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COMMONWEALTH OF MASSACHUSETTS  
COUNTY OF MIDDLESEX

GREGORY FORD, et al.,  
Plaintiff,

vs.

Superior Court  
Civil Action  
No. 02-0626

BERNARD CARDINAL LAW, a/k/a,  
CARDINAL BERNARD F. LAW,  
Defendants.

-----  
PAUL W. BUSA,  
Plaintiff,

vs.

Civil Action  
No. 02-0822

BERNARD CARDINAL LAW, a/k/a,  
CARDINAL BERNARD F. LAW, et al.  
Defendants.

-----  
ANTHONY DRISCOLL,  
Plaintiff,

vs.

Civil Action  
No. 02-1737

BERNARD CARDINAL LAW, a/k/a,  
CARDINAL BERNARD F. LAW, et al.  
Defendants.

THE SIXTH DAY OF THE VIDEOTAPED DEPOSITION  
OF CARDINAL BERNARD F. LAW, a witness called by  
the Plaintiffs, taken pursuant to the applicable  
provisions of the Massachusetts Rules of Civil  
Procedure, before Kathleen L. Good, Registered  
Professional Reporter and Notary Public in and  
for the Commonwealth of Massachusetts, at the  
offices of Greenberg Traurig, One International  
Place, Boston, Massachusetts 02110, on  
Wednesday, October 16, 2002, commencing at 10:04  
a.m.

K. L. GOOD & ASSOCIATES  
P. O. BOX 6094  
BOSTON, MASSACHUSETTS 02209  
TEL. (781) 598-6405 - FAX (781) 598-0815



fact that John Geoghan had been sent to the Institute for Living; is that correct?  
2  
3 A There is no reference to that here, specific --  
4 no there is none. There is no overt reference.  
5 Q Okay. All right.  
6 And there's no --  
7 A If I may say --  
8 Q Go ahead. Sure.  
9 A If I may say, "It is most heartening to know that  
10 things have gone well for you and that you are  
11 ready to resume your efforts" would be an  
12 implicit reference to the Institute of the  
13 Living.  
14 Q There's no reference to the fact that John  
15 Geoghan had been assessed at the Institute for  
16 Living for his -- as a result of his sexual  
17 misconduct. No reference to that in this letter.  
18 A There is no explicit reference to the Institute  
19 of Living, no.  
20 Q There's no reference to the reasons why John  
21 Geoghan was sent there; is that correct?  
22 A That's correct.  
23 Q Okay. All right. The next letter, November 30,  
24 1989, has been marked in the previous case, from

1 received basically the understanding that Bishop  
2 Banks is referencing in the November 30 letter;  
3 namely, that it would be appropriate and safe for  
4 this priest, Father Geoghan, to be reassigned to  
5 parish ministry.

6 I immediately called Bishop Banks -- and I  
7 said to the Institute of the Living personnel --  
8 and I believe it was Father Gill -- that it  
9 really is necessary for us to receive in a very  
10 timely manner, a written, full, written report in  
11 this instance, in this case, as it was in every  
12 case.

13 And then I asked Bishop Banks to go to  
14 the -- to himself go to the Institute of the  
15 Living and to meet with them, to review this  
16 case, because I wanted to be certain about it. I  
17 was concerned about it.

18 MR. TODD: Hold it, hold it.

19 MR. MacLEISH: Go ahead.

20 MR. TODD: I would like to state for  
21 the record that all of the matters, issues,  
22 correspondence surrounding Father Geoghan was  
23 gone into in depositions of Cardinal Law on  
24 multiple days in the cases which Attorney

