
 25 **unusual.**

- 1 Q. Did you talk to the bishop about any concerns
2 you might have with the circumstances or that
3 you thought it was unusual?
- 4 A. **Well, what I mean by that is, just the month**
5 **before, Ron and Patti Vasek were on a**
6 **pilgrimage with Monsignor Grundhaus, who was**
7 **the spiritual director for the pilgrimage.**
8 **And I was aware of the -- that's what I found**
9 **unusual. Been the -- been family friends for**
10 **-- for years.**
- 11 Q. Did you --
- 12 A. **So it didn't surprise me that he didn't wanna**
13 **do anything, I guess.**
- 14 Q. Did you talk to Monsignor Grundhaus about the
15 allegation made by Ron?
- 16 A. **No.**
- 17 Q. At any point in time, have you talked to
18 Monsignor Grundhaus about the allegation?
- 19 A. **Not until we got the lawsuit.**
- 20 Q. And then did you have a phone conversation
21 with him or a meeting?
- 22 A. **I called him and then he came over and met**
23 **with Bishop and myself and said there's been**
24 **an allegation, alleged allegation with a civil**
25 **lawsuit and so you cannot function anymore as**

- 1 **a priest.**
- 2 Q. What else did you talk about?
- 3 MR. BRAUN: And any conversations
4 that involved me are not part of what you
5 should be disclosing to her.
- 6 BY MS. LINDSTROM:
- 7 Q. Yeah, so if Tom Braun was there, I don't want
8 to know. All right? If your other lawyer was
9 there, I don't want to know what the substance
10 was.
- 11 A. **So, then, that's --**
- 12 Q. Okay. Did you after that allegation and the
13 civil lawsuit, were restrictions placed on
14 Monsignor Grundhaus's ministry?
- 15 A. **Yes, he was not to function as -- as a priest.**
16 **He already was retired, living in convents, a**
17 **house.**
- 18 Q. But he'd been doing help-out work, correct?
- 19 A. **Yeah, he was basically the chaplain for the**
20 **sisters.**
- 21 Q. Who's monitoring the restrictions on Monsignor
22 Grundhaus's ministry?
- 23 A. **Well, again, Crookston is small, he's living**
24 **in the -- in the convent house and he goes and**
25 **eats meals with the sisters, so I would say**

- 1 **the sisters.**
- 2 Q. Do the sisters know that they're in charge of
3 monitoring Monsignor Grundhaus's ministry?
- 4 A. **They know -- they know that he's not to be**
5 **ministering.**
- 6 Q. At some point a preliminary investigation was
7 initiated by the diocese, is that correct,
8 into Monsignor Grundhaus?
- 9 A. **Correct.**
- 10 Q. And did you help initiate the investigation?
- 11 A. **What do you mean by that?**
- 12 Q. Who found the investigator?
- 13 A. **Bishop Hoepfner called Bishop Fulda and said,**
14 **"Would you recommend a priest from your**
15 **diocese that could do this, do an**
16 **investigation?"**
- 17 Q. And that was Father Goodwin?
- 18 A. **Correct.**
- 19 Q. Prior -- go ahead.
- 20 A. **Well, he had a layperson, too, that was his**
21 **assistant.**
- 22 Q. Prior to the bishop having Father Goodwin
23 initiate the investigation, did you have
24 conversations with Bishop Hoepfner about how
25 to handle the Vasek allegation, now that

- 1 everything had gone public?
- 2 A. **Well, yeah, that I -- I didn't wanna be doing**
3 **the investigation. The diocese is so small, I**
4 **thought we needed some transparency.**
- 5 Q. So what were the substance -- what was the
6 substance of the conversation with Bishop
7 Hoepfner?
- 8 A. **Just who could we -- to be transparent, so**
9 **that we decided to go outside of the diocese.**
- 10 Q. Were you involved in facilitating any of the
11 interviews or did Father Goodwin take charge
12 of the investigation?
- 13 A. **Father Goodwin took charge of the**
14 **investigation.**
- 15 Q. Did the review board meet regarding the
16 allegation against Monsignor Grundhaus at any
17 time?
- 18 A. **Yes, when -- when we got the report from**
19 **Father Goodwin.**
- 20 Q. Was that the preliminary investigation report?
- 21 A. **Correct.**
- 22 Q. Was the review board provided with the report?
- 23 A. **Yes.**
- 24 Q. How many times did they meet regarding the
25 allegations against Grundhaus?

