ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690-1979

May 23, 2003

Vincent E. McCaffrey
Registration Number 14638-424
Federal Medical Center
3301 Leestown Road
Lexington, KY 40511

Dear Vince,

I am writing to you today as the Bishop of this local Church. On December 12, 2002, the United States Conference of Catholic Bishops promulgated as law the *Essential Norms for Diocesan Policies dealing with allegations of sexual abuse of minors by Priests or Deacons*. This legislation became effective on March 1, 2003. It had earlier received the required approval of the Congregation for Bishops. In compliance with this legislation, I would now like to move your case toward laicization.

If you are willing to petition voluntarily to the Holy See for laicization, I ask you to contact Fr. Pat Lagges by writing him at the Pastoral Center by July 1, 2003. Your letter need only express your desire to be returned to the lay state. The address of the Pastoral Center is indicated at the top of this letter. If you are able, you can telephone Fr. Lagges at (312) 751-8384.

If you are not willing to petition personally for your laicization, at the beginning of July of this year, I will send your file to the Congregation for the Doctrine of the Faith with a request that they laicize you by a decree.

It would be much better if you would personally petition for laicization. However, if you choose not to, then I will pursue it. If you oppose this action on my part, you have a right to be represented by a Canonical Advocate who would argue your position before the Congregation. To obtain a list of canon lawyers who represent priests in this sort of matter, please contact one of the Vicars for Priests, Fr. Jim Kaczorowski or Fr. Tom Tivy. Their address is: 645 N. Michigan Avenue, Suite 543, Chicago, IL 60611. Their telephone number is (312) 642-1837.

Please know that you are in my prayers.

Sincerely yours,

Francis Cardinal George, O.M.I.
Archbishop of Chicago

bc: Rev. James Kaczorowski
Rev. Patrick Lagges
Rev. Thomas Tivy
Rev. Daniel Smilanic
Mr. Ralph Bonaccorsi
Ms. Leah McCluskey
Mr. John O'Malley
Mr. James Serritella
Ms. Mary McDonough

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Vincent E. McCaffrey
Registration Number 14638-424
Federal Medical Center
3301 Leestown Rd
Lexington, KY 40511

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Victim Statement Abstract

This abstract replaces the summary prepared by Kathleen Leggdas, Professional Fitness Review Administrator for the Archdiocese of Chicago's Office of Professional Fitness Review, of Victim Q's statement, given to Ms. Leggdas on June 15, 1999, formalizing his allegation of sexual abuse against Fr. Vincent McCaffrey. According to Victim Q's statement, Fr. McCaffrey befriended him when he was in seventh grade and took him drinking at a bar. They returned to the rectory at St. Victor's parish in Calumet City and continued drinking beers until Victim Q was intoxicated. When he awoke, Fr. McCaffrey was abusing him. Similar sexual abuse continued at St. Victor's parish rectory and on camping trips to Indiana and Wisconsin until Victim Q was in eighth grade. The abuse consisted of fondling and oral sex. Victim Q also reported an occasion when McCaffrey lined up boys in their underwear while at the church during a retreat. Victim Q also identified the name of another priest at St. Victor's and reported that the priest was aware of the abuse by Fr. McCaffrey.

Victim Statement Abstract

This abstract replaces the summary prepared by Ralph Bonaccorsi, Director of the Office of Assistance Ministry of the Archdiocese of Chicago, of Victim T's mother's statement, given to Mr. Bonaccorsi over the phone on January 12, 2004. Victim T's mother stated that her son, who has since passed away, was abused by Rev. Vince McCaffrey between 1980 and 1982.

Victim Statement Abstract

This abstract replaces the summary prepared by Leah McCluskey, Professional Responsibility Administrator for the Archdiocese of Chicago's Office of Professional Responsibility, of Victim R's statement, given to Ms. McCluskey on August 10, 2004, formalizing his allegation of sexual abuse against Fr. Vincent McCaffrey. According to Victim R's statement, Fr. McCaffrey took him on a camping trip. On the trip, McCaffrey fondled Victim R's genitals over his clothing during the night and watched Victim R shower. Victim R reported that he was sexually abused by Fr McCaffrey in the same manner approximately 50 times between eighth grade and tenth grade at St. Victor's parish rectory, a parish in Roseland, Illinois, during an overnight stay at a seminary, and on a camping trip. Victim R reported the abuse to the pastor of St. Victor's Parish in approximately 1979. According to Victim R, the pastor stated that abuse was why McCaffrey left his previous parish, and further informed Victim R that he (pastor) was awaiting a call from McCaffrey's psychiatrist.

U.S. Depart ıt of Justice

Federal Bureau of Prisons

Federal Medical Center, Devens

42 Patton Road
P.O. Box 880
Ayer, MA 01432

April 8, 2005

Rev. Edward D. Grace
Archdiocese of Chicago
Vicar For Priests
645 North Michigan Ave., Suite 543
Chicago, Illinois 60611

Re: MCCAFFREY, Vincent
Reg. No.: 14638-424

RECEIVED
APR 2 0 2005
ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

Dear Rev. Grace:

This is in response to your correspondence received March 23, 2005. You have expressed concerns regarding Mr. Vincent McCaffrey an inmate housed at the Federal Medical Center (FMC) Devens, Massachusetts. You are requesting to visit with Mr. McCaffrey to share with him six complaints you have received concerning him during his time in the Archdiocese of Chicago.

Mr. McCaffrey has informed a member of his Unit Team that he does not wish to meet with any representatives of the Archdiocese while his appeal is pending. Therefore, we are unable to honor your request and permit you to visit with Mr. McCaffrey at this time.

I trust this information has addressed your concerns.

Sincerely,

David L. Winn
Warden

Victim Statement Abstract

This abstract replaces the summary by Steve Sidlowski, Professional Fitness Review Administrator for the Archdiocese of Chicago, of Victim S's statement and Victim S's mother's statement, given to Mr. Sidlowski over the phone on or about July 12, 1993 and May 10, 1993 respectively, regarding Victim S's allegation of sexual abuse by Fr. Vincent McCaffrey. Victim S said he was sexually abused by Fr. Vincent McCaffrey and that he would provide details of his abuse in a letter. Victim S also identified the name of another priest at St. Victor's parish and stated that he reported the abuse to the priest around the time that it was occurring. Victim S's mother stated that her son was sexually abused by Fr. Vincent McCaffrey when he was in the seventh or eighth grade at St. Victor's parish.

MEMO

TO: **File PFR-26**

FROM: **Steve Sidlowski**

DATE: **July 7, 1993**

RE: **Phone call to** [redacted]

I called [redacted] today in response to a couple of messages he left for me. [redacted]

I explained [redacted] to Mr. [redacted] as well how my contact with [redacted] came about. It seems they both misunderstood originally. They thought [redacted] had phoned my 800 # directly. Not so. I explained how [redacted] had first called and never made specific reference to [redacted] being sexually abused until quite some time later at which time I then called [redacted] [redacted] at that point [redacted]. He strongly inferred he was sexually victimized by Vince Mc Caffrey, but provided no details at that time. I told him about the Victim Assistance Minister and that he could contact him. [redacted]. I told [redacted] that indeed [redacted] did call recently but due to more pressing matters and information from Pat O'Malley that Mc Caffrey is leaving the priesthood in any event, I hadn't called back yet. I told both of them that I intend to call [redacted] sometime very soon to see if he has further information regarding being sexually abused by Vince Mc Caffrey as a minor which he might be willing to share with me. [redacted] I told [redacted] I had spoken with [redacted] and that he would know more some time soon. [redacted] had misunderstood a couple of things. First, he thought [redacted] had called my 800# Hotline a couple of times and that I had never responded. I cleared him up on that misinformation. [redacted] was then happy to discover that I had touched base with [redacted] and stated that if I do call him back that I might want to inform him that Vince Mc Caffrey has [redacted] Moreover, per [redacted], Mc Caffrey is free of any further sexual misconduct incidents since that time. Mc Caffrey has apparently dried out from an alcohol problem. He is in the process of leaving the priesthood [redacted]

I noted to [redacted] that Mc Caffrey's situation is unique in that I don't have all the details of his sexual misconduct with minors and yet know he was withdrawn and intends to leave the priesthood. As such, if [redacted] ends up bringing a formal allegation - with details - of sexual misconduct against Mc Caffrey, either I, Pat O'Malley, or [redacted] would let him know. Moreover, I noted that perhaps I would need to confront Vince Mc Caffrey with any such detailed allegations of sexual misconduct to request his explanation, if that became necessary. [redacted] enjoined at this point that he should be able to answer all of my questions for Mc Caffrey as his attorney. (I'm not so sure of that, but in any event, as this would be very unique, we would need to cross that bridge when we came to it - i.e. whether I would formally confront Mc Caffrey with the new allegation or merely continue to encourage [redacted] to utilize our Victim Assistance Ministry services and point out how Mc Caffrey [redacted] is leaving the priesthood).

[redacted] stated that to date he has not himself spoken to [redacted] nor have they received any claim or law suit from him.

1 IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
2 EASTERN DIVISION

3
UNITED STATES OF AMERICA,) No. 02 CR 591
4)
vs.) Chicago, Illinois
5)
VINCENT MC CAFFERY,)
6) December 9, 2002
Defendant.) 10:00 a.m.
7

8 TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE JOHN W. DARRAH
9

10 APPEARANCES:

11 FOR THE GOVERNMENT: MARKUS T. FUNK
(United States Attorney's Office,
12 219 South Dearborn, Room 500,
Chicago, Illinois 60604)

13 FOR THE DEFENDANT: MR. THOMAS J. ROYCE
14 (Law Offices of Thomas J. Royce,
221 North LaSalle, Suite 2100,
15 Chicago, Illinois 60601)

16
17
18
19
20
21
22 PATRICK J. MULLEN
Official Court Reporter
23 219 South Dearborn, Room 2128
Chicago, Illinois 60604
24 (312) 435-5565
25

Exhibit 1

1 THE CLERK: 02 CR 591, U.S.A. versus Vincent
2 McCaffery.
3 MR. FUNK: Good morning, Your Honor. Markus Funk
4 on behalf of the United States.
5 THE COURT: Good morning, Mr. Funk.
6 MR. ROYCE: Good morning, Your Honor. Thomas Royce
7 for Mr. McCaffery, who's to my right before the Court.
8 THE COURT: Good morning, Mr. Royce.
9 Good morning, Mr. McCaffery.
10 MS. ZAMMUTO: Good morning, Your Honor. Terresa
11 Zammuto on behalf of U.S. Probation.
12 THE COURT: Good morning, Ms. Zammuto.
13 This matter comes on for an evidentiary hearing
14 pursuant to sentencing. Is the Government ready to proceed?
15 MR. FUNK: We are, Your Honor. If I may just
16 address one initial matter in terms of the victims, as the
17 Court is aware we have an agreement that their identities be
18 kept confidential. The Government intends to have the victims
19 proceed on a first name basis, which is an agreed motion.
20 Likewise, we'd ask that the sketch artists refrain from
21 sketching the images of the victims since that would obviously
22 go to their identity.
23 THE COURT: Very well. I'll ask you to refrain
24 from doing that.
25 MR. FUNK: Thank you very much, Your Honor.

1 THE COURT: All acknowledging yes.
2 MR. ROYCE: We are ready to proceed, also, sir.
3 THE COURT: Very well.
4 MR. FUNK: May we proceed?
5 THE COURT: Call your first witness, please.
6 Let me say for the record that I received some
7 supplemental sentencing material from both sides. I didn't
8 see it until this morning. I read it quickly, but it might
9 very well be that I'll ask for some additional briefing on
10 some issues.
11 MR. ROYCE: Indeed. Yes, Your Honor.
12 THE COURT: Very well.
13 MR. FUNK: Thank you, Your Honor. The Government
14 would call [redacted]
15 MR. ROYCE: Excuse me. Do we have a motion to
16 exclude or not? Is there a motion to exclude? I have a
17 witness in the courtroom.
18 MR. FUNK: Your Honor, the Government sees no need
19 in excluding the witnesses since their testimony is going to
20 be --
21 THE COURT: All right. Both sides then will be
22 permitted to have all their witnesses present in the courtroom
23 throughout the hearing.
24 MR. ROYCE: Thank you.
25 THE COURT: Very well. Would you step up here,

1 please, and raise your right hand?

2 (Witness duly sworn.)

3 THE COURT: You may inquire, Mr. Funk.

4 MR. FUNK: Thank you, Your Honor.

5 [redacted]

6 GOVERNMENT'S WITNESS, DULY SWORN

7 DIRECT EXAMINATION

8 BY MR. FUNK:

9 Q. Could you please state your first name for the record?

10 A. [redacted]

11 Q. And do you live in Illinois, [redacted]?

12 A. Yes, I do.

13 Q. And how old are you?

14 A. I'm 34 years old.

15 Q. In general terms, what kind of work do you do?

16 A. I'm an operations manager.

17 Q. Do you know a man by the name of Vincent McCaffery?

18 A. Yes, I do.

19 Q. And how long have you known him?

20 A. Since about 1980.

21 Q. And how old were you in 1980?

22 A. Twelve.

23 Q. And in what context did you first meet him?

24 A. He was the priest at our local parish.

25 Q. I'd like you to look around the courtroom and tell us if

1 you can identify him and describe an article of clothing he's
2 wearing.
3 MR. ROYCE: We'll stipulate to the identification.
4 BY THE WITNESS:
5 A. He's wearing the orange jumpsuit over there (indicating).
6 THE COURT: All right. Finish your sentence.
7 BY THE WITNESS:
8 A. He's wearing the orange jumpsuit over there.
9 THE COURT: The record will reflect the
10 identification of the defendant.
11 MR. FUNK: Thank you, Your Honor.
12 BY MR. FUNK:
13 Q. What were the circumstances of your meeting McCaffery when
14 you were 12 years old?
15 A. He was -- like I said, he was the priest at our local
16 parish at Our Lady of Loretto. He ran the choir and altar
17 boys and the youth group.
18 Q. And were you involved in the youth group?
19 A. Yes, I was.
20 Q. Were you in the choir, and were you an altar boy?
21 A. Yes, I was.
22 Q. How would you describe the nature of your relationship
23 with the defendant when you first met him?
24 A. It was friendly, just pretty much like everybody else,
25 real friendly towards the boys especially.

1 Q. And approximately how often would you see him during this
2 initial period of time every week? How often would you see
3 him per week?
4 A. Between -- I'd say between three to five times a week.
5 Q. In addition to becoming friendly with you, did he become
6 friendly with your family as well?
7 A. Yes, he did.
8 Q. If you could, describe to the Court how that happened, how
9 often he would come over.
10 A. He would come and visit my family approximately maybe two,
11 two or three times a week during the week.
12 Q. Now, did the nature of your relationship to the defendant
13 ever change?
14 A. Yes, it did.
15 Q. And if you could, describe to the Court the circumstances
16 in general terms.
17 A. He had me stay over at the parish rectory one time, and he
18 molested me.
19 Q. And did he -- this was when you were approximately 12
20 years old?
21 A. Yes.
22 Q. And did he, in fact, molest you on additional occasions as
23 well?
24 A. That I can recall, it was three separate times.
25 Q. And how old were you from the first occasion that you can

1 recall -- and we understand it's a long time ago -- and the
2 last one? Approximately how old were you?
3 A. Between the ages of 12 and 14.
4 Q. Did the defendant ever apologize to you for what he did?
5 A. Not me personally, no.
6 Q. Do you know, without giving their names, of additional
7 victims? Are there additional victims that you know of?
8 A. Yes, I know for a fact there are.
9 Q. And do you know this because you had personal contact with
10 these victims?
11 A. Yes.
12 Q. And you talked about what happened to you?
13 A. Yes.
14 Q. And they talked about what happened to them?
15 A. Yes.
16 Q. Could you please describe for the Court the impact what
17 the defendant did to you had on your life and on your
18 relationships?
19 A. Well, I have a big trust problem with people. I don't
20 really trust people too well. More recently, since this all
21 came out in the paper and since he's been arrested, I've had
22 serious health problems. I've had trouble sleeping. I've
23 been to the hospital twice for stomach problems, anxiety
24 attacks, and by far I believe that I have lost my faith to the
25 church because of what he had done to me.

1 Q. The instances of molestation?
2 A. Yes.
3 MR. FUNK: Nothing further at this point, Your
4 Honor.
5 THE COURT: Cross-examination, Mr. Royce?
6 MR. ROYCE: Thank you.
7 CROSS-EXAMINATION
8 BY MR. ROYCE:
9 Q. Sir, you are 34 years old at the present time?
10 A. Yes, sir.
11 Q. And these events that you've told Judge Darrah about
12 occurred approximately 22 years ago?
13 A. Yes, sir.
14 Q. Now, I believe you related that there were three times to
15 your knowledge or recollection --
16 A. That I can recall, yes.
17 Q. I'm sorry. I don't mean to interrupt you, but if you'd
18 just let me finish, or if you have a problem tell the Judge
19 and I'm sure that he'll correct it, just so the court reporter
20 and I can get this together. Okay?
21 A. Uh-huh.
22 Q. Thank you, sir. The events that you've testified to as
23 far as molestation were three times, is that right?
24 A. That I can recall, yes.
25 Q. All right. Now, did Vincent McCaffery ever force you to

1 perform any molestation acts upon him?
2 A. Yes, sir.
3 Q. And how many times did this occur?
4 A. Once.
5 Q. And if you recall, was this the first, the second, or the
6 third time?
7 A. It was the second, sir.
8 Q. I use the term "force." Would you tell the Court how you
9 say he forced you to do whatever you did to him?
10 A. It was mental manipulation.
11 Q. Okay. Was there any violence of striking of you involved?
12 A. No.
13 Q. Did he ever push you or force you in any way?
14 A. No.
15 Q. Did he ever hold you or twist your arms or in any way
16 engage in physical contact with you?
17 A. No.
18 Q. Now, you said that Mr. McCaffery never apologized
19 personally to you, is that correct?
20 A. That's right.
21 Q. Has someone on his behalf ever apologized to you?
22 A. No.
23 Q. Okay. Have you ever had any contact with the church at
24 the local parish where you and Father -- you and Vincent
25 McCaffery met?

1 A. Elaborate. I mean, can you elaborate on that?
2 Q. Did you communicate with anybody at the church about this
3 event?
4 A. No.
5 Q. When was the first time you told anyone about these events
6 in your life?
7 A. About three months ago.
8 Q. Okay. Sir, have you spoken to an attorney of your own
9 church in relation to these matters?
10 A. Yes, sir.
11 Q. And did you speak to an attorney of your own church before
12 you came forward with these charges or afterwards?
13 A. Before.
14 Q. Okay. Did you ever seek from the church any financial
15 assistance for the purpose of counseling you in relation to
16 these health problems that you've described to the Court?
17 A. Not yet.
18 Q. Is that something that you plan to do?
19 A. Possibly.
20 Q. Okay. These health problems that you've described, just
21 how many times were you hospitalized?
22 A. This year, I've been hospitalized twice. I've never been
23 hospitalized before in my life.
24 Q. Okay. So prior to this year when this information came
25 public as a result of the arrest, this resurrected certain

1 issues in your mind? Is that your testimony?
2 A. Yes, sir.
3 Q. And then you were hospitalized on two occasions. How long
4 were those hospitalization settings?
5 A. One was for one day, and one was for five days.
6 Q. And were you placed under any kind of medication or
7 treatment?
8 A. I was diagnosed with diverticulitis. And also stomach
9 problems.
10 Q. And did they tell you that this was the result of this
11 event that occurred in your life some 22 years ago?
12 A. Well, I didn't discuss it with my doctors.
13 Q. So you didn't relate this incident with the doctors, is
14 that correct?
15 A. That's correct. I was told it was from stress.
16 Q. Okay. There were physical findings where you suffered
17 from diverticulitis?
18 A. Yes.
19 Q. Sir, with all due respect, if I may ask you, have you ever
20 been hospitalized in any psychiatric or psychological setting?
21 A. Nope.
22 Q. Have you ever sought psychiatric treatment?
23 A. No.
24 Q. Have you ever sought any medication in your adult life?
25 MR. FUNK: Your Honor, I would object. I

1 understand that the rules of evidence don't apply, but this
2 seems to go far afield from whether this man was victimized.
3 THE COURT: I wouldn't go so far as to say no rules
4 of evidence apply.
5 What's the relevancy of this, Mr. Royce?
6 MR. ROYCE: Just to establish the length of time in
7 which this patient --
8 THE COURT: I'll permit a few questions.
9 Do you have the question in mind, [redacted]
10 THE WITNESS: No, I don't.
11 THE COURT: Would you read the question back?
12 (Question read.)
13 BY THE WITNESS:
14 A. That was the question?
15 MR. ROYCE: I'll withdraw that question if that was
16 the question. I apologize.
17 BY MR. ROYCE:
18 Q. Have you sought any psychiatric treatment or psychological
19 treatment for this problem?
20 A. I thought I answered that.
21 Q. Okay. Have you been placed under any medication for any
22 type of psychiatric or psychological disorder?
23 A. No.
24 Q. Sir, did you attend church?
25 A. No.