1 Bishop Banks to Vincent Stephens, MD, at the  
2 Institute for Living.  
3 Do you want to take a moment and read that  
4 letter, please.  
5 A Yes.  
6 (Pause.)  
7 Q Have you seen that letter before today, Cardinal  
8 Law?  
9 A I have not seen the letter, but I am aware of the  
10 response from the Institute of the Living.  
11 Q Right. Now, in November of '89, 1989, was the  
12 discharge summary from the Institute for Living  
13 concerning Father John Geoghan brought to your  
14 attention?  
15 A As a matter of fact, I was concerned by the fact  
16 that we had not gotten a response from the  
17 Institute of the Living in a timely fashion.  
18 MR. TODD: That's --  
19 THE WITNESS: Go ahead.  
20 MR. TODD: I'm sorry. As soon as  
21 you're finished, I want to make a statement.  
22 A And I called and inquired about this. As I  
23 recall, I spoke with Father Gill, who was the  
24 director of the institute, and, in effect,

1 Garabedian brought, and going over them, the same  
2 matters in this deposition, is the subject of my  
3 objection.

4 MR. MacLEISH: All right. Okay. Well,  
5 I'm not Attorney Garabedian, and I've read his  
6 deposition and I'm trying to avoid questions that  
7 he asked. But if you're offering that the  
8 deposition in that case can be utilized in this  
9 case, Owen, then I'm perfectly happy to discuss  
10 that with you.

11 MR. TODD: To the extent that you're  
12 conducting a discovery deposition, I submit that  
13 you know all of the information and answers to  
14 the questions you're asking, and if you don't  
15 know it, it's all available; and to go over  
16 examinations which have been conducted for many  
17 days on occasions prior to this is wasteful --

18 MR. MacLEISH: Well, I appreciate  
19 you --

20 MR. TODD: -- and harassing.

21 MR. MacLEISH: It's not wasteful and  
22 I'm certainly not intending to harass the  
23 Cardinal.

24 MR. TODD: I'm entitled to my opinion,

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is

A That's correct.  
Q Okay. He felt that the report was not consistent with his oral conversation?  
A If I may say, I don't think -- well, I can't speak for Bishop Banks. I can speak for myself.  
Q Right.  
A Disappointment would not be in terms of the judgment rendered, but disappointment in terms of the judgment rendered in writing was different from the judgment rendered orally.  
Q Well, you can't speak for Bishop Banks?  
A No. But I can speak for myself. That would have been my disappointment.  
Q But Cardinal Law, isn't it true that if there was a favorable report, you personally wanted to have John Geoghan back in ministry. Is that not correct?  
A No, that is not correct. I wanted to do the right thing.  
Q Okay.  
A And if -- and I didn't want a favorable report as opposed to an unfavorable report. I wanted an accurate report.  
Q All right. But, again, one of your options when

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Perhaps it was, but I don't recall it.  
Q And you'll see that Dr. Swords states, in the first paragraph, that he's responding to Bishop Banks' letter to Dr. Stephens of November 30, 1989.  
Do you see that?  
A Yes.  
Q Okay. Then he says:  
"Let me first say that we judge Father Geoghan to be clinically quite safe to resume his pastoral ministry after observation, evaluation and treatment here for three months."  
Do you see that?  
A I do.  
Q And is that statement consistent with the oral representations, statements that were made to you in the telephone conversation you described earlier?  
A As I recollect them, yes.  
Q So it goes on, Cardinal Law, this letter from Dr. Swords, to state:  
"The probability that he would sexually act out again is quite low. However, we cannot guarantee that it could not reoccur."  
Do you see that?

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John Geoghan came back was to put him into a place where he would not have contact with kids?  
MR. TODD: Objection. Asked and answered.  
Q Right?  
A The answer is the same now as it was a few moments ago, yes.  
Q Good. Now, let's turn to the next page, which is the Institute for Living, Dr. Swords' letter to Bishop Banks of December 13, 1989, that followed Bishop Banks' letter to Dr. Stephens of November 30, 1989.  
Do you want to take a moment and look at that?  
A Yes.  
(Pause.)  
A Yes.  
Q Looking at this letter from Dr. Swords to Bishop Banks of December 13, 1989, do you ever recall seeing this letter prior to today?  
A I do not recall seeing the letter, no.  
Q It has not been brought up in previous depositions that you can recall?  
A I don't recall it having been brought up.