- 1 **A. Once.**
 2 **Q.** When was that?
 3 **A. December of 2017.**
 4 **Q.** Was that the same time they met regarding
 5 Father Pat Sullivan?
 6 **A. Yeah, so that was the second time talking**
 7 **about Father Pat Sullivan and then the first**
 8 **time for Monsignor.**
 9 **Q.** Did they meet again after December 2017
 10 regarding Father Grundhaus?
 11 **A. No.**
 12 **Q.** Was there any kind of consensus or vote about
 13 the allegations regarding Monsignor Grundhaus
 14 in the December 17 meeting?
 15 **A. From what I recall, that it was unanimous.**
 16 **Q.** Unanimous to what?
 17 **A. To put -- get -- put him in a -- put him in a**
 18 **status as a senior priest.**
 19 **Q.** What does that mean?
 20 **A. That he can function again as a priest.**
 21 **Q.** Did the review board have any information
 22 aside from this report of preliminary
 23 investigation?
 24 **A. I don't believe so. There's nothing in -- in**
 25 **the -- Monsignor's file. And it was very**

- 1 **public, as you know, and so -- and no one else**
 2 **came forward.**
 3 **Q.** Do you know if any of them talked to Ron Vasek
 4 about the allegations?
 5 **A. And who?**
 6 **Q.** Any of the review board members.
 7 **A. I don't have any knowledge of that.**
 8 **Q.** So if they recommended that he go back in as a
 9 senior priest and the restrictions be lifted,
 10 why is Monsignor Grundhaus still out of
 11 ministry?
 12 **A. I think the bishop was -- had -- was**
 13 **consulting Rome.**
 14 **Q.** Bishop was what? I'm sorry, Monsignor.
 15 **A. Consulting Rome, since his file had been sent**
 16 **over earlier.**
 17 **Q.** Is there any indication -- Jim Clauson
 18 testified that he may have seen some kind of
 19 document or heard that Monsignor Grundhaus was
 20 going to be put back into ministry. Is that
 21 your understanding right now?
 22 **MR. BRAUN:** Objection, foundation.
 23 You can answer what you know.
 24 **A. The possibility.**
 25 **BY MS. LINDSTROM:**

- 1 **Q.** But as you sit here today, is there a plan to
 2 reinstate Monsignor Grundhaus?
 3 **A. Not a -- not a plan that I'm aware of.**
 4 **Q.** Have you ever talked to Father Craig Vasek
 5 about the allegations his dad has made against
 6 Monsignor Grundhaus?
 7 **A. No.**
 8 **Q.** At some point had you heard that Ron's
 9 deaconate program was going to be delayed?
 10 **A. There was a question.**
 11 **Q.** Tell me about that.
 12 **A. Well, my understanding is some -- some more**
 13 **people came forward in his parish to the**
 14 **pastor at the time saying that, you know, "We**
 15 **don't want this guy as a -- as a deacon,"**
 16 **something to that effect.**
 17 **Q.** Who did you hear that from?
 18 **A. Father Ilango was the pastor and Father John,**
 19 **the associate.**
 20 **Q.** And did you do anything with that information?
 21 **A. Well, I heard about it when we met with the**
 22 **bishop.**
 23 **Q.** When was that?
 24 **A. March of 2017.**
 25 **Q.** What else did you talk about at that meeting?

- 1 **A. Well, Father Bob Schreiner was there, so it**
 2 **was just the concern that some -- apparently**
 3 **some people had come forward before and Father**
 4 **Ilango had a conversation with Father Bob and**
 5 **they exchanged e-mails and so Father Bob said,**
 6 **"If more people come forward, we'll have to**
 7 **deal with this." Well, more people came**
 8 **forward, so they're looking at it.**
 9 **Q.** What was the consensus after that meeting was
 10 held regarding Ron's deaconate?
 11 **A. That it was -- we -- we were just taking a**
 12 **look. I think Bishop charged Father Bob**
 13 **Schreiner to chat with Ron about some of the**
 14 **issues.**
 15 **Q.** Did you talk to Ron about any of the issues
 16 with the deaconate program at that time?
 17 **A. I did not.**
 18 **Q.** Did you have any further follow-up with Father
 19 Bob or Father Hoepfner or Father Ilango about
 20 Ron's ordination into the deacon program?
 21 **A. Well, my understanding is it was -- you know,**
 22 **that the bishop was going to ordain him and he**
 23 **-- he met with Ron and his wife.**
 24 **Q.** You testified that you weren't going to do the
 25 investigation into Grundhaus because of

1 transparency concerns. Have you investigated
2 or done preliminary investigations regarding
3 any other priests in the diocese accused of
4 either inappropriate boundaries with children
5 or sexual misconduct?

6 **A. Well, in the '90s, when -- like with the**
7 **example I gave you before with this Father**
8 **Reid, you know, it's when this -- the [REDACTED]**
9 **came forward and then we met, but I -- I**
10 **didn't -- we didn't have the same policy in**
11 **place back then.**

12 **Q. Father Carriere, same investigation?**

13 **A. (Nods head).**

14 **Q. Any other priests besides Father Reid and**
15 **Father Carriere?**

16 **A. I'm aware of some, but I don't think I was**
17 **involved.**

18 **Q. Who are you aware of?**

19 **A. Well, there's -- with Father Jerry Foley,**
20 **because I know when I became aboard, I had to**
21 **drive down to the Cities every so often to the**
22 **University of Minnesota where he was doing his**
23 **counseling to meet with him and his counselor.**

24 **Q. Who else? Any other priests?**

25 **A. If I had a list. That I dealt with?**

1 **Q. Or that you heard about.**

2 **A. Well, Porter, the news. Probably most of them**
3 **on our list, but I don't -- I can't recall the**
4 **list.**

5 (Discussion out of the hearing of
6 the court reporter)

