

## **Fr. Joseph Wajda, JCL**

**He began abusing boys a month after ordination**

**Archdiocese had danger signs for more than 20 years**

**Bishop Carlson only looked for victims once he feared civil litigation**

**McDonough even tried to permanently seal his file**

**After lawsuits, treatment and one parish rejected him, Wajda was reassigned to Blessed Sacrament**

**McDonough gave molesting cleric permission to “reconnect” with families whose children he may have abused**

**Lay review board kept in the dark**

Fr. Joseph Wajda was a molester. Accused of abusing children a month after his 1973 ordination, complaints against the priest continued to pile up at the St. Paul Chancery. He was even accused of neglecting his job duties as a priest so that he could greet children at his assigned parish schools five times a day. He was also taking boys to pools and saunas, where he would bathe with them naked and give them “bare bottom” birthday spankings.

In 1981, archdiocese officials, including current St. Louis Archbishop Robert Carlson, learned that Wajda was molesting boys under the guise of counseling. Carlson and the archdiocese did nothing, instead waiting five years before sending Wajda to psychiatric care.

By 1987, the archdiocese could no longer keep Wajda under wraps. When two victims filed sex abuse lawsuits, the Archdiocese went into crisis mode. Carlson and archdiocese officials began to search for other victims. They also learned that Wajda had paid minors for sex. Kevin McDonough told Wajda that he could have no unsupervised contact with kids, even though he was assigned to a parish with school. Within a few months, the secretary at St. Andrew’s reported to the archdiocese that she heard Wajda tell a boy “take off your clothes.”

A month later, out of fear that victims’ lawyers would learn the full extent of the cover-up, Kevin McDonough ordered Wajda’s secret personnel file sealed from everyone except members of the Archbishop’s council.

In 1989, Wajda was sent to the St. Luke’s Institute, a treatment facility run by the Catholic Church where offenders are often sent, he remained as a patient for months. When he returned to the St. Paul Archdiocese, Archbishop Roach had a difficult time finding a parish to take the priest. The parish council at Guardian Angels refused to take him, so Wajda was reassigned to Blessed Sacrament in 1990.

When victims found out that Wajda was back in ministry, they expressed their upset and anger to the Archdiocese. Wajda in the meantime began to suffer “memory problems” and refused to recall any of the abuse he committed. (Notably he later became a lawyer!)

By 1991, the archdiocese realized they couldn't reassign Wajda in a parish. He was instead assigned to the Archdiocese Tribunal, where he acted as a "judge" in discipline matters and made decisions regarding annulments. A requirement of the job was to be a "priest in good standing," even though by this time, Wajda had numerous abuse allegations against him and a "sealed file."

In the early 1990s, Robert Carlson and Kevin McDonough allowed Wajda to attend graduate studies at Catholic University in Washington D.C. While there, Wajda was unsupervised and the local community had no clue about his past. McDonough also gave Wajda permission to "reconnect" with families whose children he may have abused.

Wajda returned to St. Paul and moved in with McDonough. He continued to work on the tribunal. He was accused of improper contact with high school-aged employees at Catholic Eldercare, where his mother was living. After one of the boy's mothers called the police, Archbishop Flynn asked Wajda to resign from the Tribunal. Within a year, McDonough overheard Wajda say that he wanted to see a child naked.

Wajda resigned from the Archdiocese in 2003, but refused to be removed from the clerical state (defrocked). During this time, he earned his law degree.

Over the next ten years, Wajda filed numerous Vatican appeals to his laicization, and claimed that he had always "enjoyed a good reputation" as a priest. During the ten years of delays, he was able to accrue more years of service, which entitled him to a larger pension.

Wajda was finally laicized in 2013. He lives in Minneapolis and to this day publicly denies abusing any kids.

## Timeline

1947	Born
1973	Ordained in the Archdiocese of St. Paul and Minneapolis  "One month following Ordination, there had been an allegation of JW's propositioning a minor male." Interview of Wajda by O'Connell, Ellsworth Kneal and McDonough. (ARCH 022938)
<u>1973–1977</u>	<u>Associate Pastor, St. Raphael's Parish and School, Crystal, MN</u>  Abused two boys, ages 12 and 16, under the guise of counseling
<u>1977-1982</u>	<u>Associate Pastor at Immaculate Conception Parish and School, Columbia Heights, MN</u>
1981	Fr. Robert Carlson and Fr. Richard Quinn C.S.s.R. meet about allegations of abuse against Wajda. (ARCH 022727)
<u>1982-1986</u>	<u>St. Rose of Lima Parish and School, Roseville, MN</u>
<u>1986</u>	<u>Sts. Peter and Paul, Loretto, MN</u>

1986 St. Joseph, Waconia, MN

Wajda undergoes a psychiatric evaluation by Fr. Kenneth J. Pierre for predatory behavior at St. Rose of Lima. Fellow priests say he has a severe personality disorder. He is observed at St. Rose of Lima School every day, five times a day, where he greets the students. He even engages in the activity on his day off. (ARCH 022790-022791, ARCH 022776-022777)

1986-1987 Our Lady of Perpetual Help, Minneapolis, MN

1987 Wajda is sued for sexual abuse.

Bishop Robert Carlson and Fr. O'Donnell discuss an investigation to find out the identities of other boys that Wajda "befriended." (ARCH 022731)

Wajda is told he can have no unsupervised contact with minors. (ARCH 022732)

In a handwritten note (mostly redacted) from Father Richard Quinn C.SsR. to Bishop Carlson, Quinn recalls information given to Carlson. Between 1978 and 1981, Wajda paid to have sex with (name redacted). According to the note, the victim would give Archbishop testimony, if asked. (ARCH 025064-025065)

1987-1988 St. Andrew's, St. Paul, MN

June 1988 St. Andrew's parish secretary overhears Wajda say "Take it all off boy, take all your clothes off."

July 1988 Fr. Kevin McDonough seals Wajda's file. He instructs that it is only to be opened by a member of the archbishop's council. (ARCH 025040-025043)

Fall 1988 Father Michael O'Connell and Kevin McDonough interview victim from St. Rose of Lima in Roseville. The victim reported showering, naked saunas at seminary and bare buttocks birthday spankings. O'Connell and McDonough see no reason not to believe him. They meet with Wajda and determine to send him to the Saint Luke Institute for evaluation. Evaluation recommended inpatient treatment. (ARCH 022731-22734.)

Oct. 1988 O'Connell, McDonough, Msgr. Ellsworth Kneal, JCD (representing Wajda), and Wajda meet. They discuss that Wajda befriends boys and buys them expensive gifts. There is also naked showering and saunas at the McCarthy gym at St. Paul Seminary. While giving children "counseling" Wajda asked them, "Are you getting hard? Can you get hard?" and "If you ever ruin me I can ruin you." There are also more allegations of birthday spankings. (ARCH 22821-22822)

A behavior contract with Wajda is included in a memo from Michael O'Connell to Dr. Drommell at Saint Luke Institute. Wajda is scheduled to arrive Saint Luke Institute. Previous treatment with Fr. Ken Pierre at Consultation Services Center. Waivers signed Oct. 4. (ARCH 022735-022739)

Dec. 1988 Therapy with Dr. Dolore Rockers at Consultation Services Center. (ARCH 027732)

- 1989 Two sex abuse lawsuits filed against Wajda and the Archdiocese.
- Jan. 1989 Resigns as Pastor, Saint Andrew in Saint Paul. (ARCH-022883)
- Feb. 1989 Letter from O'Connell to Dr. Frank Valcour, Medical Director at St. Luke's, re Wajda's referral as a result of a lawsuit and finding out Wajda had similar allegations going back 2-6 years. There is concern of impulse control. (ARCH-022831-022832)
- Wajda admitted to Saint Luke Institute for treatment. (ARCH 24600)
- March 1989 Wajda Saint Luke Institute Report to Archbishop Roach. (ARCH 022771-022773)
- June 1989 O'Connell update to Roach on conversation with Wajda therapist Rich Csarny. Saint Luke Institute, Ecclesia Center in Erie, Saint Luke Half Way House, Servants of the Paraclete at Jemez Springs. (ARCH 023689 – 023690)
- Nov. 1989 Wajda discharged from Saint Luke Institute. No unsupervised contact with teenage youths and abstain from alcohol. Attend weekly ACA and SLAA (ARCH 24600)
- In a memo from McDonough to Roach: O'Connell and McDonough met with Lt. James Frank of St. Paul Police Department on Nov. 9. "Lt. Frank believes there is sufficient reason to open an investigation..." (ARCH 023920)
- 1988-1990 Chancery, St. Paul, MN
- Jan. 1990 Gregory Weyandt Esq. writes Andrew Eisenzimmer that he met with Father O'Connell and is bringing a CSA claim against Wajda at St. Rose. Weyandt requests meeting to discuss appointment of Wajda to Blessed Sacrament. (ARCH 022721-22727)
- 1990-1991 Blessed Sacrament Parish and School, St. Paul, MN
- March 1990 Fr John Eckert writes O'Connell. Survivors angry/struggle with news that J.W. is back in ministry. (ARCH 022904-022905)
- March 1991 Fr. Ronald J. Bowers JCD officials of the Tribunal offers Wajda an internship at the Metropolitan Tribunal. Supervised by Fr. James Zusy O.P. JCD. (ARCH 024890)
- After Easter Wajda leaves Blessed Sacrament Church in Saint Paul.
- June 1991 Vicar General Michael O'Connell writes Father Michael Carroll, Pastor of the Church of St. Andrew in St. Paul, that a Wajda child abuse case settled. Copied to Roach, McDonough, Carlson and Eisenzimmer. (ARCH 024904)
- Attends continuing care program at Saint Luke Institute. (ARCH 024703-024705)
- Aug. 1991 Wajda begins full time work at Metropolitan Tribunal. (ARCH 24897-24898)