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Do you see that?  
A I do.  
Q And then it says:  
"It is both reasonable and therapeutic for him to be reassigned back to his parish."  
Do you see that?  
A I do.  
Q So when you made the decision to reassign John Geoghan back to St. Julia's, you understood, did you not, that there could be no guarantees with John Geoghan that his sexual molestation of minors, his history of that would not reoccur, correct?  
A As I indicated to you just a moment ago, I don't recall seeing this letter at the time, but the content of it would have been communicated to me. And whether or not it was stated explicitly to me by Bishop Banks that the Institute of the Living cannot guarantee that it would not reoccur, I don't know.  
But as I said earlier in our conversation, I know that no one can absolutely predict the future of human behavior.  
MR. TODD: Again, I want to state for

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1 the record this subject matter and these were  
2 gone into extensively in the Geoghan depositions.  
3 MR. MacLEISH: Which I did not take;  
4 which is another case.  
5 MR. TODD: Doesn't matter. They're  
6 available.  
7 MR. MacLEISH: You know, we're happy to  
8 talk about a stipulation that they can be used in  
9 this case, but under the existing rules, they  
10 could not be used in this case so --  
11 MR. TODD: You know that statements of  
12 parties can be used, prior statements of parties  
13 can be used. You know that. But I won't --  
14 MR. MacLEISH: We can discuss this all  
15 day but I suggest we move on.  
16 MR. TODD: Yeah.  
17 Q Cardinal Law, you'll see in the next paragraph,  
18 it states:  
19 "The clinical decision to have him resume  
20 his pastoral ministry was ours, but the final  
21 administrative decision had to be yours."  
22 Is that correct?  
23 A I read -- that's what this letter says, yes.  
24 Q And how did you interpret -- I understand you

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1 didn't see this letter, but the substance of it  
2 would have been communicated to you.  
3 Was that particular sentence communicated to  
4 you?  
5 A I don't recall that. I would interpret it the  
6 same way that the matter that we've gone over  
7 earlier today, that I -- that it is my  
8 responsibility to assign priests.  
9 Q Right.  
10 A I obviously do not give that to the Institute of  
11 the Living or anyone else.  
12 Q And the Institute of Living, as far as you know,  
13 did not have any explicit knowledge concerning  
14 the number of children that John Geoghan might  
15 have access to were he to return to St. Julia's?  
16 MR. TODD: Objection to the form.  
17 MR. MacLEISH: Go ahead.  
18 A My presumption is that they knew that as a  
19 parochial vicar, he would be doing parish work,  
20 which would put him in contact with everyone.  
21 Q When John Geoghan was reassigned after this  
22 report from the Institute of Living where it is  
23 stated that the Institute for Living could not  
24 guarantee that his sexual misconduct would not

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1 reoccur, were there any restrictions that were  
2 placed on him by you or anybody else at the  
3 Archdiocese in terms of having access to minors?  
4 A I think, Mr. Gar -- Mr. MacLeish --  
5 Q No, no. You almost said Mr. Garabedian there,  
6 Cardinal Law.  
7 A Mr. MacLeish. I'm sorry,  
8 MR. TODD: Understandable mistake.  
9 MR. ROGERS: High praise.  
10 A But the critical sentence here in terms of the  
11 decision that was made with regard to Father  
12 Geoghan's reassignment is the final sentence in  
13 the first paragraph where the Institute of the  
14 Living states:  
15 "It is both reasonable and therapeutic for  
16 him to be reassigned back to his parish."  
17 Q All right. Go ahead.  
18 When that statement was made, Cardinal Law,  
19 you don't know when you read that, whether the  
20 Institute for Living was talking about from the  
21 perspective of John Geoghan or from the  
22 perspective of the parishioners, including the  
23 children of St. Julia's, do you?  
24 MR. TODD: Objection. Argumentative.