1 Q. Pardon me?
2 A. No.
3 Q. When was the last time you attended church?
4 A. When I got married.
5 Q. And when was that, sir?
6 A. 1989.
7 MR. ROYCE: Thank you, [redacted]
8 Excuse me, Your Honor. Thank you, Your Honor.
9 MR. FUNK: Two questions, Your Honor.
10 THE COURT: Redirect?
11 REDIRECT EXAMINATION
12 BY MR. FUNK:
13 Q. [redacted] is there any doubt in your mind that you were
14 molested by Vincent McCaffery?
15 A. None whatsoever.
16 Q. Why are you here today? Why are you testifying?
17 MR. ROYCE: Objection, relevance.
18 THE COURT: Overruled. That was raised, Mr. Royce,
19 at least implicitly in your cross.
20 You may answer the question, [redacted]
21 BY THE WITNESS:
22 A. I would just like for Your Honor to know that this man has
23 gotten away with doing this for many, many years, and I would
24 just like to see something be done about it. As long as he's
25 out, he will continue to do what he's done. I've met other

1 people, and we've talked. It's a pattern, and it's been a
2 pattern for many, many years. I would just like for that to
3 stop so that nobody else would be victimized.
4 MR. FUNK: Thank you very much, [redacted]
5 THE COURT: Anything further, Mr. Royce?
6 RECROSS-EXAMINATION
7 BY MR. ROYCE:
8 Q. Sir, when was the last time you learned that Mr. McCaffery
9 victimized anyone?
10 A. I don't understand you.
11 Q. You told the Court that this has been going on for many,
12 many years. When was the last time you are aware of him
13 victimizing anyone?
14 A. What I meant by that was I know that it started back a
15 long time ago, and I know it continued after mine. After I
16 lost contact with him, I've met people that have been
17 victimized with him.
18 Q. Do you know whether or not he's sought any treatment for
19 his problem or for this molestation?
20 A. No, I don't.
21 MR. ROYCE: Thank you. Nothing further.
22 MR. FUNK: Nothing further from the Government,
23 Your Honor.
24 THE COURT: [redacted] you may step down. Thank you.
25 (Witness excused.)

1 MR. FUNK: Your Honor, to put the testimony in
2 context, I'd just like to draw the Court's attention to the
3 defendant's filing, the recent filing on Friday afternoon in
4 which the defendant, in fact, admitted over 13 victims aged 13
5 to 17 while the defendant was a priest, to put this the
6 testimony of the victims into context.
7 THE COURT: Mr. Royce?
8 MR. ROYCE: Well, Judge, I thought this was filed
9 under seal, under protective order, and that was a part --
10 that is part of the record in this case. I don't know how
11 that's relevant at this point to be issued before the Court.
12 THE COURT: Well, I suppose it's relevant because
13 you're raising this to determine how to shape your proofs here
14 this morning.
15 MR. FUNK: I am, Your Honor.
16 MR. ROYCE: Well, if that's the perspective, I
17 understand, but if it's to -- we have filed with the Court and
18 it is of record what our position is in this matter.
19 THE COURT: And do you disagree with Mr. Funk's
20 characterization of that?
21 MR. ROYCE: Of the 12 to 14 issues or the 12 to 14
22 events? No, we don't. But as I say, I thought that was filed
23 pursuant to a protective order.
24 THE COURT: All right.
25 MR. ROYCE: That's all I would say.

1 THE COURT: Very well.

2 MR. FUNK: Your Honor, the Government would next

3 call [redacted]

4 THE CLERK: Would you raise your right hand,

5 please?

6 (Witness duly sworn.)

7 [redacted]

8 GOVERNMENT'S WITNESS, DULY SWORN

9 DIRECT EXAMINATION

10 BY MR. FUNK:

11 Q. Good morning, [redacted]

12 A. Good morning.

13 Q. Could you please -- your name is [redacted] is that right?

14 A. Yes, it is.

15 Q. In general terms, how are you employed, [redacted]

16 A. I am his niece.

17 Q. I'm sorry. How are you employed?

18 A. Oh, I'm sorry. I'm a homemaker.

19 Q. Do you live in Illinois?

20 A. Yes, I do.

21 Q. How long have you known the defendant, Vince McCaffery?

22 A. All my life.

23 Q. And you can see him in court today.

24 A. Absolutely.

25 Q. Could you describe an article of clothing he's wearing?

1 A. An orange jumpsuit.
2 Q. What relationship is Vincent McCaffery to you?
3 A. He is my uncle.
4 Q. Have you ever observed Vincent McCaffery with young boys?
5 A. Yes.
6 Q. When did you observe him with young boys?
7 A. On our family vacations to his cottage to Wisconsin, he
8 would bring various boys up to the cottage with him.
9 Q. And during what time period was this?
10 A. 1982 to 1989.
11 Q. Now, how often would you see him with young boys at the
12 cottage?
13 A. We would go up to the cottage maybe every three or four
14 months. It wasn't every time that he brought someone up
15 there, but I would say probably two-thirds of the times he was
16 bringing a young boy up there with him.
17 Q. At any time did the defendant's conduct with those young
18 boys strike you as unusual?
19 A. Yes.
20 Q. If you could, describe to the Court what type of conduct
21 struck you as unusual and why.
22 A. He would have them sleep in a queen-sized pull-out bed
23 with him.
24 Q. How many times have you seen this man sleeping in a bed
25 with young boys?

1 A. The same boy or different boys?
2 Q. How many different boys?
3 A. I would say anywhere between 15 and 20.
4 Q. So 15 and 20 different boys?
5 A. Yes.
6 Q. And were there some boys that he appeared to favor?
7 A. Yes.
8 Q. And how do you know that?
9 A. Because I am very close with one of them. He is a very
10 close friend of our family.
11 Q. And without identifying who that person is and what
12 relationship he is to you, did that person indicate to you
13 that he had been sexually molested by this man, the defendant?
14 A. Yes, yes.
15 Q. Did you attend a therapy session with the defendant?
16 A. Yes. I don't know if I would call it a therapy session.
17 His therapist was there. It was more of a confrontation or
18 looking to get answers after it was revealed in the press that
19 allegations were brought against him.
20 Q. And what year did this confrontation --
21 A. This was November of 1991.
22 Q. November of 1991?
23 A. Yes.
24 Q. You were there, and he was there?
25 A. Yes.

1 Q. Were there others? Without saying who else was there,
2 were there other people there as well?
3 A. Yes.
4 Q. Family members?
5 A. Yes.
6 Q. Was this part of the defendant's treatment as a pedophile?
7 A. As I understand --
8 Q. If you can --
9 A. As I understand it, he had been seeing this therapist, and
10 I know that the subject was brought up in his therapy
11 sessions, but I don't know if that was his reasoning in
12 initially going to a therapist.
13 Q. During that meeting or session, was the fact of his
14 addiction to boys or pedophilia ever addressed either directly
15 or indirectly?
16 A. Yes.
17 Q. During that meeting, did the defendant ever show any
18 remorse or any concern for any of the victims he had?
19 A. No. We were told that these were just allegations brought
20 against him. There was no admission of guilt. There was no
21 remorse. There was no apology to my family for the
22 embarrassment that he caused and the hurt that he caused.
23 MR. FUNK: Thank you very much.
24 THE COURT: Hold on a second, please. [redacted] can
25 you stay here for just a second?

1 THE WITNESS: Oh, I'm sorry.

2 THE COURT: Mr. Royce?

3 MR. ROYCE: Thank you, sir.

4 CROSS-EXAMINATION

5 BY MR. ROYCE:

6 Q. Ms. Witness --

7 A. It's [redacted]

8 Q. Pardon?

9 A. [redacted]

10 Q. [redacted] 1991 was the last time you saw your uncle?

11 A. No.

12 Q. Okay. When was the last time you saw him?

13 A. I ran into him in June of 1994 at Leona's Restaurant on

14 Taylor Street. I just happened to be picking up pizza with a

15 friend of mine, and he was standing in the waiting area, I

16 want to say by the bar, with a young boy -- well, not a boy,

17 somewhere similar in age to me, around 18 to 20 years of age.

18 Q. And did you have a conversation with him at that time?

19 A. No, I didn't. I was shocked to see him. He saw me as

20 well. He turned bright, bright red, and he became quiet all

21 of a sudden and put his hand over his mouth and tried not to

22 look at me again. Then I became very upset as well and didn't

23 want to show it in a public area, so I left the restaurant.

24 Q. All right. This person that you say you saw him with,

25 you've estimated his age to be 18 years old?

1 A. Yes.
2 Q. Okay. Now, prior to that was 19 -- that was the last time
3 you ever saw him.
4 A. That was the last time I ever saw him.
5 Q. In your session --
6 MR. ROYCE: Strike that.
7 BY MR. ROYCE:
8 Q. In 1991 on one occasion, you and, I believe, several
9 family members went somewhere to have a confrontation or a
10 meeting with Vince?
11 A. Yes.
12 Q. And where was that?
13 A. It was either at UIC or it was at Rush Presbyterian. I
14 want to say UIC, though.
15 Q. Does the Isaac Ray Center mean anything to you or refresh
16 your recollection?
17 A. It sounds very familiar.
18 Q. And did you know what the Isaac Ray Center was?
19 A. No.
20 Q. Did you later learn that that was a treatment facility
21 where Vince was undergoing treatment for his problems?
22 A. As I said, I knew that he was seeing a therapist.
23 Q. All right. The meeting that you attended, you were aware
24 -- am I correct that you were aware in 1991 that he had been
25 involved in substantial therapy? Isn't that correct?

1 A. I didn't know how long he had been seeing that therapist.
2 I did know of a prior time in which he sought -- in which
3 therapy was imposed upon him.
4 Q. Were you aware that he attended the St. Luke's Institute
5 in Maryland?
6 A. Yes, I was.
7 Q. And were you aware that that was an inpatient facility
8 that he had been involved with for treatment?
9 A. Not until November of 1991 did I know that.
10 Q. But you were aware, and as you sit there now you are aware
11 that he had gone through a substantial amount of therapy both
12 at the Guest House, at St. Luke's Institute, and at Isaac Ray
13 Center?
14 A. I do know that, but I do know that abuse happened after
15 his stay at St. Luke's.
16 Q. All right. Well, let me ask you this. Going back to the
17 time when you and your family -- did you go to the cottage
18 with your family?
19 A. Yes, I did.
20 Q. And did you report to them at that time that your uncle
21 was sleeping in a bed with 15 or 20 different boys?
22 A. It was well -- I mean, everyone knew. He did it right
23 under everyone's noses, and he did that simply because he was
24 Vinny. He was Father Vince, and no one questioned him. It
25 was, as [redacted] stated before, the power of manipulation, mental

1 manipulation.
2 Q. When you say that everyone knew, would that mean you knew?
3 A. That I know he was sleeping with --
4 Q. Yes.
5 A. He slept with the boys in a bed in the family room, and
6 there could be anywhere from six people to 20 people sleeping
7 in that room.
8 Q. Okay. The cottage itself is not -- I mean, it's a small
9 cottage, isn't it?
10 A. It had three bedrooms, a large family room, a large dining
11 area, a game room, and a pool.
12 Q. And the sleeping facilities, many people would sleep in
13 this common family room area?
14 A. Generally it was children sleeping in that family room.
15 Q. Many people, I mean.
16 A. Yes, many people.
17 Q. And your parents were there, weren't they?
18 A. Yes.
19 Q. And your parents were aware of these sleeping arrangements
20 at that time?
21 A. Yes.
22 Q. Okay. Were there cots and other --
23 A. There were --
24 Q. -- assorted sleeping apparatus for people to sleep in on a
25 casual basis?

1 A. There was another pull-out bed. There were two couches,
2 and most people generally slept in sleeping bags on the floor.
3 Q. Did you ever witness Uncle Vinny engage in any type of
4 misconduct of a sexual nature with any of the 15 to 20 boys
5 that you've described?
6 A. No.
7 Q. Okay. In your meeting with the folks at wherever it was,
8 either Isaac Ray or UIC in '91, did you learn that your uncle
9 had participated in treatment to try to deal with his
10 addiction?
11 A. Yes.
12 Q. Did you also learn that he was involved in Alcoholics
13 Anonymous?
14 A. Yes.
15 Q. And did you also know that he was under certain
16 medications and chemical treatments for his problems?
17 MR. FUNK: Your Honor, could counsel clarify what
18 he means by "his problems"?
19 THE COURT: Do you understand the question, [redacted]
20 THE WITNESS: We were --
21 THE COURT: Rephrase the question.
22 THE WITNESS: I'm sorry.
23 THE COURT: Hold on. I don't want you to guess.
24 BY MR. ROYCE:
25 Q. Mr. Funk indicated to you, I believe, on direct

1 examination that Vince McCaffery had a sexual addiction, and
2 that's the conduct that I'm referring to throughout this whole
3 questioning.
4 A. We knew that he was on medication, but we didn't know what
5 the medication was supposed to be treating.
6 Q. Okay. But the answer to my question, the previous three
7 questions about the counseling, the therapy, and the different
8 institutions, was it your understanding that he was going
9 through that for a sexual addiction problem?
10 A. Not until November of 1991 at our meeting.
11 Q. Right, that's what I mean.
12 A. Right.
13 Q. 1991 is when you learned of it.
14 A. Right.
15 Q. Then you learned the history of him being treating for
16 this problem on prior occasions.
17 A. Yes.
18 Q. In Maryland and at the Guest House, is that correct?
19 A. Yes.
20 MR. ROYCE: Thank you.
21 THE COURT: Mr. Funk?
22 REDIRECT EXAMINATION
23 BY MR. FUNK:
24 Q. You indicated on cross-examination that you were aware
25 that the defendant received treatment in 1987 in Maryland?

1 A. Yes.
2 Q. And are you also aware or are you aware that he sexually
3 molested children after that treatment?
4 A. Yes.
5 MR. FUNK: No further questions, Your Honor.
6 RECROSS-EXAMINATION
7 BY MR. ROYCE:
8 Q. How is it that you were aware of that?
9 A. I was told by a victim.
10 Q. When did that person tell you that he was molested by
11 Father Vince McCaffery?
12 A. January of 1989 -- or 1990. Excuse me. January of 1990.
13 Q. That is when he told you that he was a victim of this
14 molestation?
15 A. Yes.
16 Q. And when did he tell you that he was molested in 1990?
17 A. He told me of the last encounter that he had with Vince
18 which was not sexual molestation, but physical abuse.
19 Q. And this physical abuse is what you're referring to about
20 what occurred in 1990, is that right?
21 A. Yes.
22 Q. Not sexual abuse.
23 A. No. He fought him off. That's why there was no sexual
24 abuse.
25 MR. ROYCE: Thank you. Nothing further.

1 THE COURT: Mr. Funk?
2 REDIRECT EXAMINATION
3 BY MR. FUNK:
4 Q. But he told you about previous sexual abuse.
5 A. Yes.
6 MR. FUNK: Nothing further, Your Honor.
7 MR. ROYCE: Nothing further.
8 THE COURT: You may step down, [redacted]. Thank you.
9 (Witness excused.)
10 MR. FUNK: The Government would call [redacted]
11 THE COURT: Would you step up here, please, and
12 raise your right hand?
13 (Witness duly sworn.)
14 [redacted]
15 GOVERNMENT'S WITNESS, DULY SWORN
16 DIRECT EXAMINATION
17 BY MR. FUNK:
18 Q. Good morning, [redacted]
19 A. Good morning.
20 Q. Did you provide the Court with a written statement
21 concerning Defendant McCaffery's sexual molestation of you?
22 A. Yes, I did.
23 MR. FUNK: Your Honor, just for the record, all the
24 victims that are testifying today, in fact, provided long and
25 detailed statements. The Government does not want to rehash

1 the details for obvious reasons.

2 THE COURT: I've read them.

3 MR. FUNK: Thank you, Your Honor.

4 BY MR. FUNK:

5 Q. [redacted] do you live in Illinois?

6 A. No, I actually reside in Wisconsin.

7 Q. In Wisconsin. How old are you?

8 A. Thirty-nine.

9 Q. In general terms, what kind of work do you do?

10 A. I'm a project manager/estimator.

11 Q. Do you know a man named Vincent McCaffery?

12 A. Yes, I do.

13 Q. How long have you known that man?

14 A. Since 1977.

15 Q. When did you first meet him?

16 A. The spring of '77.

17 Q. And can you identify Vince McCaffery in the courtroom

18 today?

19 A. Yes, he's the gentleman in the orange jumpsuit.

20 MR. FUNK: Identification for the record, Your

21 Honor?

22 THE COURT: The record will so reflect.

23 BY MR. FUNK:

24 Q. I'm sorry, [redacted] What church was he in when you first

25 met him?

1 A. It was a church in Chicago, Our Lady Help of Christians.
2 Q. And what role did the defendant have at that church when
3 you first met him?
4 A. When we first came to -- I'll call it HOC -- he was a
5 deacon at the time, and he had come on his way towards
6 graduation. I recall that he was organizing a summer camping
7 trip for some of the boys from the parish.
8 Q. And when you say "on his way towards graduation," are you
9 talking about he was getting ready to graduate and become --
10 A. No. I'm sorry. That was my graduation, eighth grade
11 graduation.
12 Q. Eighth grade graduation.
13 A. Yes.
14 Q. Thank you very much. He was arranging a camping trip?
15 A. Correct. That was to take place after school was out for
16 the summer.
17 Q. If you could, describe for the Court the nature of your
18 relationship or how you felt towards Vince McCaffery when you
19 first met him.
20 A. Initially when he came to the parish, I think many of the
21 students there, he seemed to appeal to them. He was very, you
22 know, cool. He basically was very good as far as getting
23 across to the students and such, and so I think he had made
24 friends with the students there. You know, as anyone else
25 coming into something new, you know, you always try to get

1 that initial contact, and I think he did it very well as far
2 as, you know, making that friendship with the students there.
3 Q. So was he dynamic and engaging?
4 A. Yes.
5 Q. Did you ever become emotionally closer to Vince McCaffery?
6 A. Yes. At the time my parents were divorced, Vince had
7 become sort of a big brother figure to myself. He had been
8 closer mainly with my mother, who I still lived with. As my
9 parents were divorced, I did live with my mother, and he would
10 go out to dinner with us. He actually was invited to my
11 sister's wedding. She had gotten married in '78, I believe.
12 He was there at the ceremony and at the reception and such.
13 So, yes, he had become a close family member -- or friend.
14 Q. And was the defendant aware of the marital problems as far
15 as you know?
16 A. Yes. My parents were divorced when I was in seventh grade
17 in '76. So when he had come to the parish, you know, he knew
18 that my parents were separated or divorced.
19 Q. And when you described how you became emotionally closer
20 with him, if you would, just describe in general terms what
21 sort of things you would do together.
22 A. We spent a lot with -- I spent a lot of time with Vince as
23 far as going back to Calumet City. Apparently he was involved
24 with a teen group there, so I would go back with him to see
25 the kids from that teen group. We'd go on camping trips.

1 We'd go out to -- I remember going to my homecoming football
2 game. He had taken me to the football game in my freshman
3 year in high school. You now, we'd go out and have a pizza,
4 and he'd go out to dinner with my folks -- or I should say my
5 mother and myself.
6 Q. Did Vincent McCaffery ever molest you sexually?
7 A. Yes, he did.
8 Q. When did that take place?
9 A. That was in 1977 or '78.
10 Q. And where did he molest you?
11 A. At Our Lady Help of Christians Parish in the rectory.
12 Q. And how old were you at the time?
13 A. I believe I was 14.
14 Q. Did Vince McCaffery ever apologize to you for what he did?
15 A. No. As a matter of fact, the next day we had to go to Des
16 Plaines. He was testifying on behalf of two youths who had
17 gotten into some type of a conflict. I don't recall what, but
18 I know he was going to court to testify as a material witness
19 on behalf of those two boys. As we were driving there, I had
20 mentioned to him that something peculiar had happened during
21 the night, and he just seemed to ignore my statement. This is
22 as we were driving in the car, and he just changed the
23 subject.
24 Q. So he didn't acknowledge it?
25 A. No acknowledgment.