- Feb. 1992 In a letter from Wajda to Archbishop John R. Roach, Wajda says that he was sexually abused as a child by a family friend and priest. (ARCH 024959-024960)
- Wajda undergoes hypnosis with Dr. Dolore Rockers, Ph.D. in order to recall episodes where he was accused of sexual abuse. (ARCH 024614-024615)
- Wajda is sent to graduate studies at CUA. (ARCH 024919-024920)
- March 1992 McDonough Regular Review with Wajda. Reviewed Dr. Rockers' summary to some hypnosis sessions at Saint Luke Institute. Wajda angry at Archbishop Roach who was headmaster at St. Thomas Academy when Wajda was abused by a priest. McDonough gave Wajda permission to reconnect with families with teenage boys. (ARCH 024951-024952)
- April 1992 Archbishop Roach sends two Wajda memos to the SEX ABUSE FILE. REDACTED name, reviewed long history of their family association with Michael Kolar, Ken LaVan, Bob Kapoun, Jim Finnegan, Joe Wajda, Tom Adamson and Sister Sue Ahmiller. (ARCH 024710-024711)
- June 1992 McDonough Wajda regular monitoring meeting. Reviewed Saint Luke Report. (ARCH 024831)
- 1992-1994 Catholic University, Washington DC
- 1991-2002 Special Assignment – Tribunal, judicial vicar, St. Paul
- Jan. 1993 McDonough meets with Wajda on break from Canon Law Studies at Catholic University of America. Wajda admits inappropriate behavior in the 1980s, but denies accusations in the 1970s. (ARCH 024766)
- 1994 Clergy Review Board Established by Archbishop John Roach. Two priests and five lay people. (ARCH 024795)
- April 1996 Memo from Fr. Ronald Bowers J.C.D. Officialis of the Metropolitan Tribunal to McDonough. Bowers thinks that Wajda's appointment as judicial vicar will bring unwelcome attention and shine more light on accusations. (ARCH 024774-024775.)
- 1998–2003 Wajda resides with McDonough at St. Peter Claver. (ARCH 022749)
- May 2002 James Holmes, general counsel for Catholic Eldercare, writes Wajda advising "you have engaged in questionable contact with young male employees". (ARCH 024563-024565)
- June 2002 Wajda writes Flynn. Three accusations have been brought against me. I acknowledge one. (ARCH 022783-02278)
- Archbishop Flynn requests Wajda resign voluntarily from Tribunal. (ARCH 024792)

Wajda resigns as Officialis of the Tribunal. (ARCH 024569)

Dec. 2002 Andy Eisenzimmer found settlement agreement corroborating testimony before review board regarding sexual abuse settlement regarding Wajda. (ARCH 24700)

Jan. 2003 Wajda resides with Kevin McDonough at St. Peter Claver. At 6.15 am McDonough hears Wajda say "I want to see REDACTED naked. I want to see REDACTED masturbate." (ARCH 022728)

March 2003 Bill Fallon to Kathleen Owen. Archbishop Flynn met REDACTED at St. Peter.s in Forest Lake, new evidence of accusations were found in Andy Eisenzimmer's "DEAD FILES." (ARCH 022704)

May 2003 Wajda's pay and benefits transferred to Priest support account. (ARCH 022707)

Oct. 2003 Prot. N. 26/03-17922 Wajda appeals to Congregation of the Doctrine of the Faith against administrative action. CDF requests documents from the Archdiocese. (ARCH 022713)

Nov. 2003 Archbishop Flynn informs Cardinal Angelo Amato SDB that he will answer the appeal.

Nov. 2004 Archbishop Flynn transmits request for abrogation of prescription and involuntary dismissal of Joseph L. Wajda from the clerical state, Prot. N. 276/03-18641

Aug. 2007 Wajda is represented by John Bellow Esq.

Jan. 2008 Flynn writes Pietro Sambi, Apostolic Nuncio in Washington DC explaining slow response on Wajda case due to the fact that civil litigation had not yet been concluded.

Sister Dominica Brennan O.P. Chancellor of canonical affairs contacts Monsignor Ronny Jenkins regarding setting up Wajda Penal trial.

Oct. 2008 Nienstedt appoints Kevin McDonough as Promoter of Justice. (ARCH 022960)

Dec. 2008 Nienstedt to Wajda warning that the canonical trial is under the "pontifical secret." (ARCH 022720)

Feb. 2009 Penal process, abuse of office and child sexual abuse. (ARCH 022996)

March 2010 Wajda to Fr Tim Cloutier JCL on witnesses for canonical trial. (ARCH 022804-22805)

June 6, 2012 Archdiocese tribunal releases Wajda from priesthood. (ARCH 023008-023022)

ARCHDIOCESE OF SAINT PAUL AND MINNEAPOLIS

226 Summit Avenue

Saint Paul, Minnesota 55102-2197

*Priests Personnel Board*

August 26, 1986

Rev. Kenneth Pierre  
490 Snelling Av., No. 217  
St. Paul, MN 55104

FEB 29 1988

Dear Ken:

Joe Wajda indicated to me that you wanted some input as to why we felt he needed a psychological evaluation. He has also agreed to a release of that evaluation for the Archbishop.

The first concern is his perception of himself and reality. Both Pat Ryan and Dale Korogi feel he has some real personality disorders. His work at St. Rose of Lima was almost non-existent other than saying Mass. His style of work consisted of his going over to the school early in the morning, at recess, at lunch, at afternoon recess, and at dismissal time. During these five times when he went to the school each day, he would simply stand in the doorway and greet the children. He never went into a classroom. His going to the school occurred even on his days off. He never missed being there those five times a day. And that was all the work he ever did. Yet, when I would speak to him about his work at St. Rose, he would say he worked very hard, equally as hard as Ryan or Korogi. Both of the other priests were also concerned about what appeared to be Wajda's inordinate interest in young boys, but never witnessed anything that seemed terribly inappropriate.

There were at least two incidents that occurred while Joe was at St. Rose that indicate that possibly he does not deal well with anger. The first was a series of phone calls that were made to a family at all hours of the day and night. When the phone was answered, the caller would hang up. The family put a tracer on their phone, and it turned out to be St. Rose Rectory. Joe had had a good deal of trouble with that family and was very angry with them. When confronted with the data by both Pat Ryan and Bishop Carlson, he denied it.

Also, some sticky substance like molasses was poured on a pew in church where this family sat each Sunday. Again, both Bishop Carlson and Pat Ryan confronted Joe, and he denied it.

Joe is very proud of an evaluation that was done with Bob Schwartz's office. It was that form put together by Schwartz and Burke. Joe comes through that looking like a super priest, and yet when I spoke with his co-workers (Ryan and Korogi), they said his performance level was very low.

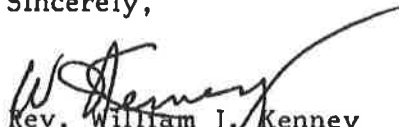
Rev. Kenneth Pierre  
August 26, 1986  
Page Two

We are also concerned about all the trouble his family has had with drugs and how that has affected Joe's ministry. When the police raided the family home, they apparently found something like \$8,000 in cash in a suitcase. Joe testified in court that the money was his life-time savings. I find that hard to believe.

It was in view of all these factors that the board and the Archbishop felt an evaluation might be in order before we give him a substantial parish assignment.

Let me know if I can be of assistance or provide more information.

Sincerely,



Rev. William J. Kenney  
Executive Secretary  
Priests' Personnel Board

WJK:jrk



DATE: November 13, 1987

MEMO TO: Bishop Carlson

FROM: Archbishop Roach

SUBJECT:

If you are satisfied that the charge by [REDACTED] against Joseph Wajda is groundless, I suggest that we really stay tough on it.

I would not agree to any offer of counselling services, since in Anderson's mind that virtually amounts to an admission of guilt.

Obviously, Quinn's letter is going to be important.

*WR*

November 20, 1987

Reverend Richard M. Quinn, C.Ss.R.  
The Redemptorists  
Liguori Publications  
One Liguori Drive  
Liguori, Missouri 63057

Dear Father Quinn,

I received your kind letter of November 11th, 1987, and according to a brief note in the file, I saw you at the Chancery sometime in March of 1981.

As I mentioned to you on the phone, the only other facts that seem to remember was a telephone call from you later, indicating that the [REDACTED] boy never came back.

Father Wajda emphatically denies these charges and, in fact, they would have taken place shortly after his ordination to the priesthood. I am not sure whether or not you would be contacted by [REDACTED] attorney, but I assume that the attorney from the Archdiocese might be writing you.

Thanks for your help and I hope that you have a very blessed Thanksgiving.

Sincerely yours in Christ,

Most Reverend Robert J. Carlson  
Auxiliary Bishop

CLERGY BULLETIN

January 22, 1988

Volume XIII

Number 4

Reverend and dear Fathers,

This is the policy governing the intervention and treatment of a priest accused of sexual abuse of a minor or others at risk.

My concern here is for the abused and for the family of the abused. I also feel a great obligation to priests to be sure that they are not themselves the victims of reckless accusation and also to provide whatever appropriate treatment and aftercare is necessary for the priest who is indeed guilty of abuse.

There must be absolute clarity in the way in which we will deal with a case such as this, and I believe that the following policy recognizes our responsibility, both to the abused and to the priest-abuser.

I ask your continuing prayer that a merciful God may do the healing necessary in any such tragic case.

ARCHDIOCESAN POLICY OF INTERVENTION AND TREATMENT OF A PRIEST  
ACCUSED OF SEXUAL ABUSE OF A MINOR OR OTHERS AT RISK \*

When considering sexual abuse of a minor or others at risk by a priest, the Archdiocese maintains a primary concern for the victim's safety and well-being. Recognizing that the sexual abuse of minors and others at risk can be a disease, and that it has tragic consequences for victims as well as abusers, the Archdiocese of Saint Paul and Minneapolis will exercise the following steps in dealing with a priest accused of the sexual abuse of a minor or a person at risk.

1. When a priest has been accused of sexually abusive behavior toward a minor, an appropriate \*\* Archdiocesan official will investigate the facts of the case.

\*\* Moderator of the Curia/Vicar General  
Chancellor  
Vicar Bishop


2. The Archbishop will be informed about all alleged cases, and in the instance of a credible charge he will:
  - A. Ensure that the victims receive immediate and on-going pastoral care.
  - B. Inform the accused priest of the investigation and temporarily relieve him of his duties; this to protect the minors or others at risk who are involved.
  - C. Ensure that the appropriate police or child protection agency is contacted according to law and direct church authorities to cooperate in the investigation and prosecution of the case.
3. If the civilian and church investigation confirms the accusation, the Archdiocese will ensure that the best diagnostic evaluation and treatment resources are made available for the priest.
4. After a priest has cooperatively completed initial treatment, and if the recommendation following that treatment is positive, the priest will enter a four-year supervised aftercare program which will:
  - A. Have the Archbishop appoint a director/supervisor who will work with the priest in regular accountability meetings.
  - B. Establish a supervised transitional living arrangement based on recommendations from the treatment resource.
  - C. Design a vocational rehabilitation program of up to four years in non-parish ministry. During this time the priest will participate in on-going treatment, and he will not have a permanent pastoral assignment.
  - D. Require that the priest participate in a one-week annual evaluation and therapeutic workshop over this four-year period.
  - E. Have all elements of the aftercare program under specific contract between the priest and the Archdiocese. Failure to successfully cooperate with this contract will result in the priest's removal from active ministry.