7 **BY MS. LINDSTROM:**

8 **Q. Monsignor Foltz, this is a list not compiled**
9 **by the diocese, but compiled by our office of**
10 **priests from the Diocese of Crookston or**
11 **worked in the Diocese of Crookston who either**
12 **have been accused or suspected of child sexual**
13 **abuse. Can you, please, review this list for**
14 **me and tell me if there are other names that**
15 **should be on this list, people that you're**
16 **aware of who either had boundary issues with**
17 **children or been accused of sexual misconduct?**

18 **A. (Examining documents) I don't believe so.**

19 **Q. Have you reviewed the list that's currently on**
20 **the diocese website of priests who have been**
21 **credibly accused of abuse with a minor?**

22 **A. I have.**

23 **Q. Did you have any say or input into creating**
24 **that list?**

25 **A. We kept adding names to it, like these. I see**

1 **these two Benedictines from last fall, a year**
2 **ago, September.**

3 **Q. That list currently has 12 priests on it. The**
4 **list in front of you has 29 priests. Is there**
5 **a reason there's such a discrepancy in the**
6 **number of priests who have been disclosed by**
7 **the diocese of credibly accusing (sic) minors**
8 **versus how many we've become aware of during**
9 **the course of litigation?**

10 **MR. BRAUN: Objection, calls for --**
11 **lacks foundation. You can answer if you know.**

12 **A. Well, some of them are just recently when Tom**
13 **Braun's office went through the files and**
14 **discovered a few more. And I'm not sure that**
15 **we placed those up there yet.**

16 **BY MS. LINDSTROM:**

17 **Q. Aside from Mr. Braun's office, has anyone in**
18 **the diocese reviewed the files to determine**
19 **whose names should be placed on the diocese**
20 **credibly accused list?**

21 **A. Susan Gaertner.**

22 **Q. Anyone from the diocese specifically?**

23 **A. I don't believe so.**

24 **MS. LINDSTROM: Monsignor, can we**
25 **take a break? I think I'm almost done.**

1 **THE WITNESS: Sure.**

2 **MR. WALLIN: We are going off the**
3 **record at 3:10 p.m.**

4 **(Recess taken)**

5 **MR. WALLIN: We are back on the**
6 **record. This is the continuing video**
7 **deposition of Monsignor Michael Foltz taken on**
8 **November 27, 2018. The time now is 3:19 p.m.**

9 **BY MS. LINDSTROM:**

10 **Q. Monsignor Foltz, on the Exhibit 6, which is**
11 **the letter that Ron Vasek allegedly signed**
12 **drafted by Bishop Hoeppner, do you know on**
13 **what device that letter was created?**

14 **A. You mean the computer?**

15 **Q. Right.**

16 **A. I would imagine it was Bishop's computer.**

17 **Q. Do you know if an electronic copy of that**
18 **letter was saved?**

19 **A. Well, we looked for it and were not able to**
20 **find one.**

21 **Q. Who looked for it?**

22 **A. Our -- kind of our administrator of our**
23 **computer system, Chad Ryan. I would have no**
24 **idea where to look.**

25 **Q. Did you tell Jim Clauson after the claims**

1 against Bishop Hoepfner individually were
2 settled or resolved that you were "in the
3 clear"?

4 **A. In the clear? I don't recall that. Because**
5 **we still had five or how many counts.**

6 **Q.** Bishop Hoepfner took notes of a phone call or
7 the phone call and meetings with Ron Vasek
8 beginning in 2011 and then again in 2015. Did
9 you ever see a copy of those notes?

10 **A. I did not.**

11 **Q.** What does the bishop usually use to take notes
12 or how does he keep his notes?

13 **A. His -- it's not a full spiral, it's -- what**
14 **size would it be? He always has tons of 'em.**

15 **Q.** So a notebook of some sort?

16 **A. Yeah, it's a spiral.**

17 **Q.** Where are those notebooks kept?

18 **A. I do not know.**

19 **Q.** Do you know if those notebooks were reviewed
20 in response to either the Doe 19 court order
21 or any of the discovery requests that our
22 office has had with this with the Diocese of
23 Crookston?

24 **A. I know that he was going through some of them**
25 **with his secretary.**

1 **Q.** Do you keep any personal notes like that in a
2 notebook or on a computer?

3 **A. (Shakes head).**

4 **Q.** Is that a no?

5 **A. No.**

6 **Q.** Thank you. Do you have other similar files to
7 the file that you have on Ron Vasek in your
8 office? Do you keep files?

9 **A. Oh, with most of the priests and some -- some**
10 **of the deacons with correspondence or -- (Nods**
11 **head).**

12 **Q.** Are those considered the personnel files or do
13 you have your own set of files that you keep?

14 **A. Well, they're kinda my own set.**

15 **Q.** Have you gone through any of your own files in
16 response to either the discovery requests in
17 the Doe 19 matter, Doe 457 or the Ron Vasek
18 matter?

19 **A. My files in my office?**

20 **Q.** Yes.

21 **A. Well, any of those type of things I think**
22 **would be in the -- their files.**

23 **Q.** In the personnel files?

24 **A. Yeah.**

25 **Q.** But you had this letter that Ron allegedly

1 signed was in your personal file, correct?