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1 A I would read that sentence and the sense of that  
2 to certainly include the well-being of the people  
3 in the parish, because the whole point of this  
4 exercise is concerned with that, the impact of a  
5 priest on a parish, on people, the possibility of  
6 very, very negative behavior and abusive  
7 behavior. And so that's what's at issue here.  
8 Q Did you ever delegate to the medical  
9 professionals you were relying upon, the decision  
10 to make judgments about what was in the best  
11 interest of particular parishes of the  
12 Archdiocese?  
13 MR. TODD: Objection. Asked and  
14 answered.  
15 A You know, I don't know -- I really don't know  
16 what you're asking there, but the answer to that  
17 is obviously no.  
18 Q All right. So you're the one that -- let me just  
19 be specific here, Cardinal Law.  
20 Why was it then, since the Institute for  
21 Living stated, "We cannot guarantee that John  
22 Geoghan's sexual molestation, acting out with  
23 children would not reoccur," why was it that he  
24 was put back into St. Julia's by you without any

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restrictions in terms of his access to children?  
That's my question.

A And my answer would be, again, putting myself in the 1989 time frame, first paragraph of that letter, last sentence, "It is both reasonable and therapeutic for him to be reassigned back to his parish."

Q Well, Cardinal Law, again --

A "The discharge diagnosis of atypical pedophilia in remission refers to a condition in the past, but the symptoms of which have been for sometime no longer in evidence or under firm control."

Q We can both read selective provisions, sentences of this letter. My question is quite specific though.

The Institute for Living states:  
"We cannot guarantee that his problem of sexual molestation will not reoccur."  
We agreed that that's what it said in this letter, correct?

A That's correct.

Q We agree that the substance of this letter was communicated by you to Bishop Banks, correct?

A Excuse me?

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1 is that in light of all of those  
2 considerations -- let's start specifically.  
3 Why were there no restrictions placed on  
4 John Geoghan in terms of his access to children  
5 when he was reassigned to St. Julia's?  
6 MR. TODD: Do you believe you have  
7 answered that question?  
8 THE WITNESS: I believe I've answered  
9 it a hundred different ways.  
10 MR. TODD: Then I'm going to instruct  
11 him not to answer. This is becoming abusive.  
12 MR. MacLEISH: It's not being abusive.  
13 Q My question is very specific, Cardinal. I'm  
14 talking about now -- you have not answered the  
15 question, with respect.  
16 MR. TODD: I believe he has. He  
17 believes he has.  
18 MR. MacLEISH: Well, you don't even  
19 know what the question is, Owen. Let me ask the  
20 question again.  
21 MR. TODD: When you start off saying I  
22 believe you haven't answered the question --  
23 MR. MacLEISH: You've not --  
24 MR. TODD: The question being --

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1 Q We agreed that the substance of this letter was  
2 communicated to you by Bishop Banks; is that  
3 correct?  
4 A Yes. And that the substance of this letter was  
5 essentially my oral conversation with someone  
6 whom I believe to have been Father Gill at the  
7 Institute of the Living, prior to the letters.  
8 Q We also agree that the Institute's letter  
9 accurately reflects that the final administrative  
10 decision on what to do with John Geoghan was  
11 yours, correct?  
12 A Yes. I mean -- yes.  
13 Q We also -- you've also previously stated that the  
14 protection of children in programs sponsored by  
15 the Archdiocese of Boston was a top priority for  
16 you from the time that you first arrived in  
17 Boston, correct?  
18 A I don't know how many times I've answered these  
19 questions --  
20 Q Right. I understand.  
21 A -- to you, and the answer is not any different  
22 now than it was the very first, second, third,  
23 fourth, fifth time you've asked that. Yes.  
24 Q Yes. Okay. So my question to you, Cardinal Law,