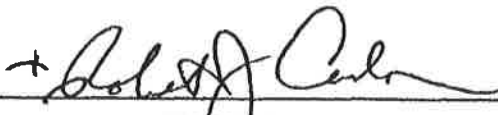
5. Long-term assignment and on-going treatment:

Four to five years following diagnosis, evaluation and successful after-care, the individual priest will be eligible for consideration of a permanent contractual assignment, excluding ministry to minors and others at risk. He will be expected to participate in a regular support group and will report to a supervisor assigned by the Archbishop.

\* Vulnerable Adults

Sincerely yours in Christ,

+   
Most Reverend John R. Roach, D.D.  
Archbishop of Saint Paul and Minneapolis

+   
\_\_\_\_\_  
Notary

SEALED 7/26/88  
KMcD

TO FR. WAJDA'S FILE

(TO BE OPENED ONLY BY A MEMBER OF THE ABP'S COUNCIL)

5/21/03 to  
7/26/88



**328 West Sixth Street**

**Saint Paul, Minnesota 55102**

**612-291-4466**

MEMORANDUM OF INTERVIEW WITH FR. JOSEPH WAJDA,  
at 10:00 AM on October 4, 1988

PRESENT AT THIS MEETING were Fr. Wajda, Fr. Michael O'Connell, and Fr. Kevin McDonough, with the undersigned who appeared at the request of Fr. McDonough.

INTRODUCTION OF ELLSWORTH KNEAL to JW - with explanation of function as advocate in Joseph's behalf for the purposes of this hearing, to assure respect for JW's rights. This was agreeable to Joseph..

CONFIDENTIALITY (or the lack of it) and the "discoverability" of these proceedings, and their potentially public nature, were explained in detail to JW.

READING ALOUD OF TEXT (see accompanying) and discussion of it followed.

HISTORY OF AND ANTECEDENTS OF TEXT. One month following Ordination, there had been an allegation of JW's propositioning a minor male. This was denied by JW, mentioned young men who would verify his probity - [REDACTED] O'Connell was invited by Wajda to interview these young men.

In the summer of '86, there were harassing phone calls to [redacted] traced to Saint Rose rectory, where JW was. The parents of [redacted] now confirm that these were to their home, and made at a time when JW and their son had had some sort of "falling out." ONLY JW was at the rectory at the precise time of some of these calls.

On about Sept. 28, 1988, O'Connell met at length with [REDACTED] - now a [REDACTED] In opinion of O'Connell, [REDACTED] was completely credible. [REDACTED] told of offerings of a truck for sale to [REDACTED] at a very low price, of requests to accompany JW on a vacation - both refused, with some inner anger, by his account, by [REDACTED] Background: In fall of '84, [REDACTED] became increasingly uncomfortable, asked [REDACTED] point-blank if he understood homosexuality, expressed "concern" about his relationship with JW. [REDACTED] says that this was the turning point in his relationship to JW: mistrust and evasion from that point. The verbalization of all this to O'Connell on 9-28-88 was "a great release and relief" for [REDACTED]

"CONDITIONS" (FIVE) REQUIRED OF WAJDA. Joseph accepted these. Saint Luke's was described. The encounters with [REDACTED] ("birthday spankings," etc. in attached sheet, etc.) were stated as being grounds for criminal action, which [REDACTED] would bring against Wajda, if Wajda did not fulfill these conditions. Wajda protested not remembering some of incidents, minimized them as not being sexually significant, etc. Mentioned other associations by name: [REDACTED]

INTERVIEW TERMINATED at 11:50 A.M.

(Msgr.) ELLSWORTH KNEAL

October 4, 1988

ॐ/ॐ/ॐ/ॐ/ॐ/ॐ/ॐ/ॐ/ॐ/ॐ

ARCH-022938

O'Connor  
notes

Proceeding of meeting 10/14/88

Present.

Dr. Michael J. O'Connor and Dr. Kevin McDonough representing Archdiocese  
Msgr. Ellisworth Kneal representing Dr. Joseph Wajda  
Dr. Joseph Wajda

Dr. J.W. befriended [redacted] at [redacted]  
[redacted] in the school year [redacted]. During his relationship with [redacted] he

picked the boy up from numerous sporting events and drove him home. Dr. J.W. purchased at least a different expensive gift for [redacted] -  
an expensive stereo set Christmas of 83 and a set of water skis. Dr. J.W. gave many cash gifts to [redacted] and Dr. J.W. would often

go to the Mickey Gym at St. Paul Seminary to play racquet ball, sauna and swim. These trips would involve other boys and often were just the two of them. [redacted] distinctly remembers that Dr. J.W. on more

than one occasion, made an angry point out of the fact that everyone was expected to be made in the sauna and shower (Seminary policy required this for sanitary reasons) however [redacted] said Dr. J.W. made the point out of proportion to its importance. On one occasion

a boy said he didn't want to take a shower and Dr. J.W. later told [redacted] that he (Dr. J.W.) didn't want to be with that boy again. Dr. J.W. would strongly encourage boys to go in the sauna and shower even if they didn't want to. [redacted] admits that because of Dr. J.W.'s befriending him he asked

Dr. J.W. some questions about his incipient adolescent growth signs, [redacted] reports that Dr. J.W. would frequently ask [redacted] at times out of the context of counseling, "was he getting hard?" "Can you get hard?" at some point in 1983 [redacted]

Dr. J.W. is  
being with  
"I know"

Joe doesn't  
know this  
the first

Dr. J.W. said that  
he didn't make  
any point in  
being made in  
showing a sauna

Dr. J.W. said that  
he didn't make  
any point in  
being made in  
showing a sauna

Does not  
remember and  
denies →

admits that  
bumped his  
buttocks twice  
but that  
he didn't  
inquire  
at  
But retained  
him 15C  
B-day  
"bumping in  
5-2 months"

remembers Dr. J.W. saying "Kiddingly," "If you ever ruin me  
I can ruin you." Twice in the 1983-84 years Dr. J.W. told  
[redacted] that he (Dr. J.W.) wanted to give [redacted] "Birthday  
Spankings." Dr. J.W. told [redacted] that "Birthday Spankings" were  
administered on the bare buttocks. On two occasions after Dr. J.W.  
asked [redacted] if he could give these spankings, [redacted] bared  
his buttocks and leaned over only to have Dr. J.W. not complete  
the spanking - There was no Touching.

[redacted] is very angry at how he has been manipulated  
by Dr. J.W. Both he and his parents want to be assured  
that Dr. J.W. will be prevented from entering into similar  
manipulative, suggestive relationships with other young people.

[redacted] reports that at no time did Dr. J.W. improperly  
touch him or make an overt sexual advance or proposition  
to him with the exception of the "spanking" episodes

STRICTLY CONFIDENTIAL

DATE: January 17, 1989  
MEMO TO: Archbishop Roach  
FROM: Fr. Michael J. O'Connell  
SUBJECT: FR. JOSEPH WAJDA

BRIEF HISTORICAL REVIEW OF CASE:

November, 1987 - Lawsuit served on Fr. Joseph Wajda, alleging that on two occasions he made a [REDACTED] take off his clothes and walk around his office and masturbate in the summer of 1974; Carlson and O'Connell confronted him and he denied it. He provided us a list of names of young boys he befriended over the years and some of whom he [REDACTED]  
[REDACTED]

June, 1988 - Former secretary from St. Andrew's Parish reported that in May of 1988 she overheard Wajda in a first-floor shower at 8:30 a.m. say, "Take it all off boy, take all your clothes off." She doesn't know for sure, but does not think there was anyone with Wajda when she overheard this. She later confronted Wajda and he denied that he said those words.

Early Fall '88 - I interviewed [REDACTED] Fr. McDonough and I felt that we should follow up on one of the names Wajda gave us in November '87. I spoke at length with [REDACTED] Fr. Patrick Ryan and then [REDACTED] Before I spoke to [REDACTED] Fr. Patrick Ryan and I got [REDACTED] to admit that it was their house that had received over 30 harassing phone calls in 1985 which were traced to the St. Rose Rectory. Fr. Ryan investigated the case and determined that Fr. Wajda was the only one who could have made the calls. Fr. Wajda denied that he made the calls, but the calls immediately stopped after he was confronted. This was at the same time that [REDACTED] had decided to distance himself from Fr. Wajda.

My interview with [REDACTED] in the fall of '88 lasted 2 hours. [REDACTED] admitted that Fr. Wajda had given him numerous cash gifts and other gifts, e.g., an expensive stereo system and water skis. [REDACTED] and Wajda became friends shortly after Wajda arrived at St. Rose in 1982 - [REDACTED] and was [REDACTED]

██████████ described several trips to ██████████ with Wajda and he alone and at times with other boys. ██████████ described Fr. Wajda reacting in a very strange manner when one of the boys wouldn't take off his bathing suit for the shower and the sauna. Wajda said to ██████████ he "never wanted to see that boy again." ██████████ described 2 instances where Wajda suggested giving him a "birthday spanking" which meant ██████████ was to bare his buttocks. ██████████ said he did this on two occasions, but that Wajda didn't touch him - nor did Wajda prevent him from baring himself. ██████████ describes himself as being very angry at Fr. Wajda for developing greedy habits as a result of Wajda's giving him money and for shaming him with the spankings. I found ██████████ to be a very credible and normal young man. I have no reason not to believe his story exactly as he told it.

Subsequent to this meeting between myself and ██████████ Fr. Kevin McDonough and myself met with Fr. Wajda and confronted him with ██████████ testimony. Wajda minimized the monetary gifts and the description of what happened at the seminary shower room and sauna. Wajda did admit to Fr. McDonough and me that he had a regular birthday-spanking ritual which he regularly used with his friends - many young boys, which implied that he might spank them, but was really meant as a handshake -- Wajda admits that the ritual had a double meaning. Wajda did admit that ██████████ did bare his buttocks twice in his presence and that he, Wajda, didn't do anything to stop him.

Based on the above meeting with Wajda, he was sent to Saint Luke Institute in Maryland for an evaluation. The evaluation recommended inpatient treatment, partially based on findings that Wajda was highly defensive and seemingly unaware of his psychosexual needs and behavior. Wajda returned in late fall '88 to his position as pastor of St. Andrew's. He had been under strict limitation of having no unsupervised relationships with minors since November '87. He was referred for therapeutic counseling to Dr. Dolore Rockers at the Consultation Services Center in December, 1988.

At a meeting prior to this referral, he lied to Fr. Kevin McDonough and myself about who instigated the spanking ritual with ██████████. He said it was a ██████████ family custom." Both Fr. McDonough and myself distinctly recall him saying it was his custom and that he had been doing it for a long time to many people.