1 Q. And this is the sexual molestation that he failed to
2 acknowledge.
3 A. That is correct.
4 Q. I know it's difficult, but if you could attempt to
5 describe to the Court the impact that being molested by this
6 trusted figure had on your life and on your personal
7 relationships.
8 A. Well, about midway through my high school education, I
9 stopped going to church. My folks were raised very strong
10 Catholics. I know their divorce was extremely difficult, more
11 so for my mother, because of the fact of being a Catholic and
12 such. As far as with my life, I have a 15-year-old daughter,
13 and I just have very little faith and trust in people. I
14 mean, I had an experience with this man who, the way I was
15 raised, they were next to God. For a person of that caliber
16 and stature to do what he had done to me was beyond my belief.
17 To this day, I tend to see the darker side of people than the
18 better side. I'm extremely overprotective with my daughter as
19 far as any type of sleep-overs or as far as even her going out
20 with her other teen friends and such. Just because of what
21 I've experienced, it's just made me very insecure with her
22 going out, especially with sleep-overs and such.
23 MR. FUNK: Thank you very much.
24 THE COURT: Mr. Royce?
25 CROSS-EXAMINATION

1 BY MR. ROYCE:
2 Q. [redacted] the testimony you provided surrounded an event that
3 you relayed to the Court, and it occurred in the rectory in
4 the church, is that right?
5 A. That is correct.
6 Q. And that was on one occasion?
7 A. That is correct.
8 Q. And that was the only single occasion that you've ever had
9 a sexual contact with Vince McCaffery, is that correct?
10 A. That is correct.
11 Q. Did you at any time between then and now discuss that
12 matter with anyone in relation to what happened that night?
13 A. Friends and family members, yes.
14 Q. Okay. As a result of those conversations, did you ever go
15 to the church, the parish church to discuss the matter?
16 A. No.
17 Q. Did you ever seek any psychological assistance from the
18 church or request any money for psychological assistance from
19 the church?
20 A. No.
21 Q. Did you ever seek any psychological counseling?
22 A. No.
23 Q. Yourself?
24 A. No.
25 Q. Hospitalization?

1 A. No.
2 Q. This one event, did you ever discuss this one event with
3 anyone else, anybody else who was a victim of this event, this
4 type of behavior?
5 A. No other victims.
6 Q. Did Mr. McCaffery injure you or force you at any time
7 during this sexual contact?
8 A. I would say yes, he had put force on.
9 Q. And what force was that?
10 A. We were sleeping in the same bed in his room at the
11 rectory. I was at the -- the bed was in a corner up against
12 two adjacent walls. I was closest to the wall. I was awoken
13 in the middle of the night by him fondling my genitals. I
14 turned away. He continued to reach over me and tried to pull
15 me back. I was sleeping on my back at the time. I turned
16 onto my right side. He tried to pull me back down onto my
17 back. At that point, I just forced myself face-wise up
18 against the wall, and finally he had stopped trying.
19 Q. I don't mean to minimize this in any way, but from what
20 you've described to the Court, would you say that this event
21 took approximately a minute, or was it longer than that?
22 A. To be perfectly honest with you, I could not give you a
23 time frame.
24 Q. He did not twist your arm or punch you or exercise any
25 other type of force on you, did he?

1 A. There was no punching or hitting. It was more a pulling,
2 pulling me closer, pulling me back down so that he could
3 continue to fondle my genitals.
4 Q. And after you moved to this location in the corner away
5 from him, did it end?
6 A. He continued to try to reach over to me, and I just kept
7 pulling myself against the wall, and then finally he did stop.
8 Q. And then what happened? I'm sorry.
9 A. Then he had stopped.
10 Q. Then did he stay in the room, or did he leave?
11 A. I believe he stayed in the room.
12 Q. Okay. Did he sleep in that bed with you that night?
13 A. Yes.
14 MR. ROYCE: Nothing further.
15 REDIRECT EXAMINATION
16 BY MR. FUNK:
17 Q. [redacted] the defense counsel asked you whether he -- "he"
18 being the defendant -- beat you, twisted your arm, and he made
19 somewhat of a point about what he considered the relatively
20 short duration. Did this one experience, this one act of
21 molestation which, according to defense counsel, was very
22 short and didn't involve any arm twisting, did that one
23 instance have a profound effect on your life?
24 A. Yes.
25 Q. You never talked to any lawyers about making any money on

1 this case.
2 A. None.
3 Q. Why are you here?
4 A. Because I feel that every victim that came after me, I'm
5 somewhat responsible for. If I had done more at the time,
6 those other children wouldn't have been victims of his, and
7 that's just something I'll -- I've had people tell me it's not
8 my fault, but do you know what? You can say all you want, and
9 I still feel if I had been more stronger at the time that
10 those other children wouldn't have been victims.
11 MR. FUNK: Thank you for your courage in coming
12 forward.
13 Nothing further, Your Honor.
14 MR. ROYCE: Excuse me just one second.
15 (Discussion off the record.)
16 THE COURT: Mr. Royce?
17 RECROSS-EXAMINATION
18 BY MR. ROYCE:
19 Q. [redacted] did you interpret my questions to you as a question
20 about whether or not you were seeking money from anyone?
21 A. No.
22 Q. All right. When I asked you questions about whether or
23 not you approached anyone at the church, did you ever learn
24 that the church itself, either the archdiocese or certain
25 members of the church, did you ever learn that they were

1 assisting folks who were in similar situations as you as far
2 as psychological counseling and the expenses related to
3 psychological counseling? Did you ever learn about that?
4 A. Not until recently.
5 Q. Okay. Having recently learned of it, do you feel that
6 it's an appropriate thing for you to take advantage of?
7 A. To take advantage of?
8 Q. To utilize that vehicle to obtain certain counseling.
9 A. Well, in my opinion, the archdiocese is just as much to
10 blame as Vincent McCaffery is, so I think that, yes, they
11 should do all they could to help those victims because they
12 certainly did enough to help Mr. McCaffery escape from all of
13 these molestations.
14 Q. Well, [redacted] I don't mean to argue with you, but you never
15 brought it to the attention of the archdiocese or anyone about
16 your event that you had with Vincent?
17 A. No, and as I stated, that's something I'll have to live
18 with for the rest of my life.
19 Q. I understand that, but now having learned that the
20 archdiocese has taken a posture about assisting folks like you
21 in counseling, do you feel that it would be good for you to
22 take that approach?
23 MR. FUNK: Your Honor, again realizing that there
24 are no evidentiary rules, I can't see how it is in any way
25 relevant whether he may feel counseling would be good.

1 THE COURT: You may answer the question.
2 BY THE WITNESS:
3 A. I would say if the archdiocese was willing to help out the
4 victims and the families of the victims of Mr. McCaffery, yes,
5 I would be open to accepting that.
6 MR. ROYCE: Thank you, sir. Nothing further.
7 THE COURT: Mr. Funk, anything further?
8 MR. FUNK: Nothing, Your Honor. Thank you very
9 much.
10 THE COURT: [redacted] you may step down. Thank you
11 very much.
12 (Witness excused.)
13 MR. FUNK: Your Honor, just so the Court knows, I'm
14 going to be calling a few witnesses, some of which have
15 indicated that they were not sure if they wanted to testify.
16 So I'm simply going to say the name. If the people don't come
17 forward, we'll just move on.
18 THE COURT: Very well.
19 MR. FUNK: Is [redacted] in the courtroom?
20 THE WITNESS: Yes, absolutely.
21 THE COURT: Would you step up here, please, and
22 raise your right hand?
23 [redacted]
24 GOVERNMENT'S WITNESS, DULY SWORN
25 DIRECT EXAMINATION

1 BY MR. FUNK:

2 Q. Good morning, [redacted]

3 A. Good morning.

4 Q. Do you live in Illinois?

5 A. No.

6 Q. Where do you live?

7 A. Tampa, Florida.

8 THE COURT: [redacted] would you sit a little closer to

9 that microphone?

10 THE WITNESS: Yes.

11 BY MR. FUNK:

12 Q. [redacted] how old are you?

13 A. Forty.

14 Q. In general terms, what kind of work do you do?

15 A. Finance.

16 Q. Do you know a man by the name of Vincent McCaffery?

17 A. Yeah.

18 Q. How long have you known Vincent McCaffery?

19 A. I've known him since like 1977 or '78, but I haven't seen

20 him since the church moved him away from our parish.

21 Q. So in '77 or '78 was the first time that you met him?

22 A. Uh-huh, yes.

23 Q. How old were you at the time?

24 A. Oh, 12, 13, somewhere in that age.

25 Q. I know it's been a long time, but can you identify him in

1 the courtroom today?
2 A. Absolutely.
3 Q. Could you describe what he's wearing?
4 A. The orange jumpsuit.
5 MR. FUNK: Identification for the record, Your
6 Honor?
7 THE COURT: The record will so reflect.
8 BY MR. FUNK:
9 Q. If you could, tell the Court how you came to first know
10 the defendant.
11 A. Vince was a deacon over at our parish, and he started a
12 youth program for Operation Summer. He was involved with all
13 the kids during the summertime, and he befriended us and our
14 folks. That's his MO, to get real tight with the parents and
15 gain their trust.
16 Q. In your case, what you're saying is he became friends with
17 your parents?
18 A. Oh, yeah, absolutely.
19 Q. Would he come over for dinner?
20 A. Always, he came over all the time.
21 Q. Did you participate in activities, church-sponsored
22 activities or other activities, social activities with Vincent
23 McCaffery when you were a young boy?
24 A. Yes, everything from retreats sponsored by the church and
25 camping trips and summer classes, sex education classes that

1 Vince taught, a whole bunch of things during the summer
2 sponsored by the church and ran by Vince and some other people
3 involved in the church.
4 Q. By the way, you provided a statement to the Court, is that
5 correct?
6 A. Yes, I did.
7 Q. How would you characterize your relationship with the
8 defendant during the first phase when you first met him when
9 he was -- when you participated in activities that he was
10 helping to organize and so forth? If you could, describe to
11 the Court the nature of your relationship.
12 A. I was a kid, and everyone loved Vince. Vince came in and
13 took a youth program that never was existent, started one and
14 did things for us kids that gave us opportunities to do stuff
15 where normally we'd be hanging out at home. Vince was very
16 well liked by everybody and very well respected by everybody.
17 Q. Did you like Vince?
18 A. Oh, yeah.
19 Q. How did you personally feel about him at the time?
20 A. At the time? I trusted him. He was a priest, or soon to
21 be a priest. I trusted him. He had the trust of my mom and
22 dad. He had the trust of all the rest of the kids and their
23 parents. You know, we looked up to him.
24 Q. Did you ever come to look at him as sort of a big brother
25 figure or a father figure?

1 A. More of a big brother, you know, a big brother and a
2 priest and someone you can trust, someone that what he said
3 was -- was God.
4 Q. Did the nature of your relationship with him ever change?
5 A. Oh, yes.
6 Q. Did he ever molest you?
7 A. Yes, he did.
8 Q. If you could, tell the Court just in very general terms
9 the location of where the first molestation took place.
10 A. St. Victor's Rectory.
11 Q. And why were you there?
12 A. Well, because Vince took me to play racketball that day,
13 and we were at the Bally's Health Club. Vince had this
14 pattern of intimidating us, though. Vince started way back
15 when, and I can remember now in reflecting on it. I didn't
16 see it then, but I see it now. It started when we were on
17 retreats and him calling us down in our underwear and
18 inspecting us and making comments about our underwear and our
19 genitals needing room to grow.
20 Q. And he made these comments not just to you?
21 A. Well, what he did is he had us all lined up in the church
22 -- in the rectory -- in the convent. It was the old convent
23 that they used for retreats. He lined us all up, and then he
24 sent everybody up and held me back. I think he was starting
25 to groom me. But after that time, years go by or whatever. I

1 don't know how long went by, but he took me to play
2 racketball. I remember being in the hot tub after playing
3 racketball and him holding me down and me coming up gasping
4 for air, spitting water, and that was his way of intimidating
5 us and letting us know that he would physically take us if
6 need be.
7 After that, he went to my folk's house and asked my
8 folks if I could spend the night at the rectory with him, that
9 he was going to take me to the north side of Chicago to visit
10 some friends, and my folks were: Oh, absolutely, of course,
11 anything with Father Vince.
12 So Vince proceeded to take me to a bar on the north
13 side where he knew everybody and feed me drinks all night
14 long.
15 Q. And how old were you at this time?
16 A. Oh, 13, 14.
17 Q. So you were at the bar. I'm sorry. I didn't mean to
18 interrupt you.
19 A. Right. I remember Vince knew everybody there, and he was
20 singing Irish songs. He was up on stage, and the crowd just
21 hushed for Vince. I mean, you know, the sea parted for Vince.
22 Then when we got back to the rectory that night, he gave me
23 another beer. I drank it, and then I remember throwing up and
24 him telling me that I opened it and I have to drink it, him
25 forcing me to drink the beer.

1 Q. Did you throw up because you were --
2 A. Drinking.
3 Q. Because of the alcohol?
4 A. Yes. Then he made me drink another beer. Then after
5 that, I remember going and laying down in the bed and going to
6 bed. That's all I really remember, but he didn't sleep with
7 me. He didn't sleep in the same bed that day. He went in
8 another room. I remember that, but I then remember waking up
9 sometime early in the morning and Vince was sexually molesting
10 me.
11 Q. And was this the -- did he ever apologize for that
12 molestation?
13 A. No, he tried it again.
14 Q. How many times did he either molest -- well, how many
15 times did he try to molest you?
16 A. Well, he molested me once, then made attempts to do it
17 twice after that.
18 Q. And those attempts are described in your statement?
19 A. I'm not sure if I went that far in detail or not, but I
20 don't mind telling you. I'm open about that because they were
21 threatening events. One time he tried again, and I ran away.
22 I physically ran down the street, and he tried to run me over
23 with his car. As I'm running down alleys, he's hitting
24 garbage cans with his Pinto, hitting fences and garbage cans.
25 I'm cutting through people's yards, and I'm pounding on

1 people's doors, begging and crying for help.
2 Q. And you don't know whether or not he was drunk or on drugs
3 or whether he was completely sober?
4 A. He was completely sober because we just came from a friend
5 of mine's house who was molested by Vince also, and him and I
6 were sitting in his back yard talking about it. Then his mom
7 came home, and him and his mom got in an argument because his
8 mom didn't believe him, of course, and Vince was the mediator.
9 So I took off running the minute I saw Vince, ran down three
10 more blocks and cut across some alleys and down a block, and
11 there's Vince sitting there waiting for me in his car.
12 Q. Without saying the name of your friend or describing your
13 friend, how old was your friend at the time that he told you
14 that he was molested sexually by the defendant?
15 A. Same age I was.
16 Q. And that was?
17 A. Probably about 14 years old, 13 years old.
18 Q. Now, did Vince -- if you can describe in general terms in
19 your own words how what Vince McCaffery did to you when you
20 were a young boy impacted your life, your personal
21 relationships, or anything else you'd like to tell the Court.
22 A. I'm a very angry person. I've been in a whole lot of
23 fights after that. I see him now, and I want to physically
24 hurt him, just like he physically and mentally hurt me. I
25 just want you to know that, too. I'm shaking like a leaf

1 right now because I've got a temper and a half, and I really
2 want to -- but anyway, it took me till I was 40 to finally get
3 married, thank God, and I have a little baby girl that's five
4 months old that I wouldn't baptize in the Catholic church for
5 anything. I had her baptized Episcopalian. I mean, I think
6 about this all the time, all the time, and something has to be
7 done.
8 MR. FUNK: Thanks very much.
9 THE COURT: Cross, Mr. Royce?
10 Oh, just one moment. Ma'am, I don't know if you
11 were in the room, but we've asked the other artists not to
12 sketch or capture any likeness of the people who are
13 testifying. Okay.
14 CROSS-EXAMINATION
15 BY MR. ROYCE:
16 Q. Sir, when you brought this to the attention of the
17 authorities, was it sometime in late '99 or 2000?
18 A. To the authorities? You mean the church?
19 Q. Well, you had an attorney that assisted you, didn't you?
20 A. A couple years ago?
21 Q. Yes.
22 A. Yeah.
23 Q. In about 2000?
24 A. But that wasn't brought to the authorities. It was
25 brought to Father Leo Mann right after the incident, and they

1 were aware of what happened.
2 Q. Right. I understand that, but I'm saying in about 1999 or
3 2000, you and your attorney began discussions with the
4 archdiocese, isn't that correct?
5 A. Correct.
6 Q. And you received [redacted] as a
7 result of that discussion, right?
8 A. Right.
9 Q. Were you aware of any of the conversations or issues that
10 were brought about by Vince t[redacted]
11 [redacted] or anything of that nature?
12 A. Huh-uh.
13 Q. It is true that you have never had any confrontations with
14 Vince or meetings with Vince since, oh, 20 years ago?
15 A. Correct.
16 Q. [redacted]
17 [redacted] through the efforts of the Catholic church, is that
18 right?
19 A. Yes, I have.
20 MR. ROYCE: Okay. Thank you. Nothing further.
21 THE COURT: Mr. Funk?
22 MR. FUNK: Nothing further. Thank you very much.
23 THE COURT: [redacted] you may step down. Thank you.
24 (Witness excused.)
25 MR. FUNK: Your Honor, the Government would call

1 [redacted]

2 THE COURT: Step up here and raise your right hand,

3 please.

4 (Witness duly sworn.)

5 THE COURT: You may proceed.

6 [redacted]

7 GOVERNMENT'S WITNESS, DULY SWORN

8 DIRECT EXAMINATION

9 BY MR. FUNK:

10 Q. Do you go by [redacted] or is [redacted] fine? Either one?

11 A. You can call me anything. [redacted] is fine.

12 Q. [redacted] Okay. [redacted] where do you live?

13 A. In Los Angeles, California.

14 Q. How old are you?

15 A. Thirty-one.

16 THE COURT: Would you sit a little closer to the

17 microphone?

18 THE WITNESS: Yeah, sure.

19 BY MR. FUNK:

20 Q. Did you say 31?

21 A. Thirty-one, yeah.

22 Q. What kind of work do you do?

23 A. Bartender.

24 Q. Do you know a man named Vincent McCaffery?

25 A. Yes, I do.

1 Q. When did you first meet him?
2 A. I want to say back in '82.
3 Q. 1982? How old were you at the time?
4 A. I was in, I think, fifth grade, maybe sixth grade. I
5 think sixth grade.
6 Q. And what were the circumstances of your first meeting
7 Vince McCaffery?
8 A. He was a young priest who actually made like catechism
9 pretty fun, I mean, pretty interesting, like he came in, you
10 know, playing guitars and singing songs.
11 Q. And what parish was this?
12 A. It was St. Joseph the Worker.
13 Q. So he was an instructor to you?
14 A. Yeah, yes.
15 Q. Can you identify him in the courtroom today?
16 A. Yeah, he's the one there in the orange, the little
17 whatever it is, the orange jumpsuit.
18 MR. FUNK: Identification, Your Honor?
19 THE COURT: The record will reflect the
20 identification.
21 BY MR. FUNK:
22 Q. Now, you said you first met him when he was instructing in
23 catechism. What other -- if any, what other activities did
24 you participate in with Vince McCaffery either through the
25 church or socially when you first met him?