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1 MR. MacLEISH: Please don't interrupt  
2 me, okay.  
3 Q Cardinal Law, the question is very specific.  
4 One of the options that you possessed,  
5 understanding that there were no guarantees that  
6 this behavior would not occur again, that you  
7 possessed in 1989 with John Geoghan, was to send  
8 him back to a parish ministry with some sort of  
9 restrictions on him in terms of access to  
10 children.  
11 That was one of the options, was it not?  
12 A That was an option, right. There were other  
13 options. There were options not to assign him  
14 anywhere. There were options to assign him to  
15 something that was -- that would not put him, in  
16 the course of his work, in contact with children.  
17 Q Do you recall giving any consideration to putting  
18 John Geoghan into a situation at St. Julia's or  
19 elsewhere where he would not regularly have  
20 contact with children?  
21 A I, in the course of his -- to the extent that I  
22 reflected upon his future assignment in the  
23 course of his going to the Institute of the  
24 Living, I'm sure that I would have considered all

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1 possibility of options.  
2 Q We're talking about now when he returns from the  
3 Institute of Living.  
4 A That's right.  
5 Q Do you have a conscious recollection as you sit  
6 here today of thinking about whether John Geoghan  
7 should have some restrictions placed upon him in  
8 terms of his access to children?  
9 A Mr. MacLeish, you may view this as selectively  
10 reading from this letter, but all I can say to  
11 you is that the operative word from the Institute  
12 of the Living impacting the decision concerning  
13 his assignment is, "It is both reasonable and  
14 therapeutic for him to be reassigned back to his  
15 parish."  
16 Whether or not you think that was wise,  
17 whether or not I think it is wise at this point  
18 is irrelevant to trying to see what the situation  
19 was at that point. It was on the basis of that  
20 recommendation, that finding, if you will, of the  
21 Institute of the Living, fully understanding that  
22 I had to make the decision, but that finding of  
23 the Institute of the Living carried a  
24 considerable weight in the decision to reassign

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1 him to St. Julia's.  
2 They knew that he was in St. Julia's. They  
3 knew that it was full pastoral ministry. And it  
4 was on the basis of that finding of that  
5 Institute, in which we had reason to have  
6 confidence, that he was reassigned.  
7 He would not be reassigned today. He was,  
8 in fact, ultimately removed from that parish, as  
9 you know.  
10 Q I know.  
11 A But it was at that time on the basis of that  
12 finding that he was reassigned.  
13 Q Cardinal Law, did you place -- you placed  
14 considerable weight, as you just described, on  
15 that sentence in the first paragraph.  
16 Did you also place considerable weight on  
17 the previous sentence, which said, "However, we  
18 cannot guarantee that it could not reoccur"? Did  
19 you place any weight on that in making the  
20 decision to reassign John Geoghan to St. Julia's?  
21 A First of all, as I think I told you previously, I  
22 don't recall seeing this letter.  
23 Q So -- okay.  
24 A But -- and the possibility of giving absolute

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1 assurance with regard to future human behavior is  
2 something that very few persons are able to do,  
3 and I don't know -- and so it would be -- you  
4 know, this kind of a sentence would be read in  
5 the context of that final sentence, which is the  
6 judgment that you understand, of course, that we  
7 can't be a hundred percent sure about what the  
8 future will -- how the future will unfold.  
9 However, "It is both reasonable and  
10 therapeutic for him to be reassigned back to his  
11 parish."  
12 I think that that is their judgment --  
13 Q Okay.  
14 A -- in terms of assignment. And it was upon that  
15 that we were relying.  
16 Q But they're not the Archdiocese of Boston,  
17 correct?  
18 A Correct.  
19 Q When it says the words in that sentence that  
20 you've spoken to a number of occasions,  
21 "therapeutic for him to be" -- let's just focus  
22 on "therapeutic," if we could, Cardinal.  
23 The Institute is referring to therapeutic  
24 for John Geoghan. It's not referring to