2 **A. Correct. That's because his file was not on**
3 **-- in the chancery.**

4 **Q.** So have you reviewed your files in response to
5 any of the discovery requests in the Doe 19,
6 Doe 457 or the Vasek matter?

7 **A. I have not.**

8 **Q.** Has anybody else?

9 **A. I don't believe so.**

10 **Q.** Monsignor, one of the documents we recently
11 got has to do with a Father Edward Harold.
12 Does that sound familiar?

13 **A. Yup.**

14 **Q.** It looks like there was a letter, Exhibit 38,
15 that was sent to Bishop Hoepfner from someone
16 who talked about Father Harold and sitting on
17 his lap until he had an erection. Have you
18 seen that letter?

19 **A. I have.**

20 **Q.** Is that the letter that you're familiar with
21 (Handing documents)?

22 **A. (Examining documents) I believe so.**

23 **Q.** And that's Exhibit 38. Do you know when you
24 received that letter or when the bishop
25 received that letter?

1 **A. It was sometime fairly recently.**

2 **Q.** Within the past month, couple months, six
3 months?

4 **A. I'm not sure. I know in the last month,**
5 **month-and-a-half, I sent this to child**
6 **protection in Clay County.**

7 **Q.** How did you find out about this letter?

8 **A. Bishop gave it to me.**

9 **Q.** And did he recently give it to you then?

10 **A. From a month-and-a-half ago or whatever.**

11 **Q.** Did he give you any indication of when he got
12 it?

13 **A. (Shakes head).**

14 MR. BRAUN: Is that a no?

15 **A. I don't know.**

16 BY MS. LINDSTROM:

17 **Q.** It looks like something was removed from the
18 top right corner. Do you remember seeing any
19 date on this letter at any point?

20 **A. I can't recall.**

21 **Q.** Prior to receiving this letter, had you heard
22 of any allegations of either inappropriate
23 conduct, relationships or sexual abuse of
24 children regarding Father Edward Harold?

25 **A. No. As a matter of fact, he had left the**

1 priesthood many years before and gotten
2 married.

3 Q. Monsignor Foltz, in Father Sullivan's file,
4 one of the documents from St. John Vianney
5 Center, Exhibit 14 -- I'll show you this in
6 one second. At the bottom of this document in
7 the "Procedures" section, on the right side it
8 says, "John Jay College Research, reviewed
9 10/26/10." Do you have any idea what that's
10 referring to?

11 A. (Examining documents) I don't.

12 Q. Has the diocese sent any priest files recently
13 to the John Jay College?

14 A. Not that I'm aware of.

15 Q. Have you sent any files to the John Jay
16 College?

17 A. No.

18 MS. LINDSTROM: Thank you, Monsignor
19 Foltz. I don't have any other questions for
20 you.

21 THE WITNESS: Thank you.

22 MR. BRAUN: We'll read and sign.

23 MR. WALLIN: We are going off the
24 record at 3:27 p.m.

1 I, MONSIGNOR MICHAEL FOLTZ, do hereby certify
2 that I have read the foregoing transcript of
3 my deposition and believe the same to be true
4 and correct, except as follows: (Noting the
5 page number and line number of the change or
6 addition and the reason for it)

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Subscribed to and sworn
before me this ___ day
of ___, 2018. _____

1 STATE OF MINNESOTA

2 ss

3 COUNTY OF RAMSEY

4 I hereby certify that I reported the
5 deposition of MONSIGNOR MICHAEL FOLTZ, on the
6 27th day of November, 2018, in St. Paul,
7 Minnesota, and that the witness was by me
8 first duly sworn to tell the whole truth;

9 That the testimony was transcribed under my
10 direction and is a true record of the
11 testimony of the witness;

12 That the cost of the original has been charged
13 to the party who noticed the deposition, and
14 that all parties who ordered copies have been
15 charged at the same rate for such copies;

16 That I am not a relative or employee or
17 attorney or counsel of any of the parties, or
18 a relative or employee of such attorney or
19 counsel;

20 That I am not financially interested in the
21 action and have no contract with the parties,
22 attorneys, or persons with an interest in the
23 action that affects or has a substantial
24 tendency to affect my impartiality;

25 That the right to read and sign the deposition
by the witness was not waived, and a copy was
provided to him for his review;

WITNESS MY HAND AND SEAL THIS 3rd day
of December, 2018.

Gary W. Hermes

St. John Vianney
Center



August 26, 2009

Father David Baumgartner
1200 Memorial Drive
Crookston, MN 56716

Re: Father Patrick Sullivan

Dear Father Baumgartner,

This is a summary report of the treatment for Father Patrick Sullivan who was in residential treatment at St. John Vianney Center (SJVC) from July 5, 2009 until August 7, 2009. Father Sullivan was referred for a comprehensive psychological assessment after he requested time for rest and spiritual and psychological renewal prior to beginning a new pastorate. He reported feeling tired and depleted after a 12 year assignment at Red Lake Indian reservation in northern Minnesota.