In early, January, 1989, I spoke with Dr. Rockers about setting up a contract between herself, myself and Fr.

Wajda and also asked her how Fr. Wajda was doing. Rockers felt that Wajda was starting slow and wondered if [REDACTED] would be willing to come in and share with Wajda his issues of victimization. I said I had to get back to [REDACTED] anyway and update him and I would then inquire if he would be willing to do that.

\*NEW INFORMATION:

I called [REDACTED] on January 10 and set up a meeting with him for January 13 at 4:00 p.m. at St. Cecilia's Rectory. Our meeting lasted until 7:15 p.m. When I told [REDACTED] that Wajda said that the birthday spankings were his idea, [REDACTED] dissolved into tears and anger. Then he proceeded to tell me that he hadn't told the whole story. The reason he hadn't told the whole story was because he was too ashamed of what happened. The following is the story he told January 13. I have no reason to doubt it.

[REDACTED] met Fr. Wajda in 1982 when Wajda came to [REDACTED]. Their relationship commenced by Wajda inviting [REDACTED] to play racquetball. Wajda started early to give [REDACTED] a lot of money often--\$40-50 a week. This created an immediate, naive dependency on the boy's part.

During the [REDACTED] Wajda started bringing [REDACTED] to his office in the rectory and asking [REDACTED] if "he could get hard." [REDACTED] didn't know what he meant by this term because he was naive about his sexuality and pre-pubescence. [REDACTED] describes Wajda as asking [REDACTED] to take his clothes off; sometimes "accidentally" bumping his genitals---[REDACTED] knew it was purposeful on Wajda's part. Wajda would have [REDACTED] lay on the floor and assume various positions while he was undressed to see if he "could get hard". The birthday spanking ritual also started at this time and would be done with [REDACTED] being either partially clothed or wholly unclothed. Wajda never spanked him during these times--just threatened. Some time in the [REDACTED] these activities shifted to Wajda's apartment suite. The activities stopped when the rectory was remodeled.

The above-described activities happened "hundreds of times", almost daily during the week in [REDACTED]  
[REDACTED]

There was a period during [REDACTED] when he instinctively distanced himself from Wajda--about the time of the phone harassment episodes; however, [REDACTED] and Wajda again started meeting infrequently for dinner at McDonald's and periodic

January 17, 1989  
Memo to Archbishop Roach

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private meetings where the birthday spanking ritual would go on. Wajda continued to give him money and gifts. The spanking ritual stopped during his

Wajda continued to tell in the that he was going to sell his \$6,000.00 valued truck to for \$2,000.00. Wajda never delivered on the deal and really became angry. That was about the time I contacted

at this point does not want to tell his parents--he is too ashamed. He is very angry at Fr. Wajda. He said, "he (Wajda) lied to me always but always insisted that I not lie to him; he made me do awful things to myself."

RECOMMENDATIONS:

Fr. Wajda should be put immediately under our child abuse policy with suspension of faculties and removal from parish -- I have attached a Decree for your signature. Saint Luke Institute should be contacted and given this new information and Wajda should be referred for inpatient treatment at Saint Luke or the facility they recommended in Pennsylvania. With your approval, I would ask Bishop Carlson to meet with me and Fr. Wajda to expedite the recommendation this week.

cc: Bp. Carlson  
Fr. McDonough

ARCHDIOCESE OF SAINT PAUL AND MINNEAPOLIS

226 Summit Avenue  
Saint Paul, Minnesota 55102-2197

The Chancery

STRICTLY CONFIDENTIAL

February 13, 1989

Dr. Frank Valcour  
Medical Director  
Saint Luke Institute  
2420 Brooks Drive  
Suitland, Maryland 20746-5294

Dear Dr. Valcour,

Father Joseph Wajda has been evaluated by Saint Luke Institute this past year upon our referral. As you will recall, that referral was made as a result of a lawsuit brought against him, alleging that he had a young man, age 15, disrobe and walk around his office on two different occasions and masturbate himself.

sect We also referred Father Wajda because we had found out that similar allegations were being made against Father Wajda, going back some 2-6 years. However, in the instance of that young man, our knowledge was from the young man that this had happened twice.

We also, at the time of the initial referral for evaluation, indicated that there had been concern about impulse control on Father Wajda, specifically his outbursts of anger on occasion for which he had been confronted and evaluated by Father Kenneth Pierre of the Consultation Services Center.

You will recall that I had a phone conversation with you approximately 1½ months ago when I updated you on more forthcoming information. To be specific, the same young man was now 19, who was the person that brought the most recent concerns to our attention and has subsequently informed me that these episodes of coerced nudity were much more numerous than just on two occasions, beginning in 1982 and the last one being approximately 15 months ago. The young man now says that Father Wajda had him come into either his office or his living quarters with the door closed and had him disrobe and assume a number of positions under the pretext of Father Wajda asking him to see if he could "get hard." The young man reports that Father Wajda almost never touched him, except on rare occasions he did help him disrobe and "brushed against his genitals". The young man indicated that although Father Wajda would say at the time he was "sorry, I didn't mean to do that," the young man feels that his intention was to have brushed against his genitals. The young man indicates that that particular kind of behavior occurred between 1982 and about 1985.

- Father Wajda has had a chance to hear the young man confront him about



Dr. Valcour  
February 13, 1989  
Page 2

STRICTLY CONFIDENTIAL

his allegations and it appears that Father Wajda is having a very difficult time recalling that anything happened as reported by the young man, other than the two occasions admitted in the first referral to Saint Luke, whereby Father Wajda asked him if he wanted a "birthday spanking" and the young man bared his buttocks.

Father Wajda now has a second independent lawsuit against him, dating back to the periods of the first lawsuit in 1974 when he was an associate pastor at St. Raphael's. This now adds up to two lawsuits and the experience of this young man that I have been talking about.

You also will remember that recently upon your referral, we had Father Wajda begin therapeutic sessions with Dr. Dolore Rockers, Director of Consultation Services Center. He has had a number of therapeutic sessions with her in the last month and one-half. I do believe she will be writing to you with her analysis of the situation. At this point, her material is quite privileged in counselor/client relationship. We would certainly hope that you could work closely with her because eventually when Father Wajda returns to the Archdiocese, she would continue to probably be the best therapeutic referral for Father Wajda.

I must say that given Father Wajda's inability or unwillingness to recall the events described by this recent young man, even after being confronted by him in a controlled situation, our ability to accept him back into any form of ministry will be contingent upon whether or not he can recall the events described and then after being able to admit that behavior, develop some type of sustained empathy for victimization and some sustained evidence of willingness to be treated for that condition.

We thank you very much for your willingness to take Father Wajda as an inpatient referral for further evaluation and treatment and look forward to cooperating with your recommendations. Please do not hesitate to call upon me.

Sincerely,

Reverend Michael J. O'Connell  
Vicar General  
Moderator of the Curia

cc: Fr. Wajda

ARCHDIOCESE OF SAINT PAUL AND MINNEAPOLIS

MEMO TO: Archbishop John R. Roach

DATE: November 10, 1989

FROM: Father Kevin M. McDonough

RE: FATHER JOSEPH WAJDA

Archbishop, Father O'Connell and I met with Lt. James Frank of the St. Paul Police Department on Thursday, November 9, 1989. As Father O'Connell indicated to you on the phone earlier that week, we believed that we were required to report the matter to the police because in recent days we have reason to suspect that there was deliberate genital contact by Father Wajda with one of his victims. You may recall that up until this last weekend, we had no reason to believe that there was any genital contact.

Father O'Connell and I reviewed the main lines of what we know and when we came to know it in regard to Father Wajda's behavior with young people. Lt. Frank listened carefully, but he did not take any extensive notes, since this meeting marked a very initial, opening stage of an investigation.

Lt. Frank believes that there is sufficient reason to open an investigation up more fully. He, like Father O'Connell and I, second guessed our decision not to bring this information to the police back in January, 1989, when we had specific evidence of non-genital inappropriate activity on the part of Father Wajda. He understood, however, that the reporting statute is complex and that we did some careful consulting before deciding not to report earlier.

Lt. Frank told us that he intended to assign one of the members of his staff to investigate the case. That staff member will be in contact with Father O'Connell in order to set up a meeting with [REDACTED] If they receive any information from [REDACTED] then they will follow up by interviewing Father Wajda. Obviously, as soon as they turn up anything that merits further investigation, they will be unable to be in further contact with us about the progress of the case.

Lt. Frank indicated the importance of our not warning Father Wajda to expect a police visit. Although this is not strictly forbidden by the law, it has been the police experience that they can obtain better information if the person is not warned. We assured him of our intention to cooperate.

He told us that in the initial, investigatory portion of the case, we should not anticipate any publicity. There may come a time that charges will be filed, and then the matter will become public. It may be possible for us to be at least a little forewarned if that happens.

Lt. Frank appeared to receive the information in a very responsible manner. Although it is not clear where the case will go, both Father O'Connell and I believe that reporting to the police at this juncture was the right step.

cc: Father Michael O'Connell

July 20, 1990

CONFIDENTIAL

MEMO TO: Father Paul Jaroszeski  
FROM: Bishop Carlson  
SUBJECT: PLACEMENT OF FATHER JOE WAJDA AT  
BLESSED SACRAMENT, ST. PAUL

Paul, I received your memo of July 19th, 1990, concerning Father Wajda and his possible placement at Blessed Sacrament parish in St. Paul.

Because I am convinced that the [REDACTED] case will go to court and there will be some publicity associated with that, it would be my recommendation that Father Richard Hogan and Father Wajda would either be sent to Blessed Sacrament as Co-pastors or Father Wajda would be the Parochial Vicar at Blessed Sacrament for the foreseeable future.

I believe that the Co-pastorate suggestion is the best solution as it would give both of these priests a challenging assignment and, at the same time, it would allow us to provide some on-sight supervision for Father Wajda, and would allow Father Hogan to work directly with the school and the youth of the parish.

If Father Wajda were appointed as Pastor, it would be impossible for me as Vicar, to provide the proper supervision that our policies call for. Because of the supervision question and the fact that the lawsuit with [REDACTED] has not been concluded, I would oppose Joe Wajda being placed at Blessed Sacrament alone in the responsibility as Administrator or Pastor.

cc: Father Michael O'Connell



Ken Konrad  
13150 Valley Creek Trail  
Afton, MN 55001

January 22, 1991

The Most Reverend John R. Roach, D.D.  
Archbishop of St. Paul and Minneapolis  
226 Summit Avenue  
St. Paul, MN 55102-2197

Dear Archbishop Roach:

I am a parishioner of Guardian Angels Parish in Lake Elmo, Minnesota, and am writing you concerning Father Thomas Adamson and Father Joseph Wajda.