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1 therapeutic for St. Julia's, correct? You'd  
2 agree with me?  
3 MR. ROGERS: Objection.  
4 Q Do you agree with that?  
5 A Yes, I agree with that.  
6 Q So when it is stated, "It is both reasonable and  
7 therapeutic for him," do you read the first word  
8 "reasonable," or the third word, "reasonable," as  
9 being a reasonable decision for the parish or --  
10 A Absolutely.  
11 Q -- or do you view it as a reasonable decision for  
12 Father Geoghan?  
13 A No, I read it -- I would have accepted it at the  
14 time in terms of their discussion with me,  
15 because the whole point of the exercise is what  
16 is appropriate in terms of the risk here --  
17 Q Right.  
18 A -- to people. And so I would see -- I would  
19 understand "reasonable" there as the parish.  
20 Q All right. Well, in making the decision of the  
21 risk, as you put it, that's really your job,  
22 isn't it, Cardinal Law, not the Institute for  
23 Living's? It's your job to make a determination  
24 of whether the risks of doing this are worth it.

|  |  |
|--|--|
| <p style="text-align: right;">Page 86</p> <p>1 That's your job, correct?<br/>2 A It is my job to make the assignment.<br/>3 Q Right.<br/>4 A I rely on others to assist me in doing that. In<br/>5 cases of this kind, I relied specifically on<br/>6 Bishop Banks.<br/>7 He and I, through him, relied on the<br/>8 Institute of the Living in terms of an<br/>9 ascertainment, given the pathological behavior, as<br/>10 to whether or not it was appropriate, reasonable,<br/>11 indicated that this person should be assigned or<br/>12 could be assigned. And that was the basis on<br/>13 which it was made.<br/>14 Q But you would agree with me that the Institute<br/>15 for Living is not charged in any way with making<br/>16 a determination of the reasonableness of priestly<br/>17 assignments. That's your job?<br/>18 MR. TODD: Objection. Asked and<br/>19 answered repeatedly.<br/>20 A Mr. MacLeish, I don't want to appear exasperated<br/>21 here but I am --<br/>22 Q No.<br/>23 A But I feel a little bit exasperated because, you<br/>24 know, there's a reasonableness on my part, but</p>                               | <p style="text-align: right;">Page 88</p> <p>1 Q So you were relying on the Institute for Living<br/>2 to make the decision on what was appropriate?<br/>3 A No.<br/>4 Q No. To assist you in making the decision?<br/>5 A That's correct.<br/>6 Q The word "reasonable" is not a precise term, you<br/>7 agree with me?<br/>8 MR. TODD: Is not what? I'm sorry.<br/>9 Not a what term?<br/>10 Q It's not a precise term; it's a subjective term.<br/>11 Is that correct?<br/>12 A It's a judgment term.<br/>13 Q It's a term that implies that you have to look at<br/>14 a number of different factors in making a<br/>15 reasoned decision; is that correct?<br/>16 A That's correct.<br/>17 Q All right. You know now, do you not, Cardinal<br/>18 Law, that after this reasoned decision that you<br/>19 made to send John Geoghan back to St. Julia's,<br/>20 that people have come forward that claim that<br/>21 they were molested since November of 1989?<br/>22 Do you know that, Cardinal Law?<br/>23 MR. TODD: Objection. Asked and<br/>24 answered.</p>                    |
| <p style="text-align: right;">Page 87</p> <p>1 for me to make an assignment of this kind -- I am<br/>2 not a psychiatrist, I am not a psychologist -- I<br/>3 need -- the issue here for me at that point was<br/>4 whether or not someone who had manifested this<br/>5 kind of pathological behavior could reasonably be<br/>6 reassigned or would it be an unreasonable thing<br/>7 to do. Reasonable in terms of risk involved and<br/>8 all like that.<br/>9 And so you send somebody away to find that<br/>10 out. I can't make that judgment.<br/>11 Q Right.<br/>12 A Now, as a matter of fact, I now have made that<br/>13 judgment, and that judgment is as of January<br/>14 2002, that one such acting out renders it<br/>15 unreasonable. And I think that that's an<br/>16 appropriate thing. I wish to God that that had<br/>17 been our policy much earlier.<br/>18 Q Right.<br/>19 A But at this point in time, what I was doing was<br/>20 relying upon, in this case, the Institute of the<br/>21 Living and --<br/>22 Q Go ahead.<br/>23 A -- to indicate to me what is appropriate in the<br/>24 assignment of this priest.</p> | <p style="text-align: right;">Page 89</p> <p>1 A Yes. I think I've indicated already that we<br/>2 removed him subsequently when other allegations<br/>3 came forward.<br/>4 Q Right. My question to you is: Are you not aware<br/>5 that individuals did come forward following your<br/>6 reasoned decision to put John Geoghan back into<br/>7 ministry in December of 1989?<br/>8 MR. TODD: Objection. Asked and<br/>9 answered.<br/>10 Q That's my question.<br/>11 MR. TODD: That's the question you just<br/>12 asked and he just answered.<br/>13 MR. MacLEISH: No, no.<br/>14 A Could you point out to me, Mr. MacLeish, in what<br/>15 way my answer was not to your question.<br/>16 Q Yes. If you could just answer -- Cardinal Law,<br/>17 you testified earlier about individuals who came<br/>18 forward after 1984 who claimed to have been<br/>19 molested at St. Julia's.<br/>20 Do you recall your testimony on that<br/>21 subject?<br/>22 A Yes.<br/>23 Q My question now is trying to narrow that a little<br/>24 bit. You're aware, are you not, that in that</p> |