1 A. When I first met him? Eventually -- well, you know, my
2 parents were going through a divorce, so he kind of convinced
3 my mother to have me become an altar boy.
4 Q. And did he know that your parents were going through a
5 divorce?
6 A. Yes, he did.
7 Q. Did he know your mother personally?
8 A. Yes, he did. She helped clean the rectory.
9 Q. And when you say that he helped you become an altar boy,
10 what in particular did he do?
11 A. I mean, not that I really wanted to, but my mother, he
12 told her that, you know, I could make extra money doing
13 funerals and weddings and stuff like that. Then she said she
14 didn't have the time to pick me up, so he said that he would
15 pick me up anytime.
16 Q. And did you become an altar boy?
17 A. Yes, I did, and then I became the master server.
18 Q. How would you describe in personal terms your relationship
19 with Vincent McCaffery during this initial period of knowing
20 him?
21 A. Oh, I looked up to him a lot. Like I said, my father
22 wasn't there, so that was like a big brother to me. I just
23 have an older sister.
24 Q. How important was he to you at the time?
25 A. My family is very Catholic, and that was very important to

1 me. It was my faith.
2 Q. And on a personal level, how important was he, the man
3 Vincent McCaffery, to you?
4 A. Oh, I looked up to him. I liked him.
5 Q. Did the nature of your relationship from him being a
6 friendly -- well, would you refer to him as a big brother
7 figure or a friend, an older friend? How would you
8 characterize the nature of your relationship?
9 A. Big brother/father, I guess you could say. I would say an
10 older friend because that's -- to me, it's strange to have an
11 older friend. Do you know what I mean?
12 Q. So kind of a big brother figure? Is that fair enough?
13 A. Yeah.
14 Q. Did the nature of that relationship -- did anything ever
15 happen that changed the nature of your relationship with Vince
16 McCaffery?
17 A. There was things that led up to everything. You know, he
18 would take all the boys out, you know, to a place called
19 Hackney's up on Milwaukee. We'd all go over there, and some
20 of us would be in the back of the car. I was very small, you
21 know, and so I always had to sit next to him in the front.
22 Then he would constantly, you know, try to feel my leg and,
23 you know, make jokes of it.
24 Q. And what else, if anything, did he do of that nature that
25 led up to --

1 A. I'd say I was pretty good at racketball at the time. I
2 grew up playing racketball. When he took me to play
3 racketball at a club in Northbrook -- oh, do you want me to go
4 into it?
5 Q. In general terms. Again, you've given a statement, right?
6 A. Yeah. We basically played racketball, and then he said it
7 was time to hit the showers which, of course -- well, I went
8 in the steam room with him. It was just us two in here, and
9 he was trying to fondle me. Then two gentlemen came in, and
10 he stopped. Then he said it was time to go to the showers
11 where he, you know, was trying to put soap all over my back.
12 Q. On that --
13 A. Okay, okay.
14 Q. You don't need to go into the specifics.
15 A. Can I get some water from you?
16 THE COURT: Sure.
17 (Discussion off the record.)
18 BY MR. FUNK:
19 Q. You don't need to get into the specifics of what happened.
20 The Judge has the information.
21 A. All right.
22 Q. Was this the first time that he -- is it fair to say what
23 he did on that day was a sexual molestation of you?
24 A. Yes, my genitals were touched.
25 Q. Subsequently did he ever molest you again?

1 A. Yes.
2 Q. How often?
3 A. You know, I'd say a period of two years, maybe up to 25
4 times, 20, 25.
5 Q. And did he molest you at places other than the racketball
6 area?
7 A. Well, racketball was its own incident. I would never go
8 play racketball with him again.
9 Q. At that point.
10 A. Yeah.
11 Q. And did he ever molest you in the rectory of the church?
12 A. Yes, he did.
13 Q. Did most of the other 25 molestations take place there?
14 A. Yes.
15 Q. In general terms, if you're comfortable with it, could you
16 describe the nature of those instances?
17 A. There was a couple. One of them, he had a big thing
18 called Family Fest which he organized where he had all the
19 young kids help out. Little things like, you know, he'd make
20 me wash his car and he'd purposefully get me wet, and I'd have
21 to change in front of him. Other times at the rectory, the
22 only other time there was -- he made myself and another boy
23 wear two different costumes, like plastic costumes. You know,
24 it was for the event. He made myself -- the other boy was in
25 another room, and he said that it was too hot, that it was too

1 hot outside, so we had to go naked in the costumes, and then
2 he put lotion all over my body.
3 Q. He rubbed it with his hands all over your body?
4 A. Yes.
5 Q. Did he touch your genitals?
6 A. Yes.
7 Q. Did Vince McCaffery at any point ever apologize to you for
8 any of the 25 incidents, the separate incidents over a course
9 of two years of molestation?
10 A. No.
11 Q. And how old, again, were you during this time?
12 A. I'd say 13, 14.
13 Q. Without getting into the identities or any description of
14 other people that you've talked to about Vince McCaffery and
15 his conduct, did you talk or ever find out about other victims
16 other than what you've heard today?
17 A. Yes.
18 Q. How many other people did you personally talk to?
19 A. Well, I did find a bunch of Polaroid pictures in his
20 dresser drawer.
21 (Discussion off the record.)
22 BY MR. FUNK:
23 Q. Showing boys in sexually compromising --
24 A. Just with like shorts on, and everyone always had their
25 shirts on -- I mean, shirts off, and they were making muscles.

1 I only weeded through like three or four of them until I put
2 it back. That was like a handful, and I recognized one of the
3 kids. Another time just before I quit, another kid came to me
4 because, you know, he said he looked up to me. He was a year
5 younger. He told me about an incident at the cabinet -- at
6 the cabin.
7 Q. Where was the cabin, do you know?
8 A. I always made excuses not to go. I don't know.
9 Q. He tried to get you to go with him to the cabin?
10 A. Uh-huh.
11 Q. What did the boy tell you happened at the cabin?
12 A. He told me that he was sleeping, and then in the middle of
13 the night he woke up to whatever, whatever you want to call
14 him, snapping pictures of him, Polaroids, and that he woke up
15 nude. I believe he was nude when he woke up. He asked me
16 what I should do -- what he should do, and I just said: Tell
17 your parents.
18 Q. If you could, describe to the Court how the instances of
19 abuse at the hands of Vince McCaffery have impacted your life,
20 your personal relationships, your faith.
21 A. Well, I really haven't been to church since my
22 Confirmation, the last time I was molested. He gave me
23 Communion an hour before. I don't believe in God; I really
24 don't. I feel like dead. I feel like I've been dead inside
25 for like 16 years, but I do believe in fate, and I think fate

1 is why I'm sitting here talking to you and trying to help put
2 this guy away. But I have struggled. I've struggled with my
3 faith this whole time, and my family has wondered why. I
4 mean, now they know, you know.
5 Q. [redacted]
6 A. [redacted] Oh, also, another thing with personal relationships,
7 I can't have a relationship. I just have to sabotage it for
8 some reason. Actually I got involved in an organization
9 called SNAP. It's survivors abused by priests. I talked to
10 this woman in March, and she's kind of helped me through all
11 this. [redacted]
12 [redacted]
13 Q. [redacted]
14 A. I believe the archdiocese is.
15 Q. Do you have problems sleeping?
16 A. I think I slept two hours last night. I thought I was
17 doing all right. I mean, I thought I was, and then in January
18 my sister told me that he was seen in Vernon Hills, which is
19 where my mom lives. I've never had a paralyzing -- I had to
20 go to work. It was like ten minutes before work, and I had
21 this paralyzing feeling in my body like I haven't had since
22 when he used to try to touch me. Do you know what I mean?
23 It's like I felt like I was a kid again. I couldn't move.
24 Then I walked into work, and everything is like yeah, yeah,
25 yeah. I work at a bar off the beach. I talked to my boss and

1 said: I've got to go. I'll talk to you later.
2 I went to my car, and I drove maybe about half a
3 mile so that no one that I knew would see me. I know a lot of
4 people around there. Then I like cried for an hour. I
5 haven't cried in a long time.
6 MR. FUNK: Thank you very much.
7 THE COURT: Cross-examination, Mr. Royce?
8 CROSS-EXAMINATION
9 BY MR. ROYCE:
10 [redacted]
11 [redacted]
12 A. Actually it has.
13 Q. Okay.
14 A. It really has.
15 Q. And is it fair to say that since you were approximately 14
16 years old that you haven't had any personal contact with Vince
17 McCaffery?
18 A. I haven't seen him since I quit my job at the rectory
19 where he held me there for an hour. He wouldn't let me leave.
20 Q. And how old were you then?
21 A. You know, I was going on 15.
22 Q. So approximately 15, 16 years ago?
23 A. I'd say 16.
24 Q. Okay.
25 A. Yeah.

1 Q. Sir, you're not aware of any of the counseling or
2 treatment that Vince has been in, are you?
3 A. I had heard about it.
4 Q. Okay. Are you aware of any of the counseling or treatment
5 that he's been in, if it assisted or identified any of the
6 victims of his misconduct? Do you know whether or not that
7 occurred?
8 A. No, nor do I care.
9 Q. Pardon me?
10 A. Nor do I care.
11 Q. You don't know?
12 A. About him? About his counseling?
13 Q. No, whether or not as a result of his counseling he
14 identified certain people who he had --
15 A. Oh, I don't know about that.
16 Q. And whether or not as a result of his efforts there have
17 been any efforts on the part of the archdiocese to assist you
18 or to resolve any counseling or psychological treatment that
19 you might be having.
20 A. Just the organization SNAP helped me out with this.
21 MR. ROYCE: Okay. Thank you very much, sir.
22 Nothing further, Judge.
23 MR. FUNK: Nothing further, Your Honor. Thank you
24 very much.
25 THE COURT: [redacted] you may step down. Thank you.

1 THE WITNESS: Thanks.
2 (Witness excused.)
3 MR. FUNK: The Government would call [redacted]
4 THE COURT: Would you step up here, please, and
5 raise your right hand?
6 (Witness duly sworn.)
7 THE COURT: Would you speak into that microphone,
8 please, [redacted]
9 THE WITNESS: Yes. Can I get some water, too?
10 THE COURT: Okay.
11 (Discussion off the record.)
12 MR. ROYCE: Your Honor, I'm going to ask for the
13 very same thing. Is it inappropriate to ask that?
14 THE COURT: Certainly not.
15 MR. ROYCE: I didn't know where to go for it.
16 THE COURT: Just ask [redacted] to bring out some water.
17 MR. ROYCE: Thank you very much, Your Honor.
18 THE COURT: You may inquire.
19 [redacted]
20 GOVERNMENT'S WITNESS, DULY SWORN
21 DIRECT EXAMINATION
22 BY MR. FUNK:
23 Q. Good morning, [redacted]
24 A. Good morning.
25 Q. Do you live in Illinois?

1 A. Yes, I do.
2 Q. How old are you?
3 A. Thirty.
4 Q. What kind of work do you do?
5 A. Electrical construction.
6 Q. Have you ever met a man by the name of Vincent McCaffery?
7 A. Yes.
8 Q. When did you first meet Vincent McCaffery?
9 A. I had known him my whole life.
10 Q. Your whole life?
11 A. Yes.
12 Q. And is he a family friend?
13 A. Correct.
14 Q. Can you identify him in the courtroom today?
15 A. Correct, the orange jumpsuit.
16 THE COURT: The record will reflect the
17 identification.
18 MR. FUNK: Thank you.
19 BY MR. FUNK:
20 Q. Growing up, was he part of your life?
21 A. Yes, he was.
22 Q. If you could, describe to the Court what part he played
23 and why he played a part in your life.
24 A. I would consider him a fake uncle, a non-blood close
25 friend of the family. We called him "uncle."

1 Q. Would he be at holidays with you?
2 A. Yeah, when he could, yes.
3 Q. Would you see him regularly?
4 A. Yes.
5 Q. Were close to him?
6 A. Yes.
7 Q. How close were you to him?
8 A. I loved him.
9 Q. You loved him?
10 A. Yes.
11 Q. The nature of your relationship from you loving him as an
12 uncle, did the nature of your relationship with Vince
13 McCaffery ever change?
14 A. Yes.
15 Q. And if you could, describe how that happened and what the
16 change was.
17 A. It turned sexual, I mean, to put it simply.
18 Q. How old were you when this happened?
19 A. I'm guessing seventh or eighth grade, if not sooner. I
20 don't know.
21 Q. We all understand it was a long time ago, but do you
22 remember when it started, when the molestation started?
23 A. Yes.
24 Q. When did it start? What year?
25 A. The year I don't know, but it started in the -- excuse me

1 -- in the rectory of St. Joseph the Worker's Parish. I don't
2 know the year.
3 Q. And did he molest you at St. Joseph the Worker in the
4 rectory?
5 A. Yes.
6 Q. Were you a young boy? Is that fair to say?
7 A. Prepubescent, yeah.
8 Q. Did he molest you on subsequent occasions?
9 A. Yes.
10 Q. Would you say that he molested you more than ten times?
11 A. Yes.
12 Q. More than 50?
13 A. Uh-huh.
14 Q. More than 100?
15 A. Yeah.
16 Q. More than 200?
17 A. Uh-huh.
18 Q. If you're able to describe it, did this molestation, these
19 hundreds of incidents of molestation, occur during one year or
20 during multiple years?
21 A. Multiple.
22 Q. From approximately when to approximately when?
23 A. I believe I graduated high school in '90, and I know there
24 was nothing after high school. When did it start? Five, six
25 years previous to 1990, so like '84 to '90 maybe.

1 Q. '84 to '90. We've obviously met before, correct?
2 A. Yeah. I mean, I grew up with --
3 Q. I mean you and I.
4 A. Yes.
5 Q. If you could, describe in general terms or in any terms
6 you want to how what Vince McCaffery did to you has affected
7 your life and, again, your relationships with other people or
8 anything you think the Judge should know.
9 A. I mean, I wouldn't be here obviously. It's not something
10 I want to do, and I'm not doing it for a personal reason.
11 It's not a closure issue. If there's something I'd like you
12 to know, absolutely. I don't know. It's hard to put in
13 words. My life has been destroyed. [redacted] testimony hit
14 hard when he said he feels like he's dead. There's really no
15 purpose to live. The only time that I feel alive is when I'm
16 angry, and it's as a direct result of that that I spent a lot
17 of years in a real dark place. You know, maybe this is the
18 last leg, and it will be better from here on out.
19 But the point I want to make is if anybody in the
20 courtroom thinks that this is just something he's over, well,
21 you know, that might be true, but I'm not over it, and I don't
22 think I ever will be. It's something I'll have to live with.
23 It's a mental seed that he's planted in my head and that I
24 have to live with. There's no therapeutic thing that's going
25 to get rid of that. You know, I could go on forever, I really

1 can, so I'll leave it at that.
2 MR. FUNK: Thank you very much for your courage in
3 coming forth.
4 Nothing further, Your Honor.
5 THE COURT: Cross?
6 MR. ROYCE: Your Honor, may I approach at sidebar
7 for a moment?
8 THE COURT: Sure. Do you want this on the record?
9 MR. ROYCE: Not necessarily, no.
10 THE COURT: Okay. If you would, stay there for a
11 second, sir.
12 (Discussion at sidebar off the record.)
13 THE COURT: You may inquire, Mr. Royce.
14 MR. ROYCE: Thank you.
15 CROSS-EXAMINATION
16 BY MR. ROYCE:
17 Q. Sir, without using your last name, I greatly respect that,
18 and I'm not attempting in any way to invade that privacy. If
19 I may approach the witness, I'm going to ask you to look at a
20 statement which appears to have been prepared by you with the
21 Court's permission.
22 THE COURT: Yes.
23 BY MR. ROYCE:
24 Q. I'm going to ask you to take your time, if you will, or if
25 you don't need to take time just to look at Defendants'

1 Exhibit 1, and I ask you whether or not that is a document
2 that you prepared or that you signed after giving a statement
3 to the Government in this case.
4 A. It is.
5 Q. And do you recognize your initials on that page?
6 A. Yes, I do.
7 Q. I wonder if you'd just for the record go to the last page
8 -- or each page and see if your initials are on there.
9 A. Yeah, they are.
10 Q. And you signed it at the end.
11 A. Yeah.
12 Q. And you read it before you signed it, did you not?
13 A. Yeah.
14 Q. Now, again, that contained information that you prepared
15 as a result of going through in your mind's eye as well as
16 your recollection of the events of this tragedy that you've
17 suffered, isn't that right?
18 A. I spoke, and someone else typed, yeah.
19 Q. Right. Then you read it and signed it.
20 A. Correct. You said that already.
21 Q. Okay. In direct examination, you told the Court that you
22 believe that the events of sexual molestation were 200?
23 A. Yeah.
24 Q. Okay.
25 A. Down here, it says 50 to 100.

1 Q. Yes, sir.
2 A. Correct.
3 Q. That report or that statement you prepared in September, I
4 believe it was?
5 A. As far as I'm concerned, yeah.
6 Q. That indicated it was between 50 and 100.
7 A. Yeah.
8 Q. Okay. Does that refresh your recollection as to how many
9 there were, how many events there were with Mr. McCaffery?
10 A. This?
11 Q. Yes.
12 A. No, it doesn't.
13 Q. Okay. Sir, you described to the Court a very serious and
14 tragic part or consumption of your life in this sense. [redacted]
15 [redacted]
16
17
18
19 A. No.
20 [redacted]
21
22
23 A. I stepped forward.
24 Q. Okay. To whom did you step forward?
25 A. It depends on which time you're talking about.

1 Q. Well, did you go to this privately, or did you go to the
2 church?
3 A. Both.
4 Q. To the Catholic church or archdiocese?
5 A. Correct.
6 Q. And was there some conversation or negotiation as a result
7 of your going forward with the archdiocese?
8 A. [redacted]
9 Q. And did you request that they assist you in that fashion?
10 A. Yes.
11 [redacted]
12 [redacted]
13 A. I didn't say that.
14 Q. I'm asking you. Are you? That didn't seem to help you is
15 what I'm saying.
16 A. If we're talking money, I'm not going to answer that.
17 Q. No, I'm not talking money, sir.
18 A. I'm not happy with the archdiocese, if that's what you're
19 asking me.
20 Q. I guess my question is this. As a result of the
21 conversations or meetings that you had with the archdiocese,
22 [redacted]
23 A. Some, correct.
[redacted]

1 A. Correct.

2 Q. All right. Now, do you know whether or not Father Vincent

3 McCaffery relayed to the archdiocese any information about you

4 [redacted]

5 [redacted]

6 [redacted]

7 Q. Okay. Is that what you -- you believe that to be true,

8 correct? You believe that to be true, right, that Vince never

9 stepped up on your behalf?

10 A. I didn't say that. I said when I asked, it was given.

11 Let's keep it simple.

12 Q. Well, but my question is: You don't know whether or not

13 Mr. McCaffery, for example, admitted to anyone that yes,

14 indeed, you were one of the persons?

15 A. No, I don't know. I don't know that.

16 [redacted]

17 [redacted]

18 [redacted]

19 A. I don't know.

20 Q. Do you think it would help you in relation to your life

21 that you seek to --

22 A. I can't answer that. I have no idea.

23 Q. I don't mean to pry, but I have to ask these questions if

24 you'll just bear with me, and perhaps you would reject these.

25 [redacted]

1 [redacted]
2
3
4
5
6
7 A. Absolutely.
8 Q. Okay. Who did you -- did you confront the church and
9 bring this to their attention shortly after these events in
10 question that you've told the Court about?
11 A. Which events, me being molested?
12 Q. The molestation.
13 A. The molestation?
14 Q. Yes.
15 A. Shortly after? No.
16 Q. How long after was it?
17 A. I'm not good with numbers, and I don't want this to turn
18 into a numbers game.
19 Q. No, sir. I'm sorry. I'm not trying to turn it into a
20 numbers game. I'm just asking if you could tell the Court to
21 the best of your recollection [redacted]
22 [redacted]
23 A. I'm guessing somewhere around '92.
24 Q. Okay. Is it also fair to say that --
25 MR. ROYCE: Strike that.

1 BY MR. ROYCE:
2 Q. Tell the Court when the last time you saw Vince McCaffery
3 was.
4 A. '89 or '90.
5 MR. ROYCE: Thank you, sir.
6 Thank you, Your Honor.
7 MR. FUNK: One very brief matter, Your Honor.
8 REDIRECT EXAMINATION
9 BY MR. FUNK:
10 Q. [redacted] the defense counsel referred to what you said, that
11 there were between 50 and 100 instances. The question was how
12 many times had you had sexual contact with McCaffery while in
13 high school, and you said that you'd put the number between 50
14 and 100, isn't that right?
15 A. Correct.
16 Q. Is what you meant 50 to 100 occasions as in days?
17 A. It would --
18 Q. If you can't remember --
19 A. I'll word the way I want to word it. Stuff happened
20 before high school. I'm not trying to get picky on the
21 wording here, but it happened way over 200 times, and we're
22 not talking just days. If I wanted to consider every single
23 instance, it's enormous.
24 MR. FUNK: Thank you very much.
25 THE COURT: Mr. Royce?

1 MR. ROYCE: Thank you. Nothing further, Judge.
2 THE COURT: [redacted] you may step down. Thank you.
3 (Witness excused.)
4 MR. FUNK: Your Honor, the Government would call
5 Special Agent Jarrod Lee Winkle.
6 THE COURT: Would you step up here and raise your
7 right hand, please?
8 (Witness duly sworn.)
9 JARROD LEE WINKLE,
10 GOVERNMENT'S WITNESS, DULY SWORN
11 DIRECT EXAMINATION
12 BY MR. FUNK:
13 Q. Special agent, could you state your name, spelling your
14 last name for the record, please?
15 A. It's Jarrod Lee Winkle, W-i-n-k-l-e.
16 Q. How are you employed?
17 A. I'm a senior special agent with the United States Customs
18 Service.
19 Q. And how long have you been employed with Customs Service?
20 A. With customs, approximately 11 years. As a special agent,
21 five years.
22 Q. Are you as a customs agent involved in the investigation,
23 or were you involved in the investigation of sexual
24 exploitation of children?
25 A. Yes, sir.