Father Sullivan had difficulty adjusting to the milieu at SJVC. He did not realize he was coming to a hospital and he had trouble accepting the structure and restrictions. He was hoping for more of a retreat environment. He did agree to the assessment and participated actively. The results of his comprehensive psychological assessment indicated that Father Sullivan has variable perceptual abilities. 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 he desires. At times he may not accurately anticipate the consequences of his behavior. There is evidence that his misperceptions limit his potential for empathy and increase the possibility of inappropriate social behavior. He tends to be an inflexible thinker, as he holds rigidly to convictions. He might resist reconsidering his positions, even in the light of new information. Father Sullivan uses intellectualization, a higher order psychological defense, to incorporate feelings into thoughts, so as to keep unpleasant feelings at a distance.

Father Sullivan acknowledged that he has felt different for the past 2-3 years, "not in good shape" emotionally. He acknowledged problems with concentration and procrastination. He spoke of limiting his exposure to gambling and alcohol use for fear of developing any addictive patterns. He reported that his mood has been depressed for most days over the past two years, with poor appetite, limited energy, low self-esteem, and restlessness.

Sullivan, Patrick (Father)
Diocese of Crookston

2

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

151 Woodbine Road • Downingtown, PA 19335-3057
610 / 269-2600 • 888 / 993-8885 • Fax: 610 / 873-8028 • Webpage: www.sjvcenter.org
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SULLIVAN000223

In the hospital milieu Father Sullivan received considerable feedback from his peers about his inappropriate reactions to others and his poor boundaries in the way he approached others and attempted to interact with them. He was initially defensive and tried to explain and rationalize his interpersonal style but eventually he did try to listen and understand. His peers tried to speak with him about how he could profit from being honest about his feelings and conflicts and from dealing with some of the distress he has been experiencing over the past several years. Father Sullivan seems afraid and unable to really change some of his attitudes and behavior.

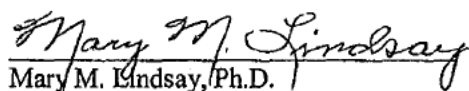
Following the completion of Father Sullivan's assessment there was a contact meeting with the Diocese. The recommendation of the treatment team was that Father Sullivan participate in residential treatment to deal with his perceptual problems, interpersonal issues, and boundary issues. Father Sullivan was resistant to the idea of residential treatment and believed that he could participate in outpatient therapy and report to his new assignment in August as scheduled. Despite the support of the Diocese and treatment team for residential treatment, Father Sullivan maintained his plan to be discharged at the completion of his 30 days.

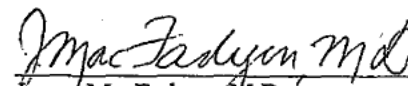
The specific recommendations delineated in Father Sullivan's psychological report, in light of assessment results were:

- 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.

We are grateful for this opportunity to work with Father Sullivan and we thank you for your participation in the assessment process. We hope that Father Sullivan takes the feedback and recommendations seriously and is faithful to ongoing treatment. It would be unfortunate if he became preoccupied with his transition and new assignment and did not continue to address his personal issues.

Sincerely,


Mary M. Lindsay, Ph.D.
Psychologist


James MacFadyen, M.D.
Psychiatrist
Sullivan, Patrick (Father)
Diocese of Crookston

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

St. John Vianney
Center



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

EXHIBIT

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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 has 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 principal 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

9

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 ulnar 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

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.
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SULLIVAN000228

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.

SULLIVAN000229

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

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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)
Diocese of Crookston

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

CLINICAL SUMMARY:

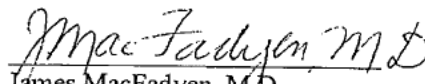
Father was referred to SJVC when he requested time to refresh himself physically, emotionally, and spiritually after his last assignment. He received a full evaluation of clinical assessments and psychological testing. Father and his team identified several areas of difficulty that warranted therapeutic 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

Sullivan, Patrick (Father)
Diocese of Crookston

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

Investigation Notes: February 3, 2016 by Msgr. Mike Foltz

I was out of the office from January 20-27, 2016. When I returned on the 28th, Jim Clauson brought me an email he had received from Msgr. David Baumgartner on the 27th regarding an alleged allegation against one of our priests being reported by Mr. Michael Fairbanks. The priest being accused is Fr. Pat Sullivan. I went to the archives and found a file from a previous investigation dated September 15, 2009. This investigation was closed because a victim was not found.

Mr. Fairbanks continued to search for a victim. He claims he has found the alleged victim:

██████████ called Mr. Fairbanks on Thursday the 28th but he did not want to speak to me on the phone. I called him again on Friday, the 29th to set up a time to meet on Monday, February 1st, 2016. He wanted to meet at Sacred Heart in Wilton with Fr. Jerry Rogers presence since he was the one who received the initial phone call from the alleged victim in 2009. During the course of the phone conversation, Mr. Fairbanks did tell me he reported the alleged incident to the FBI in Bemidji. As a mandatory reporter, I reported the allege incident to the Red Lake Law Enforcement. I spoke with a Samantha on Friday afternoon.

On Monday, February 1st, 2016 at 2 p.m. I met with Mr. Fairbanks and Fr. Rogers in Wilton. Mr. Fairbanks allowed me to read the letter he sent to the FBI as well as a letter he sent to ██████████ attorney in ██████████.