1 COMMONWEALTH OF MASSACHUSETTS  
2 COUNTY OF MIDDLESEX

3 GREGORY FORD, et al.,  
4 Plaintiff,

5 vs.

Superior Court  
Civil Action  
No. 02-0626

6 BERNARD CARDINAL LAW, a/k/a,  
7 CARDINAL BERNARD F. LAW,  
8 Defendants.

9 -----  
10 PAUL W. BUSA,  
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12 vs.

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14 CARDINAL BERNARD F. LAW, et al.  
15 Defendants.

16 -----  
17 ANTHONY DRISCOLL,  
18 Plaintiff,

19 vs.

Civil Action  
No. 02-1737

20 BERNARD CARDINAL LAW, a/k/a,  
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22 Defendants.

23 THE FIFTH DAY OF THE VIDEOTAPED DEPOSITION  
24 OF CARDINAL BERNARD F. LAW, a witness called by  
the Plaintiffs, taken pursuant to the applicable  
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Professional Reporter and Notary Public in and  
for the Commonwealth of Massachusetts, at the  
offices of Greenberg Traurig, One International  
Place, Boston, Massachusetts 02110, on Friday,  
October 11, 2002, commencing at 10:04 a.m.

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| <p style="text-align: right;">Page 42</p> <p>1 A Mr. MacLeish, I would have to look at the record<br/>2 there. I don't keep that in mind.<br/>3 Q Well, at some point, you're aware that Father<br/>4 Eugene O'Sullivan pled guilty to some crime<br/>5 involving the sexual misconduct of children.<br/>6 That did happen?<br/>7 A I would want to review the record and see what he<br/>8 did and did not do.<br/>9 Q We've already had some of your testimony, but<br/>10 we'll be happy to go back over that. But you do<br/>11 agree with me that John Geoghan had been assigned<br/>12 by you to St. Julia's without the parish, the<br/>13 parishioners, rather, being informed that there<br/>14 were allegations of child molestation against<br/>15 him?<br/>16 A I would agree that Father Geoghan was assigned,<br/>17 with my understanding at the time based upon<br/>18 medical advice that this was a safe and<br/>19 appropriate assignment.<br/>20 Q Well, Cardinal, we went through that, I think,<br/>21 before, is that you were the one to make the<br/>22 final decisions. The medical doctors didn't<br/>23 recommend reassignment; they simply prepared a<br/>24 report for the Archdiocese. Is that not the</p> | <p style="text-align: right;">Page 43</p> <p>1 Living was made because of that assessment of the<br/>2 Institute of Living.<br/>3 Q We're going to go over that in a moment, Cardinal<br/>4 Law. But can you point to an assessment of John<br/>5 Geoghan or any other priest where the assessment<br/>6 itself recommends that a priest who has been<br/>7 accused of child molestation should be assigned<br/>8 to active ministry again?<br/>9 A As you yourself have said just a moment ago, the<br/>10 medical personnel don't make that kind of a<br/>11 recommendation, no.