1 Q. How many cases of sexual exploitation have you
2 investigated in your career with the Customs Service?
3 A. Over 30.
4 Q. What was your assignment on June 11th, 2002?
5 A. I was investigating Mr. McCaffery's involvement in child
6 pornography.
7 Q. And how did Mr. McCaffery come to your attention?
8 A. A child pornography Web site was taken down by the New
9 Zealand police, which Mr. McCaffery was a paying customer of
10 that Web site.
11 Q. So he paid for access to child pornography?
12 A. That's correct.
13 Q. Did you conduct a search of the -- by the way, can you
14 identify the defendant in the courtroom today?
15 A. Yes, sir. He's wearing the orange jumpsuit.
16 MR. FUNK: Identification, Your Honor?
17 THE COURT: The record will reflect the
18 identification of the defendant.
19 BY MR. FUNK:
20 Q. On June 11th, 2002, did you conduct a search of Vincent
21 McCaffery's apartment or residence at [redacted] in
22 Chicago?
23 A. Yes, sir.
24 Q. And did you have occasion to talk to the defendant that
25 day?

1 A. Yes, sir.
2 Q. And where did that interview take place?
3 A. That interview was conducted in the kitchen area of
4 Mr. McCaffery's home.
5 Q. Was anybody else with you?
6 A. Special Agent Pieretti and Postal Inspector Bob Williams.
7 Q. And Special Agent Pieretti is a customs agent?
8 A. Yes, sir.
9 Q. Approximately what time of day was it when this interview
10 took place?
11 A. It was in the afternoon, approximately 4:00 p.m.
12 Q. Did you read the defendant his Miranda rights prior to
13 questioning him?
14 A. Mr. McCaffery was given his Miranda rights, yes, sir.
15 Q. Did he, in fact, sign a Miranda waiver, a statement that
16 he understood what his rights were?
17 A. Yes, sir.
18 Q. Would you characterize Mr. McCaffery as having been
19 cooperative during that interview?
20 A. He was cooperative, yes, sir.
21 Q. And you mentioned previously Special Agent Pieretti and
22 Postal Inspector Williams. Were they present with you during
23 the entire length of the interview?
24 A. Yes, sir.
25 Q. What was the nature of your questions or your questioning

1 of Vincent McCaffery on that day?
2 A. The initial questioning concerned his activity in child
3 pornography.
4 Q. Did the defendant admit to you that he possessed child
5 pornography?
6 A. Yes, sir.
7 Q. Did he indicate how much child pornography he possessed?
8 A. He indicated he had approximately a thousand images of
9 child pornography.
10 Q. In fact, did subsequent forensic analysis of the
11 defendant's computer, CD-ROMs seized from dressers, printouts
12 recovered from various places in his house, show you that
13 there were, indeed, over 4,000 images?
14 A. That's correct.
15 Q. Did he explain to you why he had so many images of
16 children being sexually exploited?
17 A. He indicated that he used that child pornography as a
18 sexual release to keep him from going out into the community
19 and doing those things.
20 Q. So when he said that, did that mean to you that if he
21 didn't have child pornography, he would sexually abuse
22 children?
23 A. Yes, sir.
24 MR. ROYCE: Objection, Your Honor. I don't think
25 that's a logical conclusion, nor do I think this witness is

1 qualified.
2 THE COURT: I'll let you cross-examine, Mr. Royce.
3 MR. ROYCE: Thank you, Your Honor.
4 THE COURT: The objection is overruled.
5 BY MR. FUNK:
6 Q. Are you sure that he said that if he didn't have access to
7 child pornography as a release, he would go out into the
8 community and exploit real children?
9 A. His statement was that if he did not have child
10 pornography as a release, that particular type of imagery kept
11 him from going out into the community and doing those sorts of
12 things.
13 Q. In addition to paying money for membership in Web sites
14 featuring the sexual exploitation of little children, did he
15 also pay money to receive videos or video clips on CD-ROMs
16 that also featured the sexual exploitation of children?
17 A. He indicated that he had paid for three CD-ROMs.
18 Q. And were these CD-ROMs and the images recovered from his
19 computer and other sources, were they images of boys or girls?
20 A. Boys.
21 Q. Did those images include images of sadomasochistic abusive
22 conduct?
23 A. There were some of those, some of those images, yes, sir.
24 Q. Images of basically children being tortured.
25 A. For example, an image of a boy in a cage.

1 Q. What, if anything -- oh, by the way, did you recover
2 printouts of the images depicting the sexual exploitation of
3 children, boys?
4 A. Yes, sir. There were approximately 200 to 250 printouts
5 located in the residence itself.
6 Q. And where did you find these images?
7 A. They were located in the bedroom area, under the bed, that
8 kind of place.
9 Q. So he had some hidden under his bed?
10 A. Yes, sir.
11 Q. What, if anything, did this man say to you about any
12 addictions that he claimed to have?
13 A. Mr. McCaffery indicated that he had a sexual addiction to
14 teen-age boys.
15 Q. To images of teen-age boys?
16 A. To actual teen-age boys.
17 Q. Now, what views did he express concerning the sexual
18 exploitation of children through child pornography?
19 A. Mr. McCaffery indicated that he viewed child pornography
20 as a victimless crime.
21 Q. A victimless crime?
22 A. Yes, sir.
23 Q. In your experience as a special agent, is the sexual
24 exploitation of children through images a victimless crime?
25 A. It's far from it, sir.

1 Q. Did Vince McCaffery admit to you that he was a former
2 priest?
3 A. He did, sir.
4 Q. How did he describe the circumstances of his leaving the
5 priesthood?
6 A. He indicated that he was -- that he resigned from the
7 priesthood because of his issues with child pornography.
8 Q. Is that true?
9 A. No, sir.
10 Q. Did he ever resign from the priesthood?
11 A. He was dismissed from the priesthood, sir.
12 Q. Was he ever asked about whether he had sexual contact with
13 young boys?
14 A. I asked him that question, and Mr. McCaffery stated that
15 over the last 15 years he had no sexual contact with boys.
16 Q. Over the last 15 years?
17 A. Correct.
18 Q. Did you ask him whether he had sexual contact with boys
19 before that period of time?
20 A. I asked him about the previous 15 years, you know, before
21 the last 15 years what had happened, and he got kind of irate
22 and refused to answer that question and refused to make any
23 further statements about that issue.
24 Q. So he never admitted directly to you that he ever molested
25 anybody.

1 A. No, sir.
2 MR. FUNK: Nothing further at this point, Your
3 Honor.
4 THE COURT: Mr. Royce?
5 (Discussion off the record.)
6 CROSS-EXAMINATION
7 BY MR. ROYCE:
8 Q. Sir, you were there pursuant -- you were at
9 Mr. McCaffery's residence on [redacted] for the purpose of
10 executing a search warrant?
11 A. No, sir.
12 Q. You were there for the purpose of investigating child
13 pornography.
14 A. That's correct, sir.
15 Q. At that time, you had no legal process or warrant to
16 arrest him or to seize his person or property, did you?
17 A. No, sir.
18 Q. When you went there, you met him outside the residence?
19 A. Yes, sir.
20 Q. When you met him outside the residence, did you identify
21 yourself to him?
22 A. Yes, sir.
23 Q. And did he identify himself to you?
24 A. Yes, sir.
25 Q. Did he give you his true name?

1 A. Yes, sir.
2 Q. Did he show you identification?
3 A. Yes, sir.
4 Q. And did he cooperate outside the residence with you in
5 answering your questions?
6 A. He actually invited us in, sir.
7 Q. Then he invited you into his residence on the first floor?
8 A. Yes, sir.
9 Q. At that time, he did not attempt in any way to evade or
10 not respond to your questions, is that correct?
11 A. He was cooperative.
12 Q. Then he gave you consent, signed a consent to search his
13 residence.
14 A. That's correct.
15 Q. And you presented him with what we've customarily known
16 over the last several years as the Miranda warnings, is that
17 right?
18 A. That's correct.
19 Q. That was on a preprinted form prepared by yourself or the
20 Government to have Mr. McCaffery sign.
21 A. Yes, sir.
22 Q. You read him his rights?
23 A. Yes, sir.
24 Q. And he signed it?
25 A. Yes, sir.

1 Q. And he then began to answer all of your questions, is that
2 correct?
3 A. That's correct, sir.
4 (Discussion off the record.)
5 MR. ROYCE: May I approach?
6 THE COURT: Yes.
7 BY MR. ROYCE:
8 Q. I'm going to show you Defendant's Exhibit 2 for
9 identification which consists of a series of photographs. For
10 the record, I'd ask you if you'd just look through those and
11 identify them as generally as you can, just to yourself, if
12 they truly and accurately depict Mr. McCaffery's residence
13 from the outside as well as his apartment or condo from the
14 inside.
15 A. These pictures appear to look like the residence, yes,
16 sir.
17 Q. All right. You can take your time because some of them
18 reflect specific items, if you'd just go through them all.
19 A. Yes, sir.
20 Q. Have you done that?
21 A. Yes, sir.
22 Q. Okay. Those photographs in Defendant's 2 exhibit the
23 outside as well as the inside of Mr. McCaffery's residence.
24 A. It appears so, yes, sir.
25 Q. All right. Was that at the time when you entered the

1 premises or when you left the premises?
2 A. I believe some of these images were taken before we
3 entered the residence and during the time that we were there.
4 Q. All right. You conducted a thorough search of the
5 premises, did you not?
6 A. I did not personally conduct a thorough search. Agents
7 that were with me at the time assisted in conducting that
8 search.
9 Q. When I say "you," I'm referring to you and your brother or
10 sister agents.
11 A. That would be correct, sir.
12 Q. All right. In the search, you responded to places where
13 Mr. McCaffery said certain items were located, and by that I
14 mean he pointed to you where his computer was.
15 A. Well, the computer was in the living room. It was kind of
16 obvious where the computer was, sir.
17 Q. I see. Did he turn it on for you, or was it already on?
18 A. I do not believe -- I believe the computer was already on,
19 but I don't recall for certain, sir.
20 Q. And did Mr. McCaffery indicate to you that he was aware of
21 your investigation of child pornography?
22 A. That he was aware? I mean, he was made aware by when we
23 entered the residence.
24 Q. After you told him that, then did he tell you that he was,
25 in fact, involved in child pornography?

1 A. He indicated that he did possess child pornography on his
2 computer.
3 Q. I'm going to go through a series of questions, and I'm
4 going to ask you whether or not you asked him and he answered
5 them in accordance with your questioning of him. Is that all
6 right?
7 A. Sure.
8 Q. You asked him his date of birth, and he told you [redacted]
9 A. That's correct.
10 Q. You asked him for his Social Security number, and he
11 provided it to you.
12 A. Yes.
13 Q. You asked him if he was born in Evergreen Park, and he
14 said yes.
15 A. Yes.
16 Q. You asked him if he lived alone and owned his present
17 residence for about two years, and he said he did.
18 A. Well, these are answers he stated based on questions, but
19 yes, sir.
20 Q. You asked him if he had ever been married, and he said he
21 hadn't.
22 A. That's correct.
23 Q. And everything up to that is exactly the truth that you've
24 confirmed later on, isn't that correct?
25 A. Yes, sir.

1 Q. Did you ask him if he was employed and he said that he was
2 employed at State Farm Insurance?
3 A. That's correct, sir.
4 Q. He gave you the address and the hours that he worked
5 there?
6 A. More or less, yes, sir.
7 Q. And he gave you the period of time in which he worked
8 there.
9 A. Yes, sir.
10 Q. He also said he was a manager of a gas station, an Amoco
11 station, didn't he?
12 A. He said he was previously employed as that, yes, sir.
13 Q. And he'd been doing that for ten years.
14 A. Yes, sir.
15 Q. He told you he owned the computer for three years, and he
16 was the sole user of that computer and didn't want to blame
17 this computer contact on anyone else, didn't he?
18 A. He indicated that he was the sole owner of that computer,
19 yes, sir.
20 Q. And he told you his e-mail address?
21 A. Yes, sir.
22 Q. And he said he had had it for about a year.
23 A. Yes, sir.
24 Q. You asked him about a computer Web site called
25 www.boystars.net, b-o-y-s-t-a-r-s, and www.boyzgal.com,

1 b-o-y-z-g-a-l. Did you ask him about those two?
2 A. Yes, sir.
3 Q. And was the reason you asked him about those two because
4 those were specific child pornography Web sites?
5 A. Those were the Web sites that were taken down by the New
6 Zealand police.
7 Q. Did he tell you that he could have been a member of those
8 Web sites but he really wasn't sure?
9 A. He indicated that he didn't quite recall the names of the
10 sites, but he indicated, yes, it was a possibility that he was
11 a member of those sites.
12 Q. Did he tell you he had paid for these access to Web sites
13 and that they depicted young boys posing nude?
14 A. Yes, sir.
15 Q. Did he tell you that he viewed them about two times a
16 week?
17 A. That's what he indicated, yes, sir.
18 Q. Then you asked him if he had any contact with minors, and
19 he said he did not have any contact with minors at all.
20 A. That's correct.
21 Q. Now, later on in the interview, there was a follow-up
22 about times, dates, and places, and we'll get into that. But
23 you generally asked him at that time about his contact with
24 minors, and he said he didn't have any, right?
25 A. Yes, sir.

1 Q. All right. He told you that he was presently in
2 counseling for a sexual attraction to teen-age boys?
3 A. That's correct.
4 Q. And he said that the disorder that he was being treated
5 for was something called -- and I believe you wrote it down,
6 but I'll spell it -- h-e-b-a-p-h-i-l-i-a?
7 A. I believe that's what he indicated. It was hebaphilia,
8 and then he explained that it was a sexual addiction to young
9 boys, teen-age boys.
10 Q. And he answered that question when you asked him.
11 A. Yes, sir.
12 Q. He told you he was on medication for depression?
13 A. Yes, sir.
14 Q. Then he also said to you that he felt that looking at the
15 child pornography was a victimless crime, isn't that right?
16 A. That's correct, sir.
17 Q. You didn't analyze with him or discuss the philosophical
18 background of whether or not young children who posed for
19 those scenes and were involved in that kind of behavior was
20 victimless, did you, sir?
21 A. It wasn't my job to discuss philosophy, sir.
22 Q. I'm only asking you if you did that.
23 A. No, sir.
24 Q. But his response to you as to that was looking at them, he
25 viewed looking at them as a victimless crime.

1 A. He indicated that viewing the child pornography images,
2 that he considered it a victimless crime.
3 Q. Okay. He indicated also that he abuses himself or
4 masturbates as a result of viewing that?
5 A. He indicated he fantasized and masturbated to the images,
6 yes, sir.
7 Q. Now, when you told the prosecutor that he said to you that
8 he had a thousand images of pornography, in fact, we have seen
9 and you have shown to me the numbers on the pornography. It
10 exceeds that number. It's about 4200 or 4400 images?
11 A. It's in the 4,000 range, yes, sir.
12 Q. And the thousand, was that a specific number that he
13 referred to, or was that a generic response in your
14 relationship with him when you were interviewing him at the
15 house that day?
16 A. I'm not sure whether I could answer whether he thought it
17 was a generic response or a specific number. He just told me
18 a thousand images.
19 Q. Did you sense that he was trying to mislead you, trick
20 you, or deceive you in any way when he said he had a thousand
21 images of pornography?
22 A. As I previously stated, he was very cooperative, sir.
23 Q. You asked him whether or not he had submitted on the Web
24 sites any of his own child pornography, and he answered no.
25 A. If he had distributed, I asked him that, yes, and he said

1 no.
2 Q. You asked him whether or not he placed on the Web sites
3 any child porn, and he said no.
4 A. That's correct.
5 Q. Now, in your investigation --
6 MR. ROYCE: Strike that. Excuse me, Your Honor. I
7 beg your pardon. It's a poor habit that I have. I apologize.
8 BY MR. ROYCE:
9 Q. Excuse me, sir. In your investigation of this subsequent
10 to this seizure and arrest that day -- strike that -- seizure
11 of the items and removal from the apartment that day, did you
12 ever find out whether or not Vince McCaffery had ever posted
13 anything on the Web site, any child porn?
14 A. We had found no indication that he had sent any child
15 pornography.
16 Q. And is it fair to say that you did conduct an
17 investigation for that specific purpose?
18 A. We conducted an investigation for many different purposes,
19 and that was one of them, yes, sir.
20 Q. And you came up without any information or evidence that
21 he did that.
22 A. Concerning distribution?
23 Q. Yes.
24 A. That's correct, sir.
25 Q. So your investigation till today is that it was primarily

1 the end receipt of this pornography that he was involved with,
2 isn't that correct?
3 A. That is correct, sir.
4 Q. He explained to you somewhat in detail a limited knowledge
5 of the use of the Web sites and computers, specifically
6 Windows '98?
7 A. He explained that he had some knowledge of computers, yes,
8 sir.
9 Q. But he didn't say he was really proficient in its use, is
10 that correct?
11 A. No, sir.
12 Q. You asked him about his employment as a priest, and he
13 described to you that he -- basically he described his history
14 as a priest with the Roman Catholic church in the Archdiocese
15 of Chicago, detailing the parishes that he was assigned to?
16 A. Yes, sir.
17 Q. He told you he resigned his position due to issues with
18 child pornography?
19 A. That's correct, sir.
20 Q. Were you aware that child pornography was part of the
21 issues involved in his resignation from the priesthood?
22 A. We were not aware at the time that this interview was
23 initially conducted concerning why he was even a member of the
24 priesthood and why he was dismissed at all --
25 Q. All right.

1 A. -- until we found the documentation during the search.
2 Q. I believe on direct examination you said he didn't resign
3 from the priesthood. Is that your testimony?
4 A. He indicated that he was dismissed. I'm sorry. I said
5 resigned. He indicated that he was dismissed by the church
6 for his issues with child pornography.
7 Q. And that he did resign voluntarily as a result of his
8 misconduct.
9 A. He just indicated he was dismissed by the church for child
10 pornography issues.
11 Q. You specifically asked him whether or not he had any
12 contact with any children in the last 15 years, right?
13 A. Yes, sir.
14 Q. And he said he did not?
15 A. The 15-year time frame was a time frame given by him.
16 Q. I understand. He said to you: I haven't had any contact
17 with children in the last 15 years.
18 A. That's correct, sir.
19 Q. Then I believe you told the Government and the Court that
20 you followed up or that there was a follow-up with what
21 happened prior to those 15 years, is that right?
22 A. That's correct, sir.
23 Q. And he didn't elaborate?
24 A. He became kind of irate and upset and refused to answer
25 what happened previous to those 15 years.

1 Q. Well, when you say that he became irate, did he begin
2 arguing with you?
3 A. No, sir. His demeanor changed, and he literally almost
4 jumped out of his chair when I kind of asked that question.
5 Q. He refused to answer that.
6 A. He just basically said he did not want to get into that
7 previous 15 years.
8 Q. He did not lie to you and say that there wasn't any action
9 15 years before, did he?
10 A. He just stated that he did not want to talk about that.
11 Q. He didn't attempt to trick you or mislead you and say to
12 you he never had any sexual misconduct 15 years ago with
13 minors, did he?
14 A. Again, sir, I told you he was cooperative.
15 Q. Well, I'm asking specifically because that's very
16 important to my questions here today. If you understand it,
17 please answer it. If you don't, tell me and I'll try to
18 rephrase it.
19 A. He did not mislead us. He did not provide us an answer
20 either, sir.
21 Q. He did not present to you any frivolous statement of
22 defense or anything about what he did 15 years ago. He merely
23 refused to volunteer that question -- volunteer answers to
24 that question.
25 A. He didn't provide any statement other than that he didn't

1 want to talk about that, sir.
2 Q. All right. You're aware that even under the Miranda
3 rights a person can stop answering questions at any time on
4 specific subjects, and that's permissible under the law.
5 A. Well, certainly, sir.
6 Q. And you respect and accept that as a fair proposition of
7 the law?
8 A. Yes, sir.
9 Q. I presume in your experience as a police officer -- strike
10 that -- as a customs agent, you've had that happen.
11 A. Sure.
12 Q. In this instance, it was no different.
13 A. Yes, sir.
14 Q. He answered all your questions about one specific area
15 that you asked him, but he just stopped about one area, about
16 what happened 15 years ago.
17 A. Yes, sir.
18 THE COURT: How much more do you have of this
19 witness, Mr. Royce?
20 MR. ROYCE: I'm sorry, sir?
21 THE COURT: How much more do you have of this
22 witness?
23 MR. ROYCE: Just two more minutes.
24 THE COURT: All right.
25 BY MR. ROYCE:

1 Q. Did you arrest Mr. McCaffery at that time?
2 A. No, sir.
3 Q. Okay. You had a conversation with him about his medical
4 and mental condition, didn't you?
5 A. Yes, sir.
6 Q. And did he make a call to a doctor while you were present?
7 A. I do not recall if he made a call, sir.
8 Q. Okay. But in any event, were you aware that he was going
9 to seek some medical information or attention and that you'd
10 come back later and talk to him about further proceedings? Is
11 that right?
12 A. I'm not aware of what you're talking about, sir.
13 Q. What happened when you left that day?
14 A. What happened? We took the items, and we departed the
15 residence.
16 Q. Okay. When you saw him in the possession of child
17 pornography, it was your impression and understanding of the
18 law that that was a violation of the law.
19 A. Yes, sir.
20 Q. But you didn't arrest him.
21 A. That's correct.
22 Q. Why? Would you tell the Judge?
23 A. Because of the fact that forensic analysis takes time to
24 do, sir, and we had to determine if there was evidence on
25 there that we could arrest Mr. McCaffery for.