Apparently, the ██████████ didn't take into account the letter when ██████████ ██████████. In the midst of our discussion on the 1st, Mr. Fairbanks shared that he is supposedly the first person ██████████ shared the alleged abuse with. ██████████ had a psychological evaluation during his pre-trial preparations, in which according to Mr. Fairbanks, he did not reveal the alleged abuse. Mr. Fairbanks claimed he had a written allegation from ██████████ alleging that Fr. Pat Sullivan sexually abused him in 2008. He would not let me see or read the written letter from ██████████. He finally allowed me to have a copy of the two above mentioned letters.

I met with Bishop Hoeppner on Tuesday morning the 2nd of February. We discussed the possibility of moving forward with an investigation if we received the alleged allegation from Mr. Fairbanks and depending on the contents. On the 3rd of February I wrote Mr. Fairbanks and asked him to cooperate with us in order to seek the truth and justice.

Late Friday afternoon on April 29th, 2016 the Diocese of Crookston and St. Mary's Mission, Red Lake were served with a lawsuit from Anderson's Office alleging sexual misconduct with a minor (██████████) in 2008 by Fr. Pat Sullivan. Bishop Hoeppner immediately placed Fr. Pat on an administrative leave pending the outcome. I reported this allegation again to the Red Lake Law Enforcement. I received a return phone call from Detective Smith around 8 p.m. Friday evening. He referred me to the FBI in Mpls. (763-569-8000) I spoke with John. He took notes and said he would email them to the FBI in Bemidji and that I could expect a phone call.

On Sunday, May 1st, I presided at the Masses at St. Elizabeth, Dilworth and St. Andrew's, Hawley where Fr. Pat is pastor. I informed both communities of the allegation against Fr. Pat and that he is removed from ministry until this is resolved.

On Monday, May 2nd, I called the Bemidji FBI (218-751-0610) and spoke with Agent Hansel to see if they were going to conduct a criminal investigation. He referred me to the U. S. District Attorney's Office in

EX. 12
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Mpls. I spoke with Clifford Wardlaw (612-664-5600) who told me that nothing has been brought to his office regarding this allegation. He referred me back to the FBI in Bemidji. Agent Hansel then referred me to Agent Jonathan Tjernagel. I received his voice mail. I didn't receive a call back so I called on Tuesday and again on Wednesday. Agent Tjernagel called me on Thursday...he said he was out of the office. He told me he would look into the allegation, consult some people and get back to me early next week.

Bishop Hoepfner reported the lawsuit and allegation to the whole diocese through our diocesan newspaper (OND) which was published on May 4th, 2016. He also asked the priests to publish it in their respective bulletins asking anyone who has been sexually abused as a minor in our diocese by a church employee to report it to law enforcement and to contact our Victim's Assistance Coordinator/safe environment.

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Report of Psychological Assessment

Name: Father Patrick Sullivan
Date of Evaluation: July 13, 2009
Date of Birth:
Evaluator: James Coupé, 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

Sullivan, Patrick (Father)

Diocese of Crookston
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SULLIVAN000254

EXHIBIT

9

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
DOA: 07/05/2009 Client ID: 0061383
DOB: 05/15/1952
James MacFadyen, M.D.
Sr. Mary Lindsay, Ph.D.

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
DOB: 05/15/1952
James MacFadyen, M.D.
Sr. Mary Lindsay, Ph.D.

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

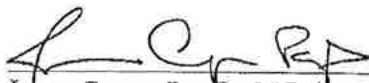
Sullivan, Patrick (Father)
Diocese of Crookston
DOA: 07/05/2009 Client ID: 0061383
DOB: 05/15/1952
James MacFadyen, M.D.
Sr. Mary Lindsay, Ph.D.

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
DOB: 05/15/1952
James MacFadyen, M.D.
Sr. Mary Lindsay, Ph.D.

SULLIVAN000262



The Diocese of Crookston

P.O. BOX 610 • CROOKSTON, MINNESOTA 56716

July 6, 1993

The Chancery
281-4533

Joan C. Thorn, Case Manager
St. Michael's Community
13270 Maple Drive
St. Louis, MO 63127-1999

Dear Joan,

I am writing to you in regard to Fr. Joe Richards. You asked for some background information that was pertinent to Fr. Joe's coming for his assessment. Fr. Joe spoke with me on his own initiative. He set up a time to speak with me about his present situation. What Fr. Joe shared with me is that he is discovering, in fairly recent years, maybe through flashback or something of that sort, that he was sexually abused when he was in late grade school or early junior high by an uncle. He's been able to share this experience with his parents, Bishop Balke, and a few of his closer friends. I believe with encouragement from his friends he decided to begin seeing a professional counselor this spring. And so once a month he has been driving down to Minneapolis to see this counselor. He spoke of having bouts with depression. I believe because of his depression and his time with the counselor, his counselor suggested that maybe he consider having a full psychological workup, if you will, and that is the main reason he is asking to come for this assessment. As far as I am aware there has been no inappropriate acting out sexually with anyone. This is Fr. Joe's wanting to take care of himself. I find Fr. Joe to be a very open and honest young priest and believe that he will cooperate quite well with whatever assessments or tools you desire to use for evaluating him.