This past summer I was asked to be present at the Guardian Angels Parish Council meeting for the discussion concerning your request to assign Father Wajda as assistant pastor to our parish. We were made aware of Father Wajda's pending law suits and his treatment at an eastern hospital that specializes in such problems. From the information available at the council meeting, it was my understanding that Father Wajda committed some of these acts and was treated specifically for this problem. However, the hospital involved could not guarantee that he would never commit any of these acts again. Our council, after extensive and tough discussion, voted to ask Father Arms to turn down your request to appoint Father Wajda to our parish.

Now I have read in the St. Paul Dispatch and heard from relatives who are parishioners of Blessed Sacrement Parish that Father Wajda has been assigned to that parish as assistant pastor. I was disturbed to read that the same information provided to Guardian Angels was not made known to the full Parish Council at Blessed Sacrement.

In a parish mailing, our pastor, Father Mike Arms, enclosed your letter dated December 11, 1990, concerning the Father Adamson law suit and its outcome. Your statements in this letter trouble me deeply. I have toiled over and procrastinated the last few weeks on whether to write to you or not, but I have finally gathered enough courage to write this letter.

I have just one statement to make. After reviewing all that I know concerning the Father Adamson situation, I cannot help but wonder if you are not repeating the same mistake today with Father Wajda that lead to the assessment of punitive damages in the Father Adamson case.

I am writing to you because I am concerned. Are there others who are also concerned but not writing? I would appreciate your further comments that would help me understand your reasoning.

May God bless you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ken Konrad".

Kenneth Konrad  
612-436-5728 (Home)  
715-386-4200 (Business)

STRICTLY CONFIDENTIAL

M E M O

DATE: March 4, 1992

MEMO TO: THE FILE OF FR. JOSEPH WAJDA

FROM: Fr. Kevin McDonough

SUBJECT: REVIEW MEETING WITH FR. WAJDA

I met with Fr. Joseph Wajda on February 27. We met as part of a regular review, and also to discuss some correspondence concerning his progress in emotional growth, some preparations for the beginning of his studies in Washington, and the question of his broadening his circle of relationships to include several adults whom he befriended in various pastoral settings.

In regard to the correspondence, we discussed extensively the "psychological update" that was prepared by Dr. Dolore Rockers. Much of what he and I spoke about is already contained in his response letter to that assessment, dated February 25 and addressed to Archbishop Roach. A couple of points, however, stood out for me in our discussion of the correspondence. First, Fr. Wajda denies abusing [REDACTED] as steadfastly as he acknowledges the inappropriateness of his activities with [REDACTED]. He explained for me the reference in Dr. Rockers summary to some hypnosis that was performed while he was at Saint Luke Institute. Apparently 4 sessions of hypnotic questioning still could not uncover in Fr. Wajda's memory anything that would corroborate the allegations made by either [REDACTED]

I was impressed from our discussion with the extent of remorse and concern that he feels about his relationship with [REDACTED]. He seems to understand the inappropriateness of his conduct with [REDACTED]

Fr. Wajda is able to identify a good deal of anger around his abuse by a priest staff member when he was in high school. Some of that anger is now directed at Archbishop Roach, who was then headmaster at Saint Thomas Academy. I suggested to Fr. Wajda that, at some time even before he would go away to school, he might want to set up a time to talk with Archbishop Roach. I assured him that I had seen Archbishop Roach work with other people who were hurt by priests, and that I believe that Wajda would receive a helpful response from the Archbishop. Wajda said that he would continue to reflect on this.

We talked about his preparations for studies in Washington. He told me that he was leaving for Washington on March 2 for two

Memo to the File of Fr. Joseph Wajda  
Page 2  
March 4, 1992

weeks. He would spend one week at Saint Luke's Institute for another aftercare workshop. While there, he hopes also to talk with staff about arranging for some ongoing therapeutic support for the time when he is studying in Washington. He will then spend the second week of his time in Washington visiting staff at the Catholic University of America and making arrangements about studies, housing, and so on.

We talked finally about his reconnecting with some old friends. Fr. Wajda and I have talked about this before, and once again he indicated that there is a good deal of loneliness in his life and a need for some genuine friendships. Dr. Rockers notes in her evaluation summary that Wajda needs some clearer guidelines from the Archdiocese in regard to reconnection. Fr. Wajda has been, in his own word, "scrupulous" about avoiding contact with any of the young men (nearly all of whom would be adults) who were part of his social life prior to our intervention. He has also avoided contact with their parents, and in several cases Wajda believes that it was the parents who were his primary friendship connection. I asked Fr. Wajda if he could not think of any peers, old friends from high school, college, or seminary, or other non-pastorally-connected friends. He indicated that these were all so long ago that there was no one with whom he could now build a friendship from among these kinds of people. He mentioned three specific married couples with whom he would like to renew his friendship. They are: Mr. and Mrs. LaBelle from Waconia; Pete and Cindy Gottschalk, and Mr. and Mrs. Conroy. While at least one of these families has teenage or young adult children, Fr. Wajda insists that his interest is with the adults that are more or less his own age, rather than in establishing through them some connection to those younger people.

I gave Fr. Wajda permission to reconnect with these three couples. I asked him to take his time about this process, assessing with his therapist the genuineness of the relationships that he is establishing. It is clear that Fr. Wajda does not make friends at all easily, and that it will be hard work for him to build the kind of solid adult-adult relationships for which he longs.

I am satisfied that Fr. Wajda continues to work hard at these health issues. There are still a number of things that he has to face, but he is working at doing so.

cc: Archbishop Roach  
Fr. Joseph Wajda

April 7, 1992

F	Location <u>Sex Abuse</u>
I	Date <u>4-7-92</u>
L	By <u>DA</u>
E	

MEMO TO: Bishop Carlson, Father McDonough

FROM: Archbishop Roach

I met with [REDACTED] on April 6, 1992.

They reviewed with me the long history of their family association with Michael Kolar, Ken LaVan, Bob Kapoun, Jim Finnegan, Joe Wajda, Tom Adamson and Sister Sue Ahmiller. As I think you know, [REDACTED] has filed a suit against [REDACTED] who was [REDACTED]. Apparently [REDACTED] has been in treatment for some time and Jeff Anderson has [REDACTED] case.

They wanted to talk and did at great length. Theirs is a terribly painful story.

They feel that I have to be more forthright in admitting the extent of the problem we have with sexual abuse among clergy. We do need to talk about that.

The meeting was difficult but necessary.



STRICTLY CONFIDENTIAL

April 8, 1996

MEMO TO: Father Ron Bowers, Tribunal  
FROM: Father Kevin McDonough  
SUBJECT: APPOINTMENT OF FATHER WAJDA AS  
JUDICIAL VICAR

Ron, I hope that by the time this memo arrives I will have spoken with you about the possibility of your attending a meeting on April 22 at 1:30 p.m. Archbishop Flynn has asked to meet with Bishop Welsh, you, and me to discuss Joe Wajda's appointment as Judicial Vicar. He has not reached any decision at this point, and wants to hear our opinions. I would ask you not to discuss this with Joe ahead of time, since Archbishop Flynn will raise whatever questions and conclusions he wants to when he meets with Joe later on that same day.

What is at issue is this. In the recent Kapoun trial, the plaintiff's attorney took a new tack in attempting to show that the Archdiocese "still doesn't get it" in regard to abusive priests. He questioned Archbishop Roach and myself about a series of priests who had been accused of abuse and who continue in ministry. While we attempted to make the case that careful, nuanced decisions had been made in regard to each, we do not believe that that impressed the jury very much. In fact, Anderson had a good deal of success with the jury in the Scheffler case using this line.

Because of that, we believe that he will return to the same approach in any future cases. Joe Wajda is one of the priests that he used in this regard. What this means is that, in spite of the fact that we believe there will never be any subsequent legislation in regard to Joe, we think that Anderson will continue to use him as one of his "exhibits". I recognize that this is unfair: Wajda has undergone extensive treatment, he has denied the more offensive charges made against him and has some support in that denial, and he does a fine job in Tribunal work. Even so, we can anticipate that he and several other men will be regularly scrutinized.

Father Ron Bowers

Page 2

April 8, 1996

We are of course quite sure that Joe can minister in a productive and respectful way in the Tribunal. If that were not so, he would not be assigned there. The question that Archbishop Flynn wants to consider, however, is this: Given the threat of continued unfavorable publicity, would Joe's appointment as Judicial Vicar unnecessarily put the work of the Tribunal in a negative light and perhaps even bring more unwelcome attention to him? Would we be better giving the title of Judicial Vicar to another canonist priest while permitting Joe to exercise organizational leadership from within?

We are not interested in punishing Father Wajda: he has been very cooperative in accepting limitations on his ministry and working with an extensive counseling program. The concern is to protect the integrity of the Tribunal and to avoid unnecessarily exposing Joe to further wonderment. Perhaps you can give this some thought in anticipation of the April 22 meeting.

KMM:md

cc: Archbishop Flynn  
Bishop Welsh

BOWERS

**HOLMES & ASSOCIATES, LTD.**

TWO CARLSON PARKWAY, SUITE 155, MINNEAPOLIS, MINNESOTA 55447  
TELEPHONE: (763) 249-0888 ♦ FACSIMILE: (763) 249-0777  
E-MAIL ADDRESS: JHOLMES@HOLMESLTD.COM ♦ DIRECT DIAL: (763) 249-2900

**JAMES S. HOLMES**  
ATTORNEY AT LAW

May 31, 2002

Father Joseph Wajda  
Judicial Vicar  
Archdiocese Chancery  
226 Summit Avenue  
St. Paul, MN 55102

Re: Catholic Eldercare

Dear Father Wajda:

Our office acts as general counsel to Catholic Eldercare, and this letter is written in that capacity.

Supervisory personnel at Catholic Eldercare have received complaints that, in connection with visits to your mother, you have been moving throughout both the nursing home and assisted living facilities and that, in doing so, have engaged in questionable contact with some of the young male employees. Catholic Eldercare personnel are not equipped to address the validity of such allegations, so have forwarded them to the Minneapolis police department for investigation.

Pending completion of that investigation, it is Catholic Eldercare's responsibility to protect its residents and employees. Therefore, please be advised that, effective immediately, your visits to Catholic Eldercare will be restricted as follows:

- (1) Your visits shall be for no purpose other than seeing your mother.
- (2) All visits shall occur between the hours of 5 p.m. and 7 p.m. when Catholic Eldercare supervisory personnel are on the premises.
- (3) While on the premises, you shall be accompanied at all times by your sister or you shall call ahead and make arrangements to be escorted by a Catholic Eldercare supervisor.
- (4) While on the premises, your movement shall be limited to your mother's room and ingress and egress to it.