1 Q. That's on the computers, right?
2 A. That is correct.
3 Q. But you had hard copies, I believe, photos?
4 A. Yes, sir.
5 Q. And that depicted clearly those things.
6 A. Yes, sir.
7 Q. You told the Court about sadomasochistic and sadistic
8 photos in this collection, is that right?
9 A. Yes, sir.
10 Q. How many were there of those types that you would so
11 categorize?
12 A. Definitely less than ten that I'm aware of.
13 Q. Would you say that there is one of a young man holding a
14 firearm?
15 A. Yes, sir.
16 Q. And there are three photos of what appear to be covers of
17 magazines or some such background of a young boy in a cage
18 with a binding in his mouth?
19 A. I wouldn't call those covers of a magazine, sir. Those
20 are banner pages for specific child pornography Web sites.
21 Q. I stand corrected. Banner pages for the Web site
22 coverings, right?
23 A. That's correct, sir.
24 Q. And other than those, are there more than that, do your
25 recall?

1 A. You saw them, sir. There was the other one that depicted
2 someone being tied up.
3 Q. Yes, sir, that is correct. So there was one with a gun, a
4 young man with a gun, and to the best of your recollection
5 three of sadomasochistic things happening to them, right?
6 A. That's correct, sir.
7 Q. Of the 4,000-some-hundred in that collection.
8 A. Yes, sir.
9 MR. ROYCE: Thank you for your time.
10 MR. FUNK: Nothing further, Your Honor.
11 THE COURT: You may step down. Thank you.
12 (Witness excused.)
13 THE COURT: Do you have any more witnesses,
14 Mr. Funk?
15 MR. FUNK: Your Honor, could we have a five-minute
16 break?
17 THE COURT: Well, I thought it might be a good time
18 to take lunch. Mr. Royce, do you have any witnesses that
19 you're going to present today?
20 MR. ROYCE: I do, sir. I have two witnesses, one
21 who I expect at 1:00 p.m. I don't know what Your Honor wants
22 to do.
23 THE COURT: We'll recess until 1:00 p.m.
24 MR. FUNK: Thank you, Judge.
25 (Luncheon recess.)

1 IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
2 EASTERN DIVISION

3
UNITED STATES OF AMERICA,) No. 02 CR 591
4)
vs.) Chicago, Illinois
5)
VINCENT MC CAFFERY,)
6) December 9, 2002
Defendant.) 1:00 p.m.
7

8 TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE JOHN W. DARRAH
9

10 APPEARANCES:

11 FOR THE GOVERNMENT: MARKUS T. FUNK
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25

1 THE COURT: Mr. Funk?
2 MR. FUNK: Good afternoon, Your Honor. The
3 Government has concluded its presentation of the evidence.
4 MR. ROYCE: Good afternoon, sir. Your Honor, our
5 first witness this afternoon would be Dr. Kelly from the Isaac
6 Ray Center, and Your Honor may recall that this matter had
7 been the subject of a protective order and documents have been
8 transferred.
9 THE COURT: I don't recall.
10 MR. ROYCE: You don't recall?
11 THE COURT: No.
12 MR. FUNK: Your Honor, the protective order related
13 to the identity of victims. I don't want to take the words
14 out of my co-counsel's -- or out of defense counsel's mouth,
15 but to the extent that Dr. Kelly testifies, Dr. Kelly is a
16 treating physician that Mr. McCaffery had up till now,
17 presently.
18 THE COURT: Well, what's the practical effect of
19 this protective order right now, Mr. Royce?
20 MR. ROYCE: Well, the Government had -- I mean, the
21 probation officer had a release from my client which we were
22 led to believe was only to permit the report to be delivered
23 to Your Honor. That was my understanding from the Probation
24 Department.
25 THE COURT: What do you seek right now?

1 MR. ROYCE: Just that it's going to be made public
2 at this point and we're going to proceed under that line.
3 MR. FUNK: Your Honor, the Government would simply
4 request that we have an opportunity not to review it, but to
5 simply get the copy of the report so that I can at least see
6 what I -- I had not known that Dr. Kelly was going to testify.
7 THE COURT: Do I have a copy of the report now,
8 Mr. Royce?
9 MR. FUNK: I think we need a ruling from you to
10 authorize the probation officer to give it to me. I think
11 that's technically what --
12 THE COURT: I'll order you to give it to them.
13 MR. ROYCE: That's all I was asking for.
14 MR. FUNK: Thank you very much, Judge.
15 (Discussion off the record.)
16 THE COURT: Would you step up here, doctor, and
17 raise your right hand?
18 (Witness duly sworn.)
19 JONATHAN KELLY,
20 DEFENDANT'S WITNESS, DULY SWORN
21 DIRECT EXAMINATION
22 BY MR. ROYCE:
23 Q. Thank you for coming, sir. Would you be kind enough to
24 speak up nice and loud and tell us your first and last name
25 and spell your last name for the court reporter?

1 A. My name is Dr. Jonathan Kelly, K-e-l-l-y.
2 Q. And do you have a business or occupation, sir?
3 A. I do.
4 Q. And what is that?
5 A. I am in practice in psychiatry.
6 Q. And where do you practice psychiatry?
7 A. At Rush Presbyterian/St. Luke's.
8 Q. Could you briefly tell His Honor your educational
9 background starting in college, please?
10 A. I attended college in St. John Fisher in Rochester, New
11 York, from 1967 to 1971. I attended the State University of
12 New York Medical School in Syracuse from 1971 to 1975, then
13 the internship and psychiatry residency at Strawn Memorial
14 Hospital in Rochester, New York, and that was '76 to -- I'm
15 sorry -- '75 to '79. Then I came to Chicago for a forensic
16 psychiatry fellowship at Rush Pres/St. Luke's Medical Center
17 from '79 to '80.
18 Q. And since 1980, have you engaged in the practice of
19 psychiatry?
20 A. Yes.
21 Q. And are you board certified?
22 A. Yes.
23 Q. And are you board certified as a forensic psychiatrist?
24 A. Yes.
25 Q. As such, have you had occasion to work at a particular --

1 or apply your skill at a particular location?
2 A. Yes.
3 Q. And where is that?
4 A. At Rush Pres/St. Luke's Medical Center.
5 Q. And is there a particular location within Rush that you
6 practice?
7 A. Yes.
8 Q. And what is that?
9 A. At the outpatient clinic.
10 Q. And is there a name of that clinic?
11 A. The Isaac Ray Center.
12 Q. Okay. What is the Isaac Ray Center?
13 A. It's an outpatient forensic psychiatric clinic.
14 Q. And how long have you been so employed?
15 A. I've been there since 1980 as an employee.
16 Q. To the present time.
17 A. Yes.
18 MR. ROYCE: I would offer him as an expert in the
19 area of forensic psychiatry.
20 MR. FUNK: No objection, Your Honor.
21 THE COURT: I find that Dr. Kelly is an expert in
22 the field of psychiatric medicine.
23 BY MR. ROYCE:
24 Q. Doctor, in the course of your performance of your
25 specialty as a forensic psychiatrist, have you had occasion to

1 deal with a patient named Vincent McCaffery?
2 A. Yes.
3 Q. Now, when was it that you first began dealing with him in
4 a professional capacity?
5 A. In 1994.
6 Q. And do you recall the circumstances of your dealing with
7 him?
8 A. Yes.
9 Q. And would you tell the Court what those were?
10 A. He was being seen as an outpatient for treatment of a
11 sexual disorder.
12 Q. And since 1994 till the present -- till approximately June
13 of this year, was he under your care as a patient?
14 A. Yes.
15 Q. And what did that treatment since 1994 consist of
16 generally?
17 A. The treatment included medication, psychotherapy,
18 monitoring.
19 Q. As far as -- well, if we can just deal with those three
20 areas, the medication, what type of medication, if you recall,
21 was prescribed for Vincent McCaffery?
22 A. He was prescribed antidepressant medication.
23 Q. Any others?
24 A. Since 1994, no.
25 Q. Prior to that, were you aware of him being on any

1 particular medication?
2 A. He was.
3 Q. And what was that?
4 A. He had been on Depo-Provera.
5 Q. And what is that medication?
6 A. That's an antiandrogen medication.
7 Q. For those of us who don't understand that, would you tell
8 us, if you could, in layman's terms what that medication does
9 or is designed to do for a human being?
10 A. It reduces testosterone level and sex drive.
11 Q. Prior to his arrival or shortly after his arrival, did you
12 review any of his medical history or treatment background?
13 A. Yes.
14 Q. And where did you obtain that information?
15 A. That information was from the psychiatrist treating him
16 before I saw him?
17 Q. Okay. Did you become aware of whether or not Vincent
18 McCaffery had been a patient at the St. Luke's Institute in
19 Maryland?
20 A. I did.
21 Q. And are you familiar with what that is?
22 A. Yes.
23 Q. Would you tell the Court what that facility is?
24 A. It's an inpatient residential treatment program for
25 individuals with various psychiatric disorders.

1 Q. And is it designed to assist anyone in particular,
2 priests, or is it a general treatment facility?
3 A. My understanding is that it has not only clergy
4 population, but other nonclergy.
5 Q. Okay. From your review of the records of Vincent
6 McCaffery prior to his arrival at your facility, did you learn
7 that he had been an inpatient at St. Luke's?
8 A. Yes.
9 Q. Did you learn how long he was there?
10 A. Yes.
11 Q. How long was he an inpatient?
12 A. He was an inpatient from May to December of 1987.
13 Q. And after that did he participate, according to the
14 records that you reviewed, in outpatient or after-care
15 programs, approximately eight in number over the years?
16 A. After St. Luke's?
17 Q. Yes. At St. Luke's.
18 A. Well, when you say after-care programs at St. Luke's, I'm
19 not clear.
20 Q. Did the reports reflect whether or not he was released or
21 he was discharged as a patient from St. Luke's in December?
22 A. Yes.
23 Q. And after that was there an after-care program that he was
24 involved with?
25 A. Yes.

1 Q. And was that at St. Luke's?
2 A. The after-care program after December of 1987 was at Rush
3 Pres/St. Luke's.
4 Q. In relation to the St. Luke's program?
5 A. Well, St. Luke's has its own after-care program where
6 their staff are involved.
7 Q. Okay. That's in Maryland, but his after-care program in
8 accordance with the St. Luke's program was at Rush, is that
9 right?
10 A. He was referred from the inpatient program to Rush
11 Pres/St. Luke's.
12 Q. And did he continue that after-care program to completion
13 as far as you knew?
14 A. Yes.
15 Q. All right. When he came to you as a patient in '94, did
16 he go through and follow all of your recommendations as to
17 treatment?
18 A. Yes, I believe so.
19 Q. Did he meet with you on a regular basis?
20 A. Yes, he did.
21 Q. And what was that regular-basis appointment that he met
22 with you?
23 A. I'd say most of the time it was on a monthly basis
24 Q. And did he maintain the medication that you prescribed to
25 deal with whatever ailments he was suffering?

1 A. He did take medication.
2 Q. And the treatment specifically that you had designed for
3 him consisted of counseling?
4 A. Counseling and medication.
5 Q. And was the counseling a designed and calculated program
6 for his particular sexual addiction or disorder?
7 A. For his sexual disorder and depression.
8 Q. And did he follow, to the best of your knowledge and
9 experience, the program?
10 A. Yes, he did.
11 Q. And did he meet with you on a monthly basis from 1994
12 until 2002?
13 A. He did.
14 Q. Okay. Were you aware of any relapses of his acting out
15 with children or any minors during that period of time?
16 A. No.
17 Q. Doctor, in your history and the report that you've
18 prepared in this case, you made certain notations as to your
19 experience with Mr. McCaffery specifically in the numbers of
20 persons with whom he had sexual contact, is that correct?
21 A. He did report that.
22 Q. All right. What was the report that he related to you as
23 far as the numbers of persons he had contact with?
24 A. I believe in 2002 an estimate was 40 to 50.
25 Q. And that estimate of 40 to 50 was of male sexual persons

1 with whom he had contact, is that correct?
2 A. Yes.
3 Q. And that was from the time he was a teen-ager, isn't that
4 correct?
5 A. Yes.
6 Q. Okay. Was there any delineation in his report to you and
7 your review of that clinical material as to the contacts that
8 he had with persons, minor persons, when he was a priest or in
9 a position of trust in the priesthood from approximately 1979
10 on?
11 A. I don't recall that delineation.
12 Q. So the total representation in your report of his 40 to 50
13 contacts of male sexual encounters was from the time of his
14 teen-age years up until the present, is that correct?
15 A. Up until 1988.
16 Q. Up until 1988?
17 A. Yes.
18 Q. Okay. This was reported to you in the year 2002.
19 A. Yes.
20 Q. All right. Did Mr. McCaffery report to you any sexual
21 activity that he had from 1988 until 2002?
22 A. With a particular individual other than himself, he did
23 not.
24 Q. All right. Did you receive any indication or reports as
25 to whether or not that was a true statement or nontrue

1 statement?
2 A. I haven't received any reports to contradict that.
3 Q. All right. Doctor, were you also aware of whether or not
4 Mr. McCaffery was involved in any 12-step Alcoholics Anonymous
5 program?
6 A. Yes.
7 Q. And how did you become aware of that?
8 A. He reported on a regular basis his involvement in
9 Alcoholics Anonymous.
10 Q. And did you learn from your relationship with him that he
11 was also what they called a sponsor in the AA program?
12 A. Yes.
13 Q. And he assisted other persons who had similar alcohol
14 addictions.
15 A. He did.
16 Q. All right. Doctor, you indicated in a report that
17 Mr. McCaffery related to you in one of your interviews, you
18 concluded in a report that he had hundreds of sexual contacts
19 over his -- over a period of time, is that correct?
20 A. That statement was made by him at that point.
21 Q. And was it your statement in the report to be interpreted
22 that he had a hundred sexual partners or that he had hundreds
23 of sexual contacts with male partners?
24 A. My understanding was the latter.
25 Q. And just so it's clear, he didn't say: I had sex with a

1 hundred different people. I had sex hundreds of times.
2 A. Hundreds of times.
3 Q. With the people that he referred to.
4 A. Yes.
5 Q. Specifically there was a question in an interview in one
6 of the early sessions in your review of his clinical report
7 about specific contacts with children between the ages of,
8 say, 12 and 17, was there not?
9 A. I believe the reference was to post-pubescent male
10 adolescents.
11 Q. And did he relate to you at that time that he believed it
12 to approximately 12 to 14 times in his life -- 12 to 14
13 different persons in his life?
14 A. At one point, I believe he did make that statement, yes.
15 Q. And has that been a consistent representation by him
16 throughout your entire approximately eight years of treatment,
17 therapy, and prescription of medication for him?
18 A. I don't recall conflicting information with that.
19 Q. Doctor, what specific ailment --
20 MR. ROYCE: Strike that.
21 BY MR. ROYCE:
22 Q. Does Mr. McCaffery or did Mr. McCaffery or has
23 Mr. McCaffery experienced a specific sexual disorder as far as
24 you are concerned?
25 A. He has.

1 Q. And what is that?
2 A. The term would be ephebophilia, and that's
3 e-p-h-e-b-o-p-h-i-l-i-a.
4 Q. If you would be kind enough, could you tell me and the
5 Court and the other parties here what that translates to in
6 layman's terms?
7 A. Basically a sexual disorder involving sexual arousal to
8 male minors in the adolescent age range.
9 Q. The counseling and the treatment and the medication that
10 you have prescribed and set up as a treatment pattern for him,
11 do you believe based upon a reasonable degree of medical and
12 scientific certainty that that has assisted Mr. McCaffery in
13 controlling that sexual ephebophilia?
14 A. Ephebophilia.
15 Q. Yes.
16 A. Yes.
17 Q. And how is it that you believe that has assisted him?
18 A. Well, Mr. McCaffery was consistent in complying with his
19 treatment, both medication and sessions, and reported his
20 sexual thoughts or his behavior on a regular basis when he
21 came in for sessions. There was no indication from him or
22 other sources that he had sexual contact with minors during
23 the course of treatment with me.
24 Q. Were you familiar that in the spring of June of 2002 an
25 event occurred in Mr. McCaffery's life that brought him to

1 your attention on an emergency basis?
2 A. Yes.
3 Q. Would you tell His Honor what that was?
4 A. Mr. McCaffery reported that law enforcement individuals
5 had come to his apartment to search his apartment.
6 Q. When you saw him, did he -- did you then physically
7 examine him or see him?
8 A. I saw him on June 12th.
9 Q. The day after the event of the contact with the law
10 enforcement agency?
11 A. Yes.
12 Q. Did he appear or did he articulate to you any suicidal
13 ideation or statements?
14 A. He did.
15 Q. Did he appear to be substantially depressed and not
16 responsive generally to the situation about him?
17 A. He was significantly depressed.
18 Q. Did you counsel him?
19 A. Yes.
20 Q. And did you place him inpatient at that time?
21 A. Yes, he was admitted.
22 Q. Admitted at Rush?
23 A. Yes.
24 Q. And as a result of that treatment and medication, did you
25 reach a diagnosis of his condition at that time?

1 A. Yes.
2 Q. And what was that diagnosis?
3 A. He had a diagnosis of a major depression and ephebophilia
4 and a history of alcohol dependency.
5 Q. All right. The ephebophilia, was that in remission?
6 A. Yes.
7 Q. The alcoholism, was that in remission?
8 A. Yes.
9 Q. And the depression, was it active?
10 A. The depression was active.
11 Q. Doctor, is there a set schedule and pattern based upon
12 your experience as a forensic psychiatrist, your many years of
13 experience as you've described to the Court, in the treatment
14 of this particular sexual -- and I'll use the term disorder if
15 that is appropriate.
16 A. I'm sorry. Your question was?
17 Q. Is there a specific pattern of treatment that is followed
18 in treating the type of disorder that Mr. McCaffery has?
19 A. Well, there are different treatment modalities depending
20 on what problems an individual presents with.
21 Q. And your diagnosis was to treat him through counseling,
22 medication and, if necessary, inpatient at times?
23 A. Yes.
24 Q. Has he responded to that treatment?
25 A. He responded to treatment while he was in treatment.

1 Q. Do you believe -- and that was up until June of 2002,
2 correct?
3 A. Yes.
4 Q. All right. Do you believe that from the time you met him
5 in '94 until 2002 that he abused any minor children,
6 prepubescent age?
7 A. I don't have information from him or other sources that he
8 did.
9 Q. All right. Did you -- was there a recognition by
10 Mr. McCaffery to you of his problem, of his sexual problem?
11 A. Yes.
12 Q. And was he aggressively working on solving that problem?
13 A. He did, yes.
14 Q. Did he seem to be one interested in avoiding further
15 sexual contact with minor children?
16 A. He did.
17 Q. Now, based upon a reasonable degree of medical and
18 scientific certainty, do you have an opinion as to whether or
19 not Mr. McCaffery presently poses a danger to society in that
20 he will engage in future molestation of children, prepubescent
21 boys between the ages of 11 and 16 or 17? Do you have an
22 opinion?
23 A. I do not have an opinion.
24 Q. And why is that?
25 A. I haven't seen Mr. McCaffery since June of 2002.