Joan, as we spoke on the phone the other day, I will not be coming for Fr. Joe's evaluation feedback on Friday, July 16, at 10:00 a.m., as we arranged to receive a conference call which would include Bishop Balke, myself and Fr. Bill Perri, the program director. I believe we arranged the time to be at 11:30 a.m. on Friday, July 16 when we would have this conference call.

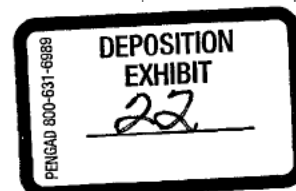
Joan, thank you for your assistance. If I can be of any further help please let me know. Thank you very much.

Your brother in Christ,

Rev. Michael H. Foltz, J.C.L.
Chancellor

MHF/vs

DOC RICHARDS 000164
CONFIDENTIAL



PSYCHO/SOCIAL HISTORY
Reverend Joseph D. Richards
July 14, 1993

Michele McGrath, Ph.D.

Presenting Problem:

Father Joseph Richards is a 30-year-old white, male, diocesan priest, from the Diocese of Crookston, Minnesota. He initiated this evaluation upon the advice of his outpatient therapist, to whom he had gone for help in dealing with his repressed memories of sexual abuse. In response to the question, "why are you here?" he replied, "I was sexually abused by my great-uncle who died in 1982." He reports that he had apparently repressed his memory of the incidents until after his uncle's death.

Joseph went on to say that he believes he has suffered periodic episodes of depression throughout his life, but that it has become more intense in the last two to three years. He also experienced the death of his father in February 1992. In addition, he feels that he has problems with sexual compulsivity and considers himself to be "sexually addicted."

Developmental/Family History:

Joseph was born in Valley City, North Dakota on February 17, 1963. He lived there for the first five years of his life, when the family moved to Moorehead, Minnesota. He was the fifth born of seven children. His birth was apparently normal and he reached all developmental milestones at age-appropriate levels.

His father was a civil engineer and his mother was a homemaker, who later went to work as a school bus driver. He characterized his father as domineering, strict, warm, understanding, and affectionate. He described his mother, to whom he was closest, as warm, understanding, perfect, and affectionate. He reported that his parents' relationship was close and loving, although he recalls his father "hollering" at times and that he did feel a certain fear of him. Both parents shared in disciplining the children, but he never recalls being physically punished. They were usually sent to their rooms. As a child, Joseph was characteristically shy, awkward, and somewhat of a loner. He reports that he has a poor memory for his childhood. As far as his role in the family goes, he described himself as somewhere between "a lost child and a people pleaser." He stated that his mother told him that his father had some problems with drinking when he was a very small child. Joseph has no memory of this, however, and claims that he only remembers his father as a social drinker when he was growing up.

He attended public schools for both grade school and high school, although the family was Catholic. He described himself as an

PSYCHO/SOCIAL HISTORY
Reverend Joseph D. Richards
Page Two

average student but that he had difficulty with memory and comprehension. He stated that he was pretty much of a loner in school and was shy with a negative self-concept. He stated that he had acne, was thin and tall, and always felt that if people got to know him, they would reject him. His best friends during school were two girls, although he never dated and had no sexual experiences. He stated that all through high school he wanted to get married and have seven children. Halfway through his freshman year of college, he decided to "try the seminary." He went on to say that he almost quit the priesthood twice because of his desire to get married. He was ordained approximately three years ago and is currently in his second assignment. He experienced some difficulties in his first assignment, working with the pastor, who is a friend. He said that after they stopped working together, their friendship resumed. He is currently the pastor of three small parishes and says that he is satisfied with his assignment.

Psycho/Sexual History:

As stated previously, Joseph began to remember being abused sexually by his great-uncle, shortly after his death. He believes he was 12 or 13 years old at the time the abuse occurred. It began after his great-uncle moved in with the family after his wife had died. He was approximately 83 years old at that time. Joseph recalled that he was always his uncle's favorite nephew and would get special attention from him. When he began to remember, he brought it up with his spiritual director, who tried to evade the issue. He eventually told his parents who were quite supportive. He believes that his father felt guilty for asking the uncle to move in with them. To the best of his knowledge, no other children in the family were abused by this man, although Joseph is concerned about his two younger brothers. He reports that he has also had flashbacks regarding a trap door and a house, next to the house he lived in prior to the age of five. He does not know what it means but his mother verified that the house and trap door existed, and said that he was only in that house one time to her knowledge.

Joseph said that he considers himself to be bisexual at this time, although he has never had sexual relations. He admits to feeling somewhat confused regarding his sexuality. He feels that his masturbation, need for pornography, and sexual fantasizing would become out of control whenever he would go out of town. When he began to have fantasies about abusing a child and felt an attraction toward children, he decided to voluntarily seek help.

Alcohol/Drug History:

Joseph denies any history of alcohol/drug abuse. As mentioned previously, his father may have abused alcohol at one point in his

PSYCHO/SOCIAL HISTORY
Reverend Joseph D. Richards
Page Three

life. His mother drank rarely. One paternal uncle is alcoholic.

Other:

_____ since the death of their father. Joseph recalls feeling suicidal as a teenager and went far enough to make a plan.

Joseph was apparently underweight most of his childhood, and is now approximately 25 pounds overweight. He feels that he uses food as a coping mechanism to deal with stress and occasionally "binge eats." He denies a history of purging, using laxatives, diuretics, diet pills, etc.