Father Joseph Wajda  
May 31, 2001  
Page 2

- (5) You shall have no direct contact with any other resident or with any Catholic Eldercare personnel, except as it may relate specifically to matters pertaining to your mother.

We ask that you cooperate by adhering to these restrictions, and, particularly, that you not address them with Catholic Eldercare personnel. Any discussion regarding the terms of this letter should be carried on directly with our office, or with Kim King at Catholic Eldercare, after calling for an appointment. If you do not do cooperate, it will be necessary that we seek a protective court order.

Sincerely.

James S. Holmes

cc: K. King  
A. Hofstede  
M. Shasky

# MEMORANDUM

CHANCELLORS OFFICE 291-4405/291-4424

DATE: June 3, 2002  
TO: Archbishop Flynn, Bishop Campbell, Bishop Pates, Fr. McDonough  
FROM: Bill Fallon  
RE: Fr. Joseph Wajda

At Fr. McDonough's request I responded to a phone message from Tom D. who is a member of the Board of Directors of Catholic Eldercare. He advised me that Kim King, the Director of Eldercare had received a complaint from the mother of a De LaSalle high school student who was working at Eldercare to the effect that Fr. Wajda had, on several occasions, asked his son to go out with him for a pizza. The boy refused his invitations and told his mother that he felt very uncomfortable with Fr. Wajda's invitations. Fr. Wajda apparently then asked another De LaSalle student to similarly join him. This boy also refused the invitation. I spoke to Kim King who verified all of the forgoing and stated further that Fr. Wajda had talked to the mother of one of the boys asking her permission for the boy to accompany him. Kim had sought the advise of their attorney Jim Holmes, and based on his advise, they had prepared a letter to Fr. Wajda restricting his visits to his mother which occur on a daily basis. That letter was delivered to Fr. Wajda on the afternoon of May 31st and a copy is attached hereto.

Prior to delivery of the letter, I called Fr. Wajda to advise him of what I had learned and that he would be receiving the letter, and to ask for his response. He denied any impropriety and stated that at one point, at his mother's urging, he had asked one of the boys out for pizza as a reward for the care rendered to his mother. I might add that Fr. Wajda was rather calm, and did not, as I expected, grow angry when I presented this information to him.

Kim King also advised me that she had left a message with the 5th Precinct Minneapolis Police Department in an attempt to report this matter, but had not heard back from the detective she was trying to reach, and whom she apparently knows. I told her that while I was in no position to handle the situation, but a report to the police might generate news coverage and that based on what I had been told, there was no reportable crime involved, or alleged, nor was there anything reportable under the Mandatory Reporting Act as no physical or sexual abuse had occurred.

Fr. Wajda called me late in the afternoon to advise me that he had received the letter, that he would abide by the restrictions imposed and that he had so advised Ms. King. He said he was not happy with the situation because he felt he had done nothing wrong. If I understood him correctly he is not going to take any further action, at least at this time. I plan to contact Ms. King next week to determine what if anything has occurred with respect to the police report. Depending on the outcome of any investigation the police may conduct, we should consider interviewing the two De LaSalle students (in the presence of their parents) to determine if we need to do anything further with regard to Fr. Wajda.

16 January 2003

Memo To: Bill Fallon

From: Father Kevin McDonough

Re: Father Wajda

Bill, just yesterday you briefed me about the Clergy Review Board and its process with Father Wajda's situation. Ironically, I have some new information this morning.

As you know, Father Wajda lives in the rectory at Saint Peter Claver with me. This morning, a minute or two after 6:15, I was walking past his room on my way downstairs. As I went past his door, I heard his voice. I also heard his shower running. I did not have to make any special effort to hear him, because his voice was plainly audible in the hallway, even though the door to his suite of rooms was full closed.

Here are some of the things I heard him say in a forced, strained voice over the next five minutes or so:

"I want to see [REDACTED] naked."

"I want to see [REDACTED] naked."

"Nobody in his right mind would get naked."

"I want to see [REDACTED] masturbate."

"I want to see [REDACTED] masturbate."

"I won't answer (or 'ask ya') any questions, [REDACTED]"

Bill, I have indicated to you in the past that I heard disturbing statements from Joe Wajda while he was evidently showering. I had not written them down before, so I could not confidently give you specifics. This morning, however, I noted the above-recorded statements right after hearing them, and am confident in their content.

I am going to alert Archbishop Flynn to this. I am not worried about Wajda using a priestly position to endanger a young person, since he has absolutely no ministry other than his office work at the Tribunal. I also do not want to undermine the process that the Clergy Review Board is undertaking. Nevertheless, the statements above reflect attitudes and behaviors that are so close to what Wajda was accused of doing, I have a hard time imagining how we could find the accusations against him anything other than credible. I will talk with you about this as soon as possible.

cc: Archbishop Flynn

CDF P. N. 276/2003

March 23, 2009

Very Rev. Paul D. Counce, J.C.L.  
Presiding Judge  
C/O Ms. Jennifer Hasleberger  
The Chancery  
226 Summit Avenue  
Saint Paul, Minnesota 55102-2197

RECEIVED  
MAR 27 2009

Dear Father Counce,

I received your letter dated February 10, 2009, at 2:25PM on March 4, 2009 when it was hand-delivered to me by Ms. Haselberger. The reason for the delay was two numbers in the address were transposed. I am very grateful that I will finally get a chance to have my concerns addressed with the right of defense intact. I have patiently waited for this. I have made continuing recourse since 2003 on how my case had been mishandled by Archbishop Flynn and the Archdiocese of Saint Paul and Minneapolis. Over three years ago Archbishop Harry Flynn was given a clear directive by the CDF to provide me a judicial process. In an April 11, 2007 letter from Archbishop Sambhi, writing "in the name of the CDF" wrote me, "be assured that the CDF is making every effort to resolve this question". When I wrote Archbishop Sambhi for a clarification of his letter, he that could not answer my question about specific canons, but in an April 21, 2007 letter he wrote that I "may be assured...that the CDF is making every to resolve your continuing solicitation for a judicial process". On December 11, 2009 I wrote to Archbishop Nienstedt explaining my frustrating experience with the clergy review board and process and asked for a judicial process. In a December 18, 2008 letter Archbishop Nienstedt responded and wrote that the process would begin soon.

As I read your letter and the material enclosed, I recall giving talks at parishes about how the Tribunal handled marriage cases. At the end of the presentations, I opened the floor to questions. Often someone would then describe a failed marriage, either describing an abusive spouse or a marriage in horrible terms. Other members in attendance would nod their heads in support of the person, when they asked me if they would get an "annulment". When I responded that I could not give an affirmative answer, but that they had the right to present a petition and that after listening to both sides, the question of the validity/invalidity of their marriage would be answered by the ternus of judges. Some did not like that response and said that I did not believe the description of the marriage and sometimes stormed out of the hall. I also recall someone said to me "I hate you". I was stunned by that and I listened to her tell the story of how she was not treated fairly and that she had not received the respect and concern I had described in my presentation. I got the information from her and looked into the case when I was back in the office. After reviewing the Acts of the Case, I could understand why she thought the way she did. In fact she was not treated fairly or respectfully. It was clear that her right of defense had not been respected.

In your letter you asked for my input to help the judges understand this case. Without arguing the entire case, I believe it is important for the judges to have a fuller picture then what is selectively put forward in the Libellus and accompanying documents. I have and continue to

deny the sexual abuse of any person. I did not abuse ecclesiastical office or power. I did not commit any external offense against the sixth Commandment with any minors.

I am surprised that Father Kevin McDonough is the Promoter of Justice for several reasons. One is that I lived in the same rectory with him from 1998-2003. He was supportive and assisted me with canonical advice. He even helped me draft a letter to Archbishop Flynn raising concerns about the lack of respect for my human, civil and canonical rights. While living at the rectory, I raised my concerns when Father McDonough allowed a family with minor children to live in the lower part of the rectory. I told Father McDonough that I was uncomfortable with what might be said if it became public that I was in a living situation with minors presents. Father McDonough told me that "anyone raising concerns would have to deal with him" or words to that effect. Another reason is that in the same December 23, 1990 article that quoted Father McDonough that my assignment was an "experiment", he stated that I had credibility in my denial. Another reason is he allowed me fill in at various parishes when there was a need and would sometimes joke about the advantage I had of living with a probation officer. Another reason is he has acted as a personal pastor to the [REDACTED] family. Father McDonough kept telling me that it is difficult to disprove a negative. He also told me of meeting with the parents of a young man, [REDACTED] Father McDonough met with the [REDACTED] who were concerned by changes in their son's behavior and suspected abuse a full two years before I arrived at their parish. [REDACTED] stated that I never abused him. Finally, Father McDonough would tell others that I past every test that I had taken to prove my innocence including a lie-detector test. While I wanted to take a lie-detector test, I was told that such a test was not admissible in court. He also told me that [REDACTED] sister had acknowledged that her brother had lied about me, until I asked him to put that in writing for the Clergy Review Board. Then he said he did not remember whether he read that in the file or if he actually heard her say that.

In the Libellus, Father McDonough asserts my intent is only to vindicate my reputation and not to seek restoration to any active priestly ministry. That is inaccurate. Not only do I want to vindicate my name, I wish to return to some form of ministry. I also want to have on record for the judges to see and the Vatican to see how the Archdiocese handles cases and allegations that are made. When Father McDonough informed me that Rome had responded to my request for a canonical trial, he suggested that we try to resolve this some other way because he said that the Archdiocese did not want Rome to know how these cases are handled here or words to that effect. Father McDonough asserts I did not accept a process for alternative dispute resolution and that I stopped responding to inquires. It is Father McDonough who failed to follow through. He would call, leave a voice message, and I would return his call, leave a voice message and when he returned from vacation he would apologies for not getting back to me. Father McDonough has never returned my last phone. He has stopped responding to my phone calls. Ever since he proposed some ADR he has failed to respond to some basic questions: such as the standard to be used, you are accused you are guilty, preponderance of evidence, beyond a reasonable doubt, or moral certitude. He also failed to respond to why type and how public an apology I would receive, if this panel found in my favor.