1 Q. And are you aware that he has been in custody since
2 approximately June the 14th?
3 A. Yes.
4 Q. Since the time he was released from your hospital.
5 A. Yes.
6 Q. If I could ask you then based upon an opinion from 1994
7 until 2002, June 14th, would you have an opinion based upon
8 your experience in his treatment and his attitude in relation
9 to treatment and psychiatric care that he would pose a danger
10 to continue his -- or to re-engage in sexual molestation of
11 prepubescent children?
12 A. Again, I don't have an opinion about that.
13 Q. And why would that be?
14 A. I haven't seen him since June of 2002.
15 Q. Well, I'm asking if you could stop as of June of 2002,
16 just from that period, from '94 until June of 2002. Is it
17 possible, or do you need a current evaluation?
18 A. Just to clarify, you're asking what my opinion is about
19 his risk of having symptoms again as of June of 2002?
20 Q. Yes, sir.
21 A. He is at risk from his disorder if he is not engaged
22 actively in appropriate treatment.
23 Q. And what type of appropriate treatment do you think is the
24 kind that would be assisting him in controlling his behavior?
25 A. The treatment that he was getting when I last saw him.

1 Q. And if he did upon being sentenced to an institution, if
2 he did get that kind of treatment, do you think based upon a
3 reasonable degree of medical and scientific certainty and your
4 experience as a physician and your treatment of him, Vincent
5 McCaffery, for the last eight or so years to June of 2002,
6 that he would pose a danger to the community?
7 A. If he were institutionalized?
8 Q. And going through treatment.
9 A. Well, I presume institutionalization would mean he would
10 not have access to minors.
11 Q. Right.
12 A. If he was actively engaged in treatment, I wouldn't expect
13 he would be a risk at that point.
14 Q. But you think or you believe that it's necessary that he
15 be treated and continually treated in a psychiatric setting to
16 control his disorder.
17 A. Yes.
18 Q. Is part of the principal treatment and evaluation and
19 diagnosis of the particular disorder that Mr. McCaffery has
20 one of what I just would characterize as acceptance of
21 responsibility, acceptance of the fact that he did certain
22 things?
23 A. That would certainly be an area that would be addressed.
24 Q. And did Mr. McCaffery accept his misconduct and
25 responsibility from what he did?

1 A. From his accounts, yes.
2 Q. I beg your pardon?
3 A. Yes.
4 Q. I misunderstood the first part.
5 A. From his account.
6 Q. From his account.
7 A. Yes.
8 Q. And this was to you as his doctor.
9 A. Yes.
10 MR. ROYCE: Thank you, sir. I have nothing
11 further. Thank you for your time, doctor.
12 THE COURT: Cross?
13 CROSS-EXAMINATION
14 BY MR. FUNK:
15 Q. Good afternoon, doctor. Now, when you say from his
16 accounts, you're relying on what this man tells you, isn't
17 that correct?
18 A. I did.
19 Q. And that's all you have to rely on, correct?
20 A. I relied upon his account as well as other staff members
21 who had contact with him.
22 Q. And in his account -- and I'm quoting from your June 17th,
23 2002 current clinical summary, and this is when Vincent
24 McCaffery is an adult -- he admits that he has ephebophilia,
25 right, an addiction to young boys, put in layman's terms?

1 A. Yes.
2 Q. I'm quoting here:
3 "He said he had sexual contact with 40 or 50 male
4 teens since he was a teen-ager up to 1987."
5 Isn't that correct?
6 A. Yes.
7 Q. And that was written in the context of examining his
8 fixation as an adult with young boys. That's what he was
9 seeing you for, in part.
10 A. Ephebophilia.
11 Q. Correct. Just to clarify what you said on direct
12 examination, when you said he had hundreds of contacts with
13 male partners -- I should say when he stated to you that he
14 had hundreds of contacts with male partners, they weren't just
15 male partners, but they were children, isn't that correct?
16 A. The male partners he had described were adolescents.
17 Q. Adolescents, not adult male partners.
18 A. He has indicated adults.
19 Q. You said he had hundreds and hundreds of sexual partners
20 or contacts with adult men, isn't that correct?
21 A. Well, I believe the context of him mentioning hundreds may
22 have included adults as well as adolescents.
23 Q. Well, let's go through your statement here. Actually,
24 before I get into that, you stated that the treatment that you
25 and others provided Vincent McCaffery assisted in controlling

1 his drive or his desires as they related to young boys, is
2 that right?
3 A. Yes.
4 Q. And that he responded to this treatment.
5 A. Yes.
6 Q. And that he complied with the treatment, correct?
7 A. He did.
8 Q. Did that treatment include the criminal possession of
9 images of sexual exploitation of children? Was that part of
10 the treatment plan?
11 A. When you say "part of the treatment plan," you're asking
12 about whether or not that was an issue that he might have been
13 asked about directly or indirectly?
14 Q. Well, let me try it differently. Let me pose the question
15 to you differently. He was on a treatment plan, correct?
16 A. He did have a treatment plan.
17 Q. As part of that treatment plan, was it encouraged that he
18 possess thousands of images of the sexual exploitation of
19 children? Was that part of his therapy?
20 A. No.
21 Q. In fact, when he says that he uses child pornography as a
22 release so that he doesn't actually go out and molest real
23 children, is that a release that is ordered by the doctor?
24 A. That was a description by him of his fantasies and
25 behavior.

1 Q. But I don't think you were here earlier during the
2 testimony of the agent, so assume for the moment that the
3 defendant admitted that he viewed sexual exploitation of
4 children, first of all, as a victimless crime and, secondly,
5 as a way for him to get a release so that he doesn't actually
6 go out and engage in that type of conduct with real children.
7 Now assuming that, was that part of the treatment plan that
8 you prescribed or that you told him that he should engage in?
9 A. He was not told to engage in any sexual activity.
10 Q. Or to view images of child pornography.
11 A. He was not.
12 Q. And would it trouble you as a doctor to find out that he
13 used those images as a release, and without those images that
14 he would sexually exploit actual children? Would that, if
15 that were true, change your assumption about his future
16 dangerousness?
17 A. Well, that information did change my understanding of what
18 he was doing in June of 2002.
19 Q. And if I understood you correctly during the direct
20 examination, in fact, you cannot say that Vincent McCaffery,
21 if left to his own devices, as it were, would not molest
22 another child without treatment.
23 A. As I stated before, it is important for Mr. McCaffery to
24 be in treatment.
25 Q. And you were talking about inpatient treatment?

1 A. Whether or not he needs inpatient or outpatient depends on
2 the symptoms or circumstances at any particular point.
3 Q. If Vincent McCaffery in the future has access to minors,
4 unsupervised access to minors, you cannot say that he will
5 never molest another child, can you?
6 A. I don't think anyone can predict what might occur in the
7 future.
8 Q. But you cannot say it. You cannot say with certainty that
9 he will not.
10 A. No.
11 Q. Because, in fact, ephebophilia or pedophilia, which is a
12 different term, I know, pedophilia is, in fact, a chronic
13 disability, at least according to the DSM-4, isn't it?
14 A. It is.
15 Q. Now let's talk about your report. I just want to go over
16 a couple of things here that will clarify perhaps the numbers
17 that we're talking about, not that they're necessarily all
18 important here. The December 27th, 1994 clinical summary, I'm
19 quoting:
20 "Vincent states that he had hundreds of male sexual
21 contacts during his life and about a hundred of these were
22 under the age of 18 at the time that the sexual contact
23 occurred."
24 Isn't it your recollection based on what I just
25 read you that he admitted that he had about a hundred sexual

1 contacts with children under the age of 18?
2 A. If I could just look at where you're reading, please.
3 MR. FUNK: May I approach, Your Honor?
4 THE COURT: Yes.
5 BY MR. FUNK:
6 Q. I'm showing you the December 27th, 1994 clinical summary.
7 A. He did state that.
8 Q. So he did state that he had about a hundred separate
9 sexual contacts with minor boys.
10 A. Well, what he stated is as you read it in the report.
11 Q. Under the age of 18.
12 A. Under the age of 18.
13 Q. The report further goes on to state that he had initial
14 contact with the boys he had sex with through his position as
15 a priest and at parish activities, isn't that correct?
16 A. He did report that.
17 Q. Now, turning to page 2 of the report, he stated -- and
18 tell me if you recollect this -- that he would pick up
19 hustlers in their older teens after he exited and months after
20 he exited the Guest House treatment plan in 1980. Do you
21 recall that?
22 A. Again, if I could look where you're reading from, please.
23 Q. Certainly.
24 A. So your question is: Did he state he would pick up
25 hustlers in their older teens after Guest House?

1 Q. Yes.
2 A. Yes.
3 Q. But they were in their teens, right?
4 A. Yes.
5 Q. And the report goes on to state that it was a high number,
6 a lot, but he wasn't able to recall exactly how many victims
7 he had, isn't that right?
8 A. Yes.
9 Q. He said only about 12 were not hustlers, correct?
10 A. Yes.
11 Q. So is it fair to say that he is admitting that he had a
12 lot of sexual partners who were in their teens but that only
13 12 of them were not male prostitutes, or is that what it says
14 in your report?
15 A. That's what that would indicate.
16 Q. And you got that information from this man, right?
17 A. Yes.
18 Q. Not to belabor the point, but I want to go through a
19 couple more things here. Vince McCaffery, the report
20 indicates, and this is in quotes:
21 "I was at Guest House in Rochester, Minnesota,
22 because of acting out sexually with minors in 1980."
23 Do you recall that statement?
24 A. Yes.
25 Q. So the defendant in 1994 admits that he, quote, still has

1 fantasies, some deviant, three or four times a day. Do you
2 recall that, or do you recall him saying something to that
3 effect?
4 A. Yes.
5 Q. And he considers these sexual fantasies his -- and I'm
6 quoting -- safeguard. Do you recall that?
7 A. He indicated that kept him from acting out.
8 Q. And just for the record, you and I have never talked
9 before you just got on the stand, right?
10 A. Yes.
11 Q. I mean, I never received any background about you. We
12 never had a chance to discuss any of this, so I apologize if
13 I'm going through this a little bit slowly. Moving to page 8,
14 I quote:
15 "He" -- Vince McCaffery -- "reports a history of
16 deviant sexual contacts with male minors, post-pubescent males
17 from high school up to 1987. He notes that there are about a
18 hundred such sexual contacts, at least one occurring in 1988."
19 Do you recall that?
20 A. Yes.
21 Q. Finally, the final thing I want to ask you about with
22 regard to the 1994 report, you note that he expresses a need
23 for intimacy associated with acting out in the past, isn't
24 that right?
25 A. Intimacy was a variable, yes.

1 Q. And you say it's associated with his acting out in the
2 past.
3 A. I believe that's what he indicated, yes.
4 Q. Why did you include that in the report?
5 A. Well, there were certain variables associated with Vince's
6 contacts with minors in the past, and that was one.
7 Q. Right. And that was a threat in the future, correct?
8 That's why you put in that he has expressed a need for
9 intimacy associated with acting out in the past. That's the
10 only logical explanation, isn't it?
11 A. I'm not following what you're saying.
12 Q. Well, when you put in here that he is expressing a need
13 for intimacy associated with acting out in the past, you're
14 putting that in the report because you're saying that there's
15 a possibility he may act out in the future if this need for
16 intimacy and other factors aligned in a way that would cause
17 him to do so.
18 A. So your question is: Are there circumstances where he
19 could act out at some point?
20 Q. Yes.
21 A. If circumstances were such that they increased the risk
22 level for him to that point.
23 Q. Yes.
24 A. Yes.
25 Q. And, in fact, you're indicating that there are such

1 circumstances present in 1994 in your opinion.
2 A. There may have been some factors at different times.
3 Q. Well, let me move on to 2002, June. That was recently.
4 Now, you indicate that he exhibited -- and I quote -- denial
5 at having a problem with his sexual impulse control and,
6 quote, deviant sexual vulnerability, is that right?
7 A. If I could check and see what you're reading from.
8 Q. It's on page 4 of the June 12th, 2002 report.
9 A. Uh-huh.
10 Q. Do you read that it says that he's exhibiting denial in
11 June of 2002 with regard to his sexual impulses?
12 A. It said at times he exhibited denial.
13 Q. At times, but he exhibited denial.
14 A. At times.
15 Q. He indicated on June 17th, 2002, that he had not been
16 truthful with staff about his viewing of child pornography,
17 isn't that right?
18 MR. FUNK: I'll just post myself over to the side
19 here if that's okay, Judge?
20 THE COURT: Yes.
21 BY THE WITNESS:
22 A. This part here you're reading from (indicating)?
23 BY MR. FUNK:
24 Q. That's correct.
25 A. He said he was ashamed that he has not been truthful with

1 treatment staff.
2 Q. He also admitted that he used drugs in the past, narcotic
3 substances?
4 A. That he had used narcotic substances?
5 Q. Correct, on page 4. Well, let me rephrase it. He
6 reported that he used drugs, illegal drugs.
7 A. He reported that he has not used any drugs in the past.
8 Q. Except for marijuana.
9 A. Marijuana in his teens.
10 THE COURT: I didn't hear that.
11 THE WITNESS: It also states in that part of the
12 report "marijuana in his teens."
13 THE COURT: I didn't hear that last word.
14 Marijuana in his what?
15 THE WITNESS: As a teen-ager, Your Honor.
16 BY MR. FUNK:
17 Q. And this is -- again, this is the report in which he
18 indicates that he had 40 to 50 sexual contacts with minors,
19 children under the age of 18.
20 A. Since he was 18.
21 Q. Since he was 18.
22 A. Yes.
23 Q. But the children obviously were not. They were minors,
24 minor children.
25 A. Adolescents.

1 Q. Adolescents. Then the last question, again, quoting from
2 page 5, do you recall him, Vincent McCaffery, saying to you
3 that he admitted having a sexual disorder, but he was hesitant
4 to fully commit himself to his treatment program due to
5 denial, minimization, and rationalization concerning continued
6 deviant sexual fantasies? Again, that's from page 5.
7 A. Yes.
8 Q. And this is in June of 2002.
9 A. Yes.
10 MR. FUNK: Nothing further, Your Honor.
11 THE COURT: Mr. Royce?
12 MR. ROYCE: Yes. Thank you, Judge.
13 REDIRECT EXAMINATION
14 BY MR. ROYCE:
15 Q. Doctor, Mr. Funk asked you about Mr. McCaffery's use of
16 illegal drugs, and I believe the report is that he denied use
17 of any illegal drugs except marijuana when he was a teen-ager,
18 is that correct?
19 A. He denied use of drugs.
20 Q. All right. Were there any toxicological screenings done
21 in his reports that reflected the use of illegal drugs?
22 A. I don't recall any.
23 Q. So he never admitted he was using drugs other than
24 marijuana when he was a teen-ager, right?
25 A. Marijuana as a teen-ager.

1 Q. Right. Now, these sexual fantasies that he described to
2 you are different than the actual manifestation of sexual
3 assaults, aren't they?
4 A. Yes, they are different.
5 Q. And whether or not -- I mean, not to minimize it, but
6 child pornography viewing is substantially different than
7 actual child molestation, correct?
8 A. Certainly they are different, yes.
9 Q. And your indications are that since he began the treatment
10 at St. Luke's up until June of 2002, there was no evidence of
11 him participating in or acting out in any fashion in relation
12 to child molestation, isn't that correct?
13 A. Yes.
14 Q. All right. In 1980, Mr. McCaffery reported to you that he
15 went to a place called the Guest House in Rochester,
16 Minnesota, is that right?
17 A. He did.
18 Q. Do you know what that is?
19 A. It's an inpatient treatment program for alcoholism.
20 Q. All right. That was in 1980, and as a result of his
21 alcoholic treatment, is it your review of the records and
22 experience --
23 MR. ROYCE: Strike that.
24 BY MR. ROYCE:
25 Q. I presume you contact or you have staff persons to confirm

1 these representations made about his treatment facilities and
2 where he's been, isn't that correct?
3 A. Records have been requested.
4 Q. Right, and they are reviewed and confirmed before you
5 begin your treatment.
6 A. We do try and get ahold of as many records as we can.
7 Q. So you have Mr. McCaffery in 1980 going for alcohol
8 treatment at the Guest House, right?
9 A. Yes.
10 Q. You have him involved in inpatient care at St. Luke's
11 Institute in Maryland in the late Eighties, correct?
12 A. Yes.
13 Q. And you have him in an outpatient after-care program after
14 that at St. Luke's, correct?
15 A. Yes.
16 Q. And then you have him from 1994 on a regular medical
17 patient treatment program at Isaac Ray Center at Rush until
18 2002, June, is that correct?
19 A. Yes.
20 Q. Now, there was a -- other than this denial that Mr. Funk
21 referred to about the use of child pornography, there was
22 never any indication to you that he denied any contact with
23 minor children, correct?
24 A. Correct.
25 Q. The last contact he related to you concerned numbers which

1 are important in your evaluation, right?
2 A. We did cover numbers, yes.
3 Q. And the numbers that he related to you and that you had
4 indications of were between 12 and 14 boys prior to 1989,
5 right?
6 A. Prior to 1989, yeah.
7 Q. Right. Then subsequent to that, he had admitted to you
8 of, for lack of a better term, homosexual relationships with
9 persons of other ages, but not prepubescent children, right?
10 A. You're talking about since '80?
11 Q. Since '89.
12 A. Since '89?
13 Q. Right.
14 A. I don't recall that he's had sexual contact with another
15 person since then.
16 Q. Right, and that's what I'm saying. His history to you was
17 as of 1989 and past, correct?
18 A. As far as contacts?
19 Q. Right.
20 A. Yes.
21 Q. So from 1989 until June of 2002, your evidence is that he
22 never had any sexual contact with anyone.
23 A. Yes.
24 Q. Other than the abuse of the child pornography -- or the
25 use of the child pornography.

1 A. He has admitted to that, yes.
2 MR. ROYCE: Thank you. Nothing further.
3 RECROSS-EXAMINATION
4 BY MR. FUNK:
5 Q. And you're saying that he didn't have any victims since
6 1989 because he didn't admit to you that he had any victims,
7 correct?
8 A. He did not. He did not admit that he had any victims.
9 Q. But that would be the only basis from which you can
10 determine whether or not he had any victims, whether he
11 admitted it, correct?
12 A. Well, and if others had reported that he had contact.
13 Q. You didn't polygraph him, did you, to make sure he was
14 telling the truth about not having sexual victims since 1989?
15 A. He did not have a polygraph.
16 MR. FUNK: Nothing further, Your Honor.
17 THE COURT: Mr. Royce?
18 REDIRECT EXAMINATION
19 BY MR. ROYCE:
20 Q. Has anyone brought to your attention any charges of sexual
21 molestation of prepubescent children from 1989 until 2002,
22 sir?
23 A. No.
24 MR. ROYCE: Nothing further.
25 MR. FUNK: Nothing further, Your Honor.

1 THE COURT: Doctor, you may step down. Thank you.
2 MR. ROYCE: Thank you, doctor.
3 (Witness excused.)
4 THE COURT: Call your next witness, Mr. Royce.
5 MR. ROYCE: Thank you. Father Cecil.
6 THE CLERK: Raise your right hand, please.
7 (Witness duly sworn.)
8 PATRICK CECIL,
9 DEFENDANT'S WITNESS, DULY SWORN
10 DIRECT EXAMINATION
11 BY MR. ROYCE:
12 Q. Thank you for coming here today, sir. Would you be kind
13 enough to speak up nice and loud and tell the Court and the
14 prosecution your name and spell your last name for the court
15 reporter?
16 A. The first name is Patrick. The last name is Cecil,
17 C-e-c-i-l.
18 Q. And do you, sir, have a business or occupation?
19 A. I am a Catholic priest.
20 Q. And do you hold a position in the Archdiocese of Chicago?
21 A. I'm pastor at St. Patrick's Church in Wadsworth.
22 Q. In Wadsworth, Illinois?
23 A. That's correct.
24 Q. And where is that?
25 A. It's north of Gurnee, between Gurnee and the state line.

1 Q. Okay. How long have you been pastor there, sir?
2 A. I've been there for a little over six years.
3 Q. And prior to that, what was your assignment?
4 A. Previous assignments were at St. Mary's in Buffalo Grove,
5 St. Zachary in Des Plaines, and St. Angela in Chicago.
6 Q. All as associate pastors?
7 A. That's correct.
8 Q. How long have you been a priest?
9 A. In May, it will be 25 years.
10 Q. And do you know Vince McCaffery?
11 A. Yes, I do.
12 Q. And you see him today in the orange jumpsuit.
13 A. Yes.
14 Q. How long have you known him?
15 A. I've known him since 1970.
16 Q. And how was it that you two met?
17 A. We met when we were both in college at Niles College of
18 Loyola University.
19 Q. And was that part of the seminary structure of the
20 Catholic church?
21 A. That's correct, it's minor seminary.
22 Q. And did you and he then become, for lack of a better term,
23 classmates throughout that period?
24 A. Yes, we were classmates throughout that period.
25 Q. Following classes throughout.