<br/>12 Q You're the one that makes the final decision; is<br/>13 that correct?<br/>14 A In -- yes.<br/>15 Q So here we have a letter in 1986, this would have<br/>16 been following the first assignment of Father<br/>17 Geoghan then to St. Julia's, where you have a<br/>18 letter which expresses concern about the transfer<br/>19 of priests to unsuspecting parishes after there's<br/>20 been an allegation of abuse; is that correct?<br/>21 See that in the first paragraph?<br/>22 A Well, this is a letter which speaks about a<br/>23 television show that makes that allegation,<br/>24 that's correct.</p> |
| <p style="text-align: right;">Page 43</p> <p>1 case?<br/>2 A That's correct, Mr. MacLeish, but I would not<br/>3 want the record to imply that there was a willful<br/>4 assignment of someone who was perceived to be a<br/>5 danger to children. It was quite the opposite.<br/>6 Q That was your perception, that he was not a<br/>7 danger to children, correct?<br/>8 A Well, that's correct.<br/>9 Q And it turns out that that was not a correct<br/>10 perception, is that not true, Cardinal Law?<br/>11 A That's true.<br/>12 Have you ever made a mistake, Mr. MacLeish?<br/>13 Q He went on to molest children at St. Julia's<br/>14 where you had assigned him; is that not true?<br/>15 A That's correct.<br/>16 Q And then he was sent to the Institute for Living,<br/>17 is that correct, in 1989?<br/>18 A That's correct.<br/>19 Q And he was then reassigned by you back to St.<br/>20 Julia's where he molested other children; is that<br/>21 not true?<br/>22 A I am not certain about the time frames of the<br/>23 abuse, but I can certainly say that any<br/>24 assignment that he had after the Institute of</p>  | <p style="text-align: right;">Page 45</p> <p>1 Q Right.<br/>2 A I must say that this is a letter that I do not<br/>3 recall ever having seen.<br/>4 Q I understand. But you understand, Cardinal Law,<br/>5 that this is a letter from a government agency.<br/>6 You see that, correct?<br/>7 MR. CRAWFORD: Objection to the form.<br/>8 A I see on the letterhead.<br/>9 Q Is this not the type of letter that would have<br/>10 been brought to your attention by Father Helmick<br/>11 when it was received at the Archdiocese?<br/>12 MR. CRAWFORD: Object to the form.<br/>13 You may answer.<br/>14 A I can't answer that question.<br/>15 Q Then you'll see -- go ahead.<br/>16 A I can't answer that question because I don't know<br/>17 the response of Father Helmick.<br/>18 Q We're going to get to that in a minute.<br/>19 A All right.<br/>20 Q In the second paragraph, Cardinal Law, the letter<br/>21 states:<br/>22 "As a former victim of sexual misuse by a<br/>23 number of diocesan priests, I have witnessed<br/>24 firsthand the pain and anguish that such an</p>  |