There is no legal history.

There is no military history.

Impressions:

Joseph appears to be experiencing stress and depression stemming from his painful memories of childhood sexual abuse, the illness and death of his father, and the death of a close uncle. His sexual preoccupation also appears to be interfering with his daily life and may be bordering on compulsive. His fantasies regarding children, while not uncommon for sexual abuse victims, are disturbing and should be treated as a cry for help. He would probably benefit from an intensive inpatient program.

This information has been disclosed to you from records whose confidentiality is protected by federal law. Federal Regulation (42 CFR, Part 2) prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by such regulations. A general authorization for the release of medical or other information is not sufficient for this purpose.

ST. MICHAEL'S COMMUNITY

On Wednesday, Oct. 11th Joe Richards
met with Bunting Balke and myself to
share that 16 or 17 yrs. ago he - Joe
@ the age of about 15, sexually abused
a 5 or 6 yrs. old boy he was babysitting.
Joe is trying to decide with a therapist
whether or not he needs to contact
this boy who is now probably 22
yrs. old.

Joe returns to ST. Michael for an
aftercare program in the 1st week of
December. We recommended that he
share all of this in detail with them
and follow the advice of the treatment
staff.

Michael H. Kelly



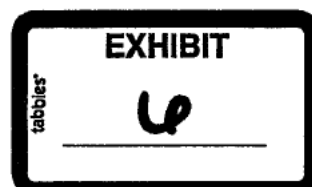
office of the Bishop - p.o. box 610 - crookston, minnesota 56716
tel: (218) 281-4533 fax: (218) 281-3328

I, Ron Vasek, regarding a trip I was on when I was 16 years old, and on which a priest of the Diocese of Crookston was also participating, clearly and freely state that I have no desire to nor do I make any accusation of sexual impropriety by the priest toward me.

Mr. Ron Vasek

Mr.

Date: 10-21-15



Diocese of Crookston – Priests Accused or Suspected of Child Sexual Abuse

Fr. James Bernauer

Fr. Robert Bester

Fr. Stanley Bourassa

Fr. Richard Boyd

[REDACTED]

Fr. Victor Cardin

Fr. Henry Carriere

Fr. Lawrence Davis

Fr. Donald Dummer

Fr. J. Vincent Fitzgerald

Fr. Gerald Foley

Fr. Charles Gormly

Fr. Roger Grundhaus

Fr. Louis Heitzer

Fr. Othmar Hohmann

Fr. Joseph Palanivel Jeyapaul

Fr. Paul Kabat

Fr. James Lee

Fr. Stephen Murawski

Fr. Michael O'Reilly

Fr. Casimir Plakut

Fr. James Porter

Fr. Francis Reid

Fr. James Rellihan

Fr. Joseph Richards

Fr. Aloysius Simon

Fr. Augustine Strub

Fr. Patrick Sullivan

Fr. Eugene Wesley



Dear Bishop Hoepfner,

Many years ago I was a member
of St. John's parish in Georgetown, Minnesota.
My parish priest was Father Edward Hawke.
I'm sure by now he is deceased.

At the age of ten I would help
him with small chores at his parish
house or the church. In return he would
give me small gifts.

Here is the hard part. He would have
me sit on his lap until he had an erection.
At the time, I had no idea what was happening.
Later I was horrified.

Soon he disappeared. No one knew where
he had gone. Later I heard he was married.

Years ago I did contact your church
and someone called and said I should forgive
him and suggested some books to read.

This event in my life was taken its
toll and I don't know what to do. I know
he wasn't the only one. That's why he left!

Sincerely,

Phone-

St. John Vianney Center

Name: Father Patrick Sullivan Case #: 0061383 Adm. Date: 7/5/2009
Address: St. Elizabeth's Church Unit: SOUTH
PO Box 327
City, St, Zip: Dilworth MN 56529 Transfer Unit: _____
Cell #: (218) 553-0473 S.S. #: [REDACTED]
Diocese: Diocese of Crookston DOB: 5/15/1952 Age: 57
Community: _____ Referral Source: DIOCESE
Superior: Father David Baumgartner Psychiatrist: James MacFadyen, M.D.
Address: 1200 Memorial Drive Psychologist: Mary Lindsay, Ph.D.
City, St, Zip: Crookston, MN 56716
Telephone: (218) 281-4533
Fax: _____
Leadership Emergency #: _____
Leadership Contact: _____
Father David Bowngartner
Address: 1200 Memorial Drive
City, St, Zip: Crookston, MN 56716
Telephone: (218) 281-4533 FAX: _____
Emergency #: _____
TYPE OF INSURANCE: BCBS of MN

For insurance information--see insurance card in chart

Physician Consultants:	Diagnosis:
_____	_____
_____	_____
_____	_____
_____	_____

PROCEDURES:

Discharge Date: 8/7/09 Time: _____ John Jay College Research

Final Diagnosis: Please list by Code# and Diagnosis REVIEWED 10/26/10

Axis I: _____

Axis II: _____

Axis III: _____

Axis IV: _____ Axis V: _____

FORM SJIS4--Population/Rp



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