1 A. Right.
2 Q. And are you and he friends?
3 A. Yes.
4 Q. And do you today consistently visit him at the MCC?
5 A. Yes, I do.
6 Q. Are you one of the few people that come to see him?
7 A. I'm one, one of the people that come to see him. I'm not
8 sure how many other people do.
9 Q. All right. You try to keep in regular contact with him.
10 A. Yes, I do.
11 Q. All right. After your graduation from the -- or after
12 your ordination, did you and he engage in a business
13 transaction where you acquired a piece of property or a summer
14 home?
15 A. Yes, we did.
16 Q. And where was that?
17 A. In Twin Lakes, Wisconsin.
18 Q. And how was it that that came about?
19 A. There were actually five of us, all who were classmates
20 and were ordained together, that decided that we wanted to
21 have a place to go on our day off and to be able to use for
22 family gatherings and such.
23 Q. And the five of you then took up that project.
24 A. That's correct.
25 Q. And is it fair to say that you had specific days or weeks

1 that you had it and that the other priests had their own
2 special times?
3 A. Yes. We would generally all be off on Tuesday, and so the
4 house was reserved for us from approximately Monday noon to
5 Wednesday noon. Then the rest of the time would rotate. You
6 know, from Wednesday noon to the following Monday would
7 rotate. Each of us would have different responsibilities for
8 different weeks.
9 Q. Okay. While you owned that cottage, did anybody ever
10 bring to your attention any sexual or any kind of misconduct
11 on the part of Father Vince McCaffery when he was a priest?
12 A. No.
13 Q. Now, you and I have talked about your testimony here
14 today, is that correct?
15 A. That's correct.
16 Q. As a priest, you and he have enjoyed what's been
17 characterized as a priest-confessor relationship?
18 A. We've had conversations that have been privileged.
19 Q. And the conversations that I'm going to ask you about and
20 the events I'm going to ask you about, we've agreed that I'm
21 not going to ever inquire into those issues, correct?
22 A. That's correct.
23 Q. And that's part of reason also that you're testifying.
24 A. That's correct.
25 Q. What I'm going to ask you about is when you first learned

1 that Father McCaffery was an alcoholic.
2 A. I learned about that when he informed me that he was going
3 to be going to Guest House in Rochester, Minnesota.
4 Q. Was that in approximately 1980?
5 A. Yes.
6 Q. As a priest, were you aware that priests at that time --
7 and he's no longer a priest, and I'm going to get into that --
8 as priests at that time, was that sort of the place that
9 priests in the archdiocese went to deal with AA problems?
10 A. There are two Guest Houses, one in Rochester, Minnesota,
11 and another one in Michigan, but Vince went to the one in
12 Rochester.
13 Q. And did you know he was an alcohol abuser at the time?
14 A. I knew that he drank. I never witnessed any particular
15 episodes where he had abused alcohol.
16 Q. And did you support him during that period of time?
17 A. Yes.
18 Q. How did you do that?
19 A. I went to visit him while he was up there and maintained
20 contact through letters and through phone calls.
21 Q. Throughout the entire period of that hospitalization or
22 treatment program, were you aware of and monitoring generally
23 his progress in relation to alcohol?
24 A. Yeah. When we went up there, myself and a couple of the
25 other priests, we talked with his alcoholic counselor and

1 asked him what we could do to help him.
2 Q. And was that a demon in his life at the time?
3 A. Yes, it was a very difficult thing for him.
4 Q. He was then discharged, right?
5 A. That's correct.
6 Q. Were you aware of your personal knowledge of Vince
7 McCaffery's conduct in relation to Alcoholics Anonymous and
8 that program?
9 A. Yes, he was involved in AA.
10 Q. And how long was he involved in AA?
11 A. As far as I know, he's still involved, at least up until
12 the time that he became -- went to MCC.
13 Q. And how often from the time he got out in 1980, if you
14 can, until 2002, approximately 22 years, did you have occasion
15 and, if you could, generally indicate that either by how many
16 times a weeks or how many times a month you would physically
17 see or visit Vince McCaffery.
18 A. Well, while Vince was still a priest, we'd usually take
19 Tuesdays off, and so I'd usually see him every Tuesday.
20 Q. So that would be from 1980 until about 1993?
21 A. About that, yes.
22 Q. All right. So that's on a weekly basis.
23 A. Right.
24 Q. During that period of time, did you ever smell the odor of
25 alcohol or observe him under the influence of any alcohol?

1 A. No.
2 Q. Did you ever have any detection or information from fellow
3 priests or colleagues or anyone that he was using alcohol?
4 A. No.
5 Q. After 1990 --
6 MR. ROYCE: Strike that.
7 BY MR. ROYCE:
8 Q. After the 1990 period until 2002, how often would you see
9 him?
10 A. Again, a less frequent basis, but still on a fairly
11 regular basis.
12 Q. Okay. By "regular basis," would that be once or twice a
13 week?
14 A. Maybe not. Maybe once or twice a month perhaps.
15 Q. During that period of time, did you ever have any
16 indication that he was abusing alcohol?
17 A. No.
18 Q. Did he seem to be interested in controlling his alcohol?
19 A. Yes, he did.
20 Q. At some point in your life, did you learn that Vince
21 McCaffery was leaving the priesthood?
22 A. Yes, I did.
23 Q. Okay. Prior to him leaving the priesthood, did you learn
24 that he was -- that he had a sexual addiction or a sexual
25 disorder?

1 A. Yes, I did.
2 Q. Tell the Court how that came about to you, sir.
3 A. Vince told me that he was going to be going to St. Luke
4 Institute because he had a sexual addiction and that he was
5 going to be treated there for that.
6 Q. Did he tell you what that sexual addiction was?
7 A. Yes, he said it was ephebophilia.
8 Q. Did you and he discuss in a non-priest-confessor
9 relationship about what that -- how that came about and how
10 that was manifested in relation to his life experience as a
11 priest?
12 A. He said, you know, that he had a sexual attraction to
13 post-pubescent males.
14 Q. And did he say that he had acted out on this addiction?
15 A. Yes, he did.
16 Q. Okay. Did you encourage him to get this treatment?
17 A. Yes, I did.
18 Q. Did you assist him as a fellow priest, classmate, friend,
19 and confidant in dealings with the Archdiocese of Chicago in
20 facilitating this process of him getting involved in this
21 addiction problem?
22 A. I did to the extent that I went to visit him while he was
23 there and encouraged that he continue the program.
24 Q. And did he do that?
25 A. Yes.

1 Q. And did he successfully complete that to your knowledge?
2 A. To my knowledge, he did.
3 Q. Did you visit him while he was there?
4 A. Yes, I did.
5 Q. And did you visit him after he came out?
6 A. Yes.
7 Q. Did you know of his enrollment at the Isaac Ray Center?
8 A. Yes, I did.
9 Q. And all the after-care programs that we've talked about
10 here today.
11 A. Yes.
12 Q. Would you say that you're not a warden of him but were
13 intimately involved in his program and progress?
14 A. I was very concerned about him, yes.
15 Q. And he knew that?
16 A. Yes, he did.
17 Q. And he would share that information with you.
18 A. Yes.
19 Q. Did you have an occasion to communicate with the cardinal
20 of this archdiocese?
21 A. Yes, I did.
22 Q. And what was the communication with -- was that Cardinal
23 Bernadine?
24 A. Cardinal Bernadine.
25 Q. And was that specifically about Vince McCaffery?

1 A. Yes, it was.
2 Q. And what was that communication generally if you recall?
3 A. Well, I sent him a letter. I sent, you know, a
4 confidential letter to the cardinal that I was concerned about
5 Vince, that he would continue to take treatment, you know, and
6 because he was in very difficult financial straits that he
7 receive help from the diocese to maintain that, to maintain
8 that treatment.
9 Q. And you were aware, were you not, at the time of Vince's
10 arrest that there was some issue as to the financial
11 relationship between the archdiocese and Vince McCaffery,
12 correct?
13 A. Yes.
14 Q. To your knowledge, the archdiocese assisted Mr. McCaffery
15 in a limited capacity in relation to his treatment, isn't that
16 right?
17 A. Yes.
18 Q. Other than that, he paid for his own treatment --
19 A. That's correct.
20 Q. -- at the Isaac Ray Center.
21 A. That's correct.
22 Q. And that was from approximately '94-ish, late '94 until
23 2002, that he actually paid out of his own pocket.
24 A. That's correct.
25 Q. But the archdiocese did contribute to that.

1 A. They did have money held in escrow for him for his
2 treatment.
3 Q. Okay. Now, when you communicated with the cardinal, was
4 his response consistent with what you anticipated it to be,
5 that he also shared your concern with Vince?
6 A. Yes, it was.
7 Q. Now, prior to communicating with the cardinal on that
8 issue, were you aware that Mr. McCaffery was assigned to a
9 parish in 1987 upon his release from St. Luke's in Maryland?
10 A. Right.
11 Q. And what were the circumstances of his reassignment to the
12 parish that you knew of when he got out of, for lack of a
13 better term, that institute program in Maryland?
14 A. When he would be released to a parish, the pastor would
15 act as a monitor for him; that he would be in a monitored
16 situation so that his contact with post-pubescent males be
17 limited.
18 Q. And do you know whether or not that, in fact, occurred?
19 A. To my knowledge, it did.
20 Q. Okay. How was it -- what do you base your knowledge on of
21 that fact?
22 A. My knowledge is based on the fact of talking not only with
23 Vince, but also with his pastors at the time.
24 Q. Do you have an opinion based upon your knowledge of Vince
25 McCaffery as to whether or not he was committed to solving his

1 or dealing with his alcoholism and his alcohol problem from
2 1980 until 2002 and now, the present?
3 A. Yes, he is committed to dealing with his alcoholism.
4 Q. And do you have an opinion based upon your personal
5 knowledge and experience with Vince McCaffery as to whether or
6 not he has committed himself to dealing with this sexual
7 addiction that he's had and dealt with?
8 A. Yes, he's committed to that.
9 Q. And is that your opinion?
10 A. Yes, that's my opinion.
11 Q. Father, you see Vince McCaffery at the MCC, do you not?
12 A. That's correct.
13 Q. And you have visited him and signed in on the records, is
14 that correct?
15 A. Yes, I have.
16 Q. You are here as a friend of his, and you and I have talked
17 about this.
18 A. That's correct.
19 Q. And you are here to tell the truth to the best of your
20 knowledge to help him in relation to this matter.
21 A. That's correct.
22 Q. Now, you also prepared a statement that I -- that you
23 presented to your parishioners and that you told me about
24 which you would like to read here today to the Court in open
25 court, is that correct?

1 A. That's correct.
2 Q. And did I tender that to -- did you fax it to me last
3 week?
4 A. Yes.
5 MR. ROYCE: With the Court's permission?
6 THE COURT: Mr. Funk?
7 MR. FUNK: No objection.
8 BY MR. ROYCE:
9 Q. Do you have a copy, sir?
10 A. Yes, I do.
11 MR. ROYCE: I want the record to reflect that
12 Father Cecil is opening an envelope that he tendered to me,
13 and I have a copy.
14 BY MR. ROYCE:
15 Q. You may proceed, if you would.
16 A. "Dear parishioners and friends, I have some information I
17 need to share with you. On Monday, I will be in federal court
18 in Chicago on behalf of a friend of mine, Vincent McCaffery.
19 Vince and I were ordained priests in 1978. We've been friends
20 since 1970, and we've remained friends for 32 years. Vince has
21 pled guilty to possession of child pornography. Previous to
22 this being charged, I was not aware of what he was in
23 possession -- I was not aware that he was in possession of
24 anything like this. I'm devastated by what he has admitted
25 to.

1 "While Vince was a priest, he was one of the most
2 spiritual and creative men I've ever known, yet he has also
3 led a troubled life. He is an alcoholic and received
4 treatment for alcohol addiction at Guest House in Rochester,
5 Minnesota. To my knowledge, he has" -- parentheses --
6 "excluding consecrated wine" -- end parentheses -- "not had a
7 drink since then.
8 "I know that he went to the St. Luke Institute in
9 Maryland for treatment of sexual addiction. After his
10 treatment there, he continued drug and counseling therapy and
11 did limited parish ministry under monitored supervision. In
12 1991 he was removed from ministry, and in 1993 he resigned as
13 a priest. Again to my knowledge, since receiving treatment at
14 St. Luke's, Vince has not been involved in an abusive
15 relationship.
16 "You may wonder why I'm sharing this with you. I
17 am doing this for a number of reasons. First I felt it was
18 important that you learn about this from me and not through
19 the media. I realize that by and large media accounts are
20 usually accurate, but that is not always the case. I also
21 want it to be clear that although Vince and I have been and
22 continue to be friends, I have never been involved in this
23 part of his life.
24 "You may also wonder why we have remained friends.
25 Let me make this clear. I do not condone any of Vince's

1 abusive behavior or the crime for which he is -- for which he
2 will be sentenced. I abhor the hurt he has caused, yet I seem
3 to remember something I learned a long time ago. As
4 Christians and Catholics, we are to hate the sin and love the
5 sinner. Jesus spent his time with all people, including tax
6 collectors and prostitutes, because all of us are in need of
7 redemption.
8 "I am sorry if any of you are embarrassed or upset
9 by my friendship with Vince. I believe that in the darkest
10 hour of his life I cannot abandon him or our friendship. If
11 you have a desire to address me in this regard, please feel
12 free to do so. I am always interested in your thoughts and
13 feelings on any important matter. May God continue to bless
14 us all this Advent as we prepare for the joyous feast of
15 Christmas.
16 "Sincerely, Father Pat Cecil."
17 Q. Father, do you believe that Vince McCaffery since
18 approximately 1988 has made as good an attempt as possible to
19 control his sexual molestations?
20 A. I do believe he has.
21 MR. ROYCE: Thank you, sir. Nothing further.
22 THE COURT: Cross, Mr. Funk?
23 MR. FUNK: Yes, Your Honor.
24 THE COURT: Proceed.
25 CROSS-EXAMINATION

1 BY MR. FUNK:
2 Q. Father Cecil, how did you find out about Vince McCaffery
3 being sent to Guest House in 1980?
4 A. He told me that he was going to go to Guest House.
5 Q. And did he tell you that the was going there for alcohol
6 addiction?
7 A. He did.
8 Q. Are you aware now that he left out the fact that he was
9 going there for his addiction to young boys?
10 A. I wasn't aware of that.
11 Q. So you're not aware that he admitted that he went there
12 because he had previously molested young boys.
13 A. He had never admitted that to me.
14 Q. And so then you're also not aware -- well, are you aware
15 that he molested boys both before and after being in Guest
16 House in 1980?
17 A. I was not aware of that.
18 Q. And he never admitted that to you.
19 A. No, he never admitted it to me.
20 Q. And you didn't find out that Vince McCaffery was a child
21 molester in 2002, did you?
22 A. No, I knew this previous to then.
23 Q. You knew it as early as 1987, isn't that right?
24 A. That's correct.
25 Q. You knew that he admitted to molesting children prior to

1 1987, correct?
2 A. Yes, he had admitted to me that he had molested children
3 previous to going to St. Luke Institute.
4 Q. And he admitted that to you not in a context of
5 priest-penitent relationships.
6 A. No, he had told me that he was going to St. Luke Institute
7 for sexual addiction.
8 Q. In 1987.
9 A. That's correct.
10 Q. Do you know that Vince McCaffery admitted to molesting
11 little boys in 1988?
12 A. I was not aware of that.
13 Q. Were you aware that Vince McCaffery molested little boys
14 in 1989 and 1990?
15 A. I was not aware of that.
16 Q. You know sexual molestation is a crime, don't you?
17 A. Yes, I do.
18 Q. So I assume you went to the police when you found out in
19 1987 when he told you not in the context of priest-penitent
20 privilege that he molested children under his care as a
21 priest.
22 A. No, I did not.
23 Q. You did not?
24 A. No, I did not.
25 Q. Did he tell you that he used his position as a priest to

1 get access to these young boys?
2 A. He told me that he had molested young men, post-pubescent
3 young men, previous to going to St. Luke Institute.
4 Q. Who were under his care in parishes, correct?
5 A. He didn't say. He didn't say specifically about that. He
6 didn't tell me who they were or where they were from.
7 Q. So you never went to the police.
8 A. No, I did not.
9 Q. You never urged the victims to go to the police, did you?
10 A. I never met any of the victims.
11 Q. Well, you never tried to, did you?
12 A. I did not know who they were or where they were from.
13 Q. And so it must weigh heavily upon you that you could have
14 avoided the sexual exploitation of children in 1988, in 1989,
15 and perhaps thereafter, had you done the right thing, which is
16 to go to the police with the information you had, isn't that
17 correct?
18 A. The only information I had was the information Vincent
19 shared with me.
20 Q. Let me rephrase it then. It must weigh heavily upon you
21 today that you could have -- that you possibly could have
22 prevented the molestation of other children had you gone to
23 the police, isn't that correct?
24 A. I don't know that I could have prevented that or not.
25 Q. Well, you could have gone to the police. He admitted to

1 you that he was addicted to young boys, isn't that right?
2 That's what you said on direct.
3 A. That's correct.
4 Q. But you also testified that you co-owned a cottage in Twin
5 Lakes --
6 A. That's correct.
7 Q. -- with Vince McCaffery.
8 A. That's correct.
9 Q. I'm not sure if this true. Is it true that you heard
10 today that victims were testifying about being sexually
11 molested at that very cottage?
12 A. I heard that in court today.
13 Q. Are you aware that, in fact, dozens of molestations took
14 place in that cottage?
15 A. I'm only aware of what I heard today in court.
16 Q. So you're not aware that these molestations took place for
17 over a decade, are you?
18 A. I wasn't aware of anything that took place. I was there,
19 like I said, at the times when it was just, you know, the
20 priests, you know, when myself and the other owners were
21 there.
22 Q. So then until today, you weren't aware that he molested 40
23 to 50 different boys, isn't that right?
24 A. That's correct.
25 Q. And until today, you didn't know that he considered --

1 "he" being Vince McCaffery -- child pornography a victimless
2 crime.
3 A. Until today, I didn't know that.
4 Q. And until today, you did not know that he considers
5 himself addicted to young boys, right?
6 A. Well, I knew that he had gone in for treatment for sexual
7 addiction in 1987 to St. Luke Institute.
8 Q. So you knew that in 2002 he continued to be addicted to
9 young boys by his own admission.
10 A. I didn't know that he was -- you know, I knew that he had
11 been treated for that and that he was still working on that in
12 the same way that an alcoholic is an alcoholic for the rest of
13 their lives.
14 Q. For the rest of their lives, right?
15 A. That's correct.
16 Q. It can't be cured.
17 A. It could be treated.
18 Q. It can't be cured.
19 A. No.
20 Q. And you also didn't know that Vince McCaffery, your good
21 friend, uses child pornography as a release so that he does
22 not go out and rape other children, right?
23 A. I was not aware of it until I learned about it in the
24 media accounts.
25 Q. You didn't know him very well, did you?

1 A. I think I knew him fairly well, at least the parts, you
2 know, that he --
3 Q. The parts he let you know? I'm sorry.
4 A. I believe I knew parts of his life very well. I did not
5 know that part of his life.
6 Q. You didn't know the parts he didn't want you to know
7 about, right?
8 A. That's true.
9 MR. FUNK: Nothing further, Your Honor.
10 REDIRECT EXAMINATION
11 BY MR. ROYCE:
12 Q. Father Cecil, Mr. McCaffery never told you with
13 specificity who he had these sexual encounters with, did he?
14 A. No, he did not.
15 Q. And in 1987 when he told you he was going to St. Luke's
16 Institute for a sexual problem or addiction that he had, you
17 encouraged him to do that.
18 A. I did.
19 Q. And did he specifically identify the people who had
20 testified here today who had committed these -- who had said
21 he had committed these acts on?
22 A. No, he never identified them to me.
23 Q. Was the policies and practices of priests at that time to
24 seek the counseling and assistance through St. Luke's or a
25 similar institute?

1 A. Yes, that was policy for the archdiocese.
2 Q. And was that the written and published policy that existed
3 at that time?
4 A. To my knowledge, it was the policy. Whether or not it was
5 written and published, I don't know.
6 Q. You are aware, are you not, about the Bishops Conference
7 in 2002 which has changed substantially the laws in relation
8 to these issues?
9 A. Yes, I am.
10 Q. But at the time when he told you this, you were glad for
11 him to get some assistance for whatever was ailing him.
12 A. Yes, I was.
13 Q. And as far as knowing him, do you believe you knew that he
14 was a sexually addicted person?
15 A. Yes, I did know that.
16 Q. Did you know he was an alcoholic?
17 A. Yes, I did know that.
18 Q. Did you know he resigned from the priesthood?
19 A. Yes