In the Vatican four page document, there is several inaccuracy concerning accusations. The [REDACTED] accusations were never proven and were settled for defense cost after the Archdiocese lost a case and was assessed punitive damages in the Adamson case that I testified in on behalf of the Archdiocese. The only sister of [REDACTED] told me that her brother lied about me (memo enclosed). She also told Marilies Young JUD at the Tribunal her brother lied



about me (see copy of attached letter). I would like to name Marilies Young as a witness. [REDACTED] in a deposition stated that the alleged abuse took place in the basement of the Church. The Church of St. Raphael did not have a basement until an addition was built 14 years after I was no longer at the parish. [REDACTED] also testified in a civil deposition that he had embezzled money from the Federal Government's Department of HUD. [REDACTED] had been barred from being an altar server at weddings. [REDACTED] used to bully the other server from showing up for weddings, so he would get double the money for serving the wedding. One time in 1974 after receiving the server's stipend, he approached the best man asking to be paid. The best man only had only \$20 bills and gave one to [REDACTED]. The wedding party complained to me about this and [REDACTED] reluctantly gave back the \$20.

[REDACTED] was abused by another priest at the parish, who admitted the abuse. I was told by Father O'Connell that the [REDACTED] accusation was against the other priest and my name was added on by the attorney, Jeffrey Anderson to make his case stronger. The case was settled against the other priest just before trial. The attorney announced that since the case was settled for a substantial amount, it proved the two priests were guilty of abuse. The settlement assessed "against me" was for defense costs.

I deny any abuse of [REDACTED]. I find it interesting that it is stated that the police did not prosecute since the statutes of limitations had expired. If the alleged abuse took place from 1982-1988 and was denounced in 1989. The criminal statutes run longer than one year. More on the [REDACTED] accusations in other parts of this letter.

The [REDACTED] case involved [REDACTED] was settled by mediation by the Archdiocese and Insurance companies, since I was not contributing any money I had no say. I watched the mediation go on like I was a piece of meat being sold. [REDACTED] alleges that I took him [REDACTED]. He does not remember the date or the place. He only came to this knowledge from a repressed memory. Both the other two individuals named by [REDACTED] namely [REDACTED] said that no such trip ever took place.

This document states I had "conical assistance". This is inaccurate. The only "canonical assistance" was at one meeting with Msgr. Kneal present telling me I should cooperate with the Archdiocese. It is only while studying for a J.C. L., that I begin to understand my rights and to exercise them. The whole experience with this process has lacked a canonical perspective.

This Vatican document stated that in 1986 I was referred to a priest-psychologist to address anger issues. This is also inaccurate. Members of my family and I had gone through a difficult time and at the request of Archbishop Roach I received an evaluation before being assigned as a Pastor.

As far as sustenance provided by the diocese, I have not received the equivalent amount in salary increases for the past two fiscal years. I have not received a Misc1099 tax form, and was recently told that the Archdiocese does not believe that I should receive a 1099 since they consider this support a gift. The CPA who has assisted me for many years in the preparation of my taxes reads the tax laws differently. My tax returns have been filed reporting the money as income. If the income is not reported it would affect my social security. I am presently being audited by the IRS.

The statements that I agreed to conditions placed on ministry and stipulated guidelines are only one side of the story. I did agree that for the good of the Church and my own good that I would not have any unsupervised time with young people and that I would not have any contact with anyone I had met during my previous assignments

The statement of renewed expressions of concern from the faithful needs some perspective. I was asked to assist on weekends at the Blessed Sacrament Church in Saint Paul, while the parochial vicar made a visit to his family home in Africa. Two hours before I arrived the Pastor died of a heart attack. I was asked to cover the Masses for the week. At the Funeral Mass, Archbishop Roach told me he wanted to appoint me administrator. I told Archbishop Roach, I wanted to address the issues of the false accusations with the parish. He told me to talk with the Vicar General, Father O'Connell about that. Father O'Connell said no and that I was to go to the bank and get control of the money. When I testified in civil court about my role in the Adamson case the local media picked up that I had been sued in the past. Some people at Blessed Sacrament parish were upset that this information had not been shared with the parish earlier, as I had requested.

The O'Connell memo has several important data not included. The November 1987 section is misleading. I learned of the [redacted] allegation and lawsuit in a phone call from an attorney, representing the Archdiocese. I met with both Bishop Carlson and Father O'Connell a number of times. They were playing the role of good cop, bad cop. I fully cooperated with them. I provided them a list of youth I had met over the years in my various assignments. Bishop Carlson told me he had talked with many of them, some he knew personally since he had been a parochial vicar at one time at St. Raphael two years before I was assigned there.

In June 1988 the part of over hearing me in the shower on the first floor shower, fails to mention I always used the first floor shower, because of poor water pressure in the rectory and that I had a radio on to hear the news and music. The comment about alleged harassing phone calls fails to mention that the phone system at St. Rose of Lima was such that any call placed from the church, school, or rectory used the same lines. A similar phone system exists at the Chancery and other diocesan offices. Bishop Carlson told me that none of the "calls" were traced to my private number in the rectory. Father O'Connell states in the memo I minimized the situations. What is not included but is characterized as minimizing are reasonable and honest explanations. The "expensive gift" of water skis was in fact a used shalom water-ski, that [redacted] wanted to purchase from his cousin. I helped him purchased a second hand water-ski. I had two vehicles, a GMC Jimmy SUV worth \$6000 and a Jeep CJ7 worth \$2000. When I was going to sell both vehicles to purchase a newer one, [redacted] asked a buying one of them. He had about \$2000. He wanted to buy the Jimmy. I told him I would sell the jeep but not the GMC Jimmy if his parents agreed. [redacted] parents bought a new car to be shared by [redacted] and his sister. I never gave [redacted] \$40 to \$50 dollars a week. For the years 1982-1986 my monthly recompense was in line with the Archdiocesan policy for salary and car allowance, \$681.34 for 1982, \$ 714.58 for 1983, \$761.79 for 1984, and \$764.12 for 1985 and for the two months in 1986 I was at St. Rose was \$764.12.. The seminary gym had rules that all including guests were to observe. No one under the age of 18 could use the weights in the weight room and that swimmers were to take a nude shower before using the pool and that towels were to be used in the sauna. I reminded my guests accompanying me to the gym, that as guests we should follow the rules. If not I might loose the privilege of bringing guests.

I still vividly recall Father O'Connell poking his finger in my chest telling that I must admit to the accusations if I ever wanted to get back into ministry. I recall telling this to Bishop Carlson. Bishop Carlson told me that Father O'Connell was under lots of pressure and was struggling with the pressures of his office.

I enjoyed a good reputation in all my assignments. In my first assignment the pastor of the parish, Msgr. Stanley J. Srnc was notorious (known) among the youth of the parish for asking sexually explicit questions. The other associate, Father Robert Kapoun admitted to the sexual abuse of minors. The priest I replaced, Father James Finnegan left active ministry and eventual contracted and died of HIV. I would like to name as witnesses, Doctor Ted Wanderer, a psychiatrist and Mr. Steve Sinjem as witnesses to what I was like at St. Raphael. Both of these individuals were 13 years old when I met them. They are now in their late 40's. I traveled with both of these individuals and I know both have written letters in the past to both Archbishops Roach and Flynn on my behalf. At the appropriate time, I would like to name others as witnesses from this assignment.

In my second assignment as a parochial vicar at the Church of the Immaculate Conception I enjoyed a good reputation with members of the parish including the youth. In [REDACTED] brought to me an accusation concerning sexual misconduct about the priest serving as Parochial Administrator. I reported this to the Bishop Carlson and the Archdiocese acted rapidly. In January 1981, I reported to Bishop Carlson that this priest (Thomas Adamson) had continuing contact with a youth of the parish. This young man eventual brought a civil lawsuit against the Archdiocese and the Diocese of Winona and was awarded a significant amount of money. I was deposed in 1987 and was called to testify in civil court in 1990 about this matter and I was portrayed in the media as a priest who had been sued for abuse. This gave rise to the article in the St. Paul Pioneer Press and the so called "uneasiness" of the faithful mentioned in the document to the Vatican. I would like to name several members of the [REDACTED] family from this parish. Besides the [REDACTED] parents, several of the boys of the family, [REDACTED] was one of the servers who brought to my attention the abuse of a friend of his by Father Adamson. [REDACTED] were servers and accompanied me to use the gym at the seminary. [REDACTED] another of the brothers is teaching English in Korea. Another [REDACTED] whom I traveled with while at Immaculate Conception and St. Rose of Lima. I would like also to name Steve Maas whom I traveled with to Hawaii as I was leaving IC and going to St. Rose. Several others have over the years have offered to testified on my behalf. When it is appropriate to contact witnesses I will proved their names. It should also be noted that I was encouraged by Bishop Carlson to be open to the youth of the parish and any further claims of abuse. A couple of unsubstantiated allegations came up about Adamson.

My third assignment at St. Rose was as a parochial vicar. Again I enjoyed a good reputation. As part of preparation for the Sacrament of Confirmation, I along with others on the staff had to deal with the issue of a sexual assault involving several members of the class. [REDACTED] was sexually molested by three boys at a non church event. She attempted suicide and I was asked by her mother to visit with her. Her claims were prosecuted in the civil arena and gained notoriety in the Roseville area. Two of the boys who molested her, [REDACTED] and up to seven boys who witnessed the assault were going to be in the Confirmation program at the parish in the fall. With the director of Religious education and the youth ministers who oversaw the Confirmation program, we work to address including bringing in Jack Quesnell to address the issue of sexuality at a parent student session. After I left the parish, [REDACTED] called me about

the continuing harassment she was receiving at school at the time of the boys state hockey tournament. She identified one of her tormentors as [REDACTED] committed suicide and I was asked back for the funeral. I would like to name several witness from this parish on my behalf, namely Nancy D'Heilly the director of Religious Education, Russ and Mary Schmidt, youth ministers at the parish, Jack Quesnell, noted speaker on the topics of marriage and sexuality, and Mark Feldkamp whom I traveled with while at St. Rose. And others include the parents of [REDACTED] One key witness from St. Rose has died.

I then had two short assignments as an administrator, and one year a dual assignment as Pastor of Our Lady of Perpetual Help and Chaplain at a Hospital before being named Pastor at St. Andrew. One of those brief assignments was at St. Joseph in Waconia. An individual named [REDACTED] filed a lawsuit against the Archdiocese. I was not named in the suit. He alleges that I abused him as he was preparing for confirmation. I was not involved with the confirmation program at St. Joseph parish. I did oversee the rehearsal in the Church with the candidates, parents, and sponsors, the day before the Confirmation. I would like to name several witnesses from St. Joseph's parish, Lloyd Laumann, who serve as a trustee of the parish. He retired from the corporate world because of health issues and was a good source of information about the parish. I would like to name Greg Happ and Dave La Valle. These two young men had played racquetball with me, along with Tim Howe. Tim was hit and killed by a car while he was jogging. His father retired judge Tom Howe wrote a letter to Archbishop Flynn about my role in his son's life (copy of letter attached).

In 1987 after I gave a deposition in the Adamson case that I reported to the archdiocese, I received a call that I had been named in a lawsuit by [REDACTED] at St. Alphonse parish. I never was assigned to that parish. [REDACTED] story and dates of the alleged abuse keep changing as I was able to refute his version of what allegedly happened. He finally pinned the date as [REDACTED] the date of his sister's birthday and the weekend two weeks later when he stated no one was around but me. [REDACTED] was a Monday and my day off and the weekend [REDACTED] when thousands of people were present on Friday, Saturday, and Sunday nights

One key witness, [REDACTED] has died. [REDACTED] would have been able to verify my presence with him on [REDACTED] His son [REDACTED] was killed in a car accident on [REDACTED] Each year [REDACTED] and members of his family would join with members of my family to observe this [REDACTED] date. This was his second son killed in a car accident. [REDACTED] wanted to talk about these tragic accidents. So I spent much time with in on Mondays.

[REDACTED] admitted a sorted history of deviant behavior with males and females. He had been [REDACTED] accusation is that I told him such "sexual activity was normal" and that I paid him to "run around my desk naked and masturbate himself on two occasions". My office where this alleged abuse was to have occurred was approximate 10 feet by 11 feet. There were windows to the outside and translucent glass widows the length of the common wall between the office and the adjacent hallway. These windows were large and sufficiently translucent to obscure faces but permit anyone along the hallway to see activity in the office. No one from the Archdiocese or Insurance companies ever took the time to view the office space. On August 10,

2002, before that office space was significantly remodeled I had pictures and measurements of the office taken. Those photos were given to the Clergy Review Board.

As you proceed with this process to set the dubium, the process and the way this case has been handled should be on trial. Father McDonough stated in a letter to my civil attorney that the ADR should be used because of the "obvious defects" in the handling of my situation and that the Archdiocese settled the cases in their financial interests.

I have serious concerns from canonical and human perspectives about how this case and process has been handled. I shared those concerns in my continuing recourse to the CDF. I will try to briefly summarize those concerns. I had six experiences with the board. The first meeting was to be on July 15, 2002 and I was told to bring my civil attorney. When I called to confirm where the meeting was to be held I was told there was a mistake, I was not on the agenda. The second meeting on August 12, 2002, at 5PM. My civil attorney and I waited for over an hour and ten minutes before being brought in. No one seemed to have an idea of what was going on. Was this the process I requested from Archbishop Flynn, to determine if my rights had not been respected or whether I was guilty and I had to prove my innocence. Within 10 minutes I was called away to the hospital where my mother was dying. The third meeting on September 9, 2002 was a brief meeting where the members present expressed their condolence at the death of my mother and within 15 minutes my attorney and I were thanked and we left.

Due to scheduling problems and with new members joining the Board the next regularly scheduled meeting was April 28, 2003. At first we were told that the meeting would not start on time, eventually we were told the meeting was canceled because the members failed to show up. The last meeting, a week later they expected me to admit to abuse. They did not understand their role. When a canonical question arose, they were discussing among themselves, it was pointed out to them, that I was the only one in the room who had the expertise, experience and degree in Canon Law. They were surprised that their role was to determine whether the accusations were credible and that the Archbishop would have to get direction from the CDF. I had an accumulative 45 minutes before the board during six not three appearances before the board. The board acted with their own rules, sometimes observing civil law standards some times canonical standards, sometimes a mix of the two. The reason that my civil attorney spoke most of the time was that I was told to bring him.

Other issues. In a memo to my file I recall reading Bishop Carlson stating that he used the name of [REDACTED] in a conversation with me to see how I reacted to the name. The memo indicated I had no reaction or recollection to the name.

I am concerned as a canonist on the use or lack of use of canon law. The former Chancellor for civil affairs told me that the process used by the review board operated on its own as extra judicial. After I raised canonical concerns and the board's proper role another canonist then began to assist other priests appearing before the board, ask me about my canonical opinion about what was going on. He described what he observed with the board as very uncanonical and disrespectful of the human dignity of persons. I had much frustration with the board and its lack of understanding of their role and scope. I raised my concerns in my recourse to the Vatican. Archbishop Sambini, writing in the name of the CDF, reassured me that the CDF was doing everything to address and resolve my concerns.

I am also concerned about what goes in the record. I recall when I was being deposed by Attorney Jeffrey Anderson when my civil attorney objected to Anderson making long statements as part of the record, then asking a brief question. Unfortunately some of those long statements get their own life as "facts" in other settings. The example of the untrue statement that I was on camping trips with youth. In several depositions I was asked about camping trips and that is referred in the documentation from the letter from the attorney in the [REDACTED] case.

I also recall my civil attorney challenging Jeffrey Anderson for using me as a credible witness against the Archdiocese when I testified to my role in reporting abuse by Thomas Adamson and that when I denied false accusations made against me why am I not credible.

While I am pleased that the Archdiocese is not seeking my dismissal from the clerical state, I am unhappy that they are seeking a penalty of no less than 15 years. I assert that I have had the effects of a penalty on me for many years without due process. I was described in the Catholic Spirit May 23, 2002 by Archbishop Flynn that I was a "past offender". That Calumny was picked up by the secular media. I was denied for 72 days before my mother's death to visit her in a Catholic nursing home. The last words I ever heard my mother speak, was at the hospital as she was coming out of anesthesia, "why doesn't Joe come and visit me" and "please Joe come and visit." The effects of a penalty have been placed on me for many years without a just process.

The calumnious statement of Archbishop Flynn reminds me of the story of St. Phillip Neri and the strange penance given to someone accusing them of speaking badly about some people. The penance consisted of plucking chicken feathers and then to return to him and being told to collect one by one the feathers that fell on the way. The person responded that was impossible since the wind had dispersed them in all directions. There are 12,000 feathers on a chicken. My name has been associated with the phrase "past offender" forever floating around the internet. The Defenders of the Church Society (DOC) described me as a convicted molester and only the threat of a lawsuit forced them to revise their website from convicted to alleged abuser. SNAP also using the "past offender" as proof in their minds that I am an abuser.

I am also concerned that cases settled in the interest of the diocese, that are disputed and unproven are now being used as examples of proven cases of abuse.

I have cooperated with all that I have been asked to do. I do seek to have my good name restored. I seek return to active ministry and I seek to have Vatican to become aware of the injustice done to me. I sought and seek recourse for the calumny that Archbishop Flynn a successor of the apostles has made against me.

I do not have the financial resources to pay for a canonical advocate. I am still seeking a canonical advocate. I am reluctant to ask canonist from the Archdiocese, since they would have to oppose the Archdiocese in which they minister. I am still waiting a response from outside the Archdiocese. Is there a list of trained canonical advocates whom I might seek out?

A couple of key witnesses for me have died. I would like to name witnesses who are able to testify to how I have responded when faced with the issues of sexual abuse (Adamson) and/or sexual molestation [REDACTED] I am aware that a number of individuals I knew when they were jr high age and are now adults have written to Archbishops Roach and Flynn in the past are willing to give testimony on my behalf.

On March 14, 2009, the neighborhood where I live was blanketed with the enclosed flyer. Bob Swiderski of SNAP approached me in a somewhat civil conversation. He was there and the flyers were on behalf of [REDACTED] I do not remember [REDACTED] He filed a law suit against the diocese and I was not named. He alleges abuse when I was involved in his confirmation at St. Joseph parish, in 1986. I was only at that assignment for 11 weeks and was not involved in the confirmation program, except to run the rehearsal for the ceremony. [REDACTED] parents showed up to my residence on January 3, 2009, demanding that I admit to the abuse of their son. His mother wrote a letter to me earlier demanding that I admit to abuse. When I told Bob Swiderski I have always sought to clear my name of the false allegations, He asked me some good questions I have asked myself, why the church is taking so long to allow me to try this. Bob Swiderski also stated that since "Flynn named you as an offender, with two other convicted offenders, why should I believe that you are not an offender" or words to that effect. I have always cooperated with the Archdiocese; I even met with the auditors from the Gavin group. When I raised concerns and issues, their response was 'that is not within our scope' or words to that effect.

The one thing in common is that [REDACTED] is in a group with [REDACTED] and they have an attorney in common. I find that the [REDACTED] cases have Jeffrey Anderson in common. [REDACTED] was asked in a deposition whether he had approached Jeffrey Anderson. His attorney would not allow him to answer. There is some indication that Jeffrey Anderson turned him down.

I am happy that I finally get the opportunity to clear my name. I am concerned that some witnesses have died. I am less than confident that the whole story has been told. While I may not receive justice from the institutional church in my lifetime here on earth, I am supremely confident on the Day of Judgment, I will be vindicated by the Just Judge.

I received your letter dated March 11, 2009 on March 17, 2009, to admonish me for some contact with one of witness proposed in the Libellus. I have not had any contact with any of the proposed witness. I would like to know who this witness is and when the "alleged contact" was made. The only contact I had was when Father McDonough called me on March 3, 2009 to ask why I had not responded to letters sent in February. He suggested that I contact Ms. Jennifer Haselberger. I did contact her and it was discovered that two numbers in my address had been transposed, which led to the lack of response on my part. Your March 11, 2009 letter has the numbers still transposed, but the address on the envelop was correct. I take very seriously the need for confidentiality and the need to strictly preserve my right of defense that I assert had not been respected in large part in the process until now. Three people have been made aware in letters from Archbishop Nienstedt that a canonical process is in line for me. Father Tiffany, Vicar for the Clergy has been made aware by Chancery officials that a judicial process is beginning. It should be noted that I and members of my family have avoided any contact with the media when the media sought us out for comments.

This letter is getting too long. When the dubium is formulated, I will gladly provide other information that may need to be addressed. In conclusion I deny any abuse of power and any sexual abuse of any minor. I assert that my human, civil, and canonical rights have not been respected. I seek to restore my good name, to return to some form of ministry, and justice for the calumny of Archbishop Flynn in calling me in the Catholic Spirit a "past offender" (copy of

article attached). Archbishop Flynn wrote an article about the Character in the America magazine and wrote of a just process that must be followed (copy of article attached). I assert that a just process has not been observed with my case.

On the evening of March 17, 2009 I received a phone call from Father Eugene Tiffany, acting as Vicar of Clergy to offer a listening ear and support for the SNAP intrusion. The morning of March 18, 2009, I noticed dozens of nails in the driveway. At first I thought my brother Ron who stores some of his carpentry supplies in the garage might have dropped them. When I spoke to him, he said that he had not even been to the garage.

This letter is not an exhaustive defense. There is additional information I can and will provide in my attempt to clear my name, to return to some form of active ministry and seek justice for the calumny of Archbishop Flynn.

Respectfully yours,



Joseph L. Wajda

My correct address is not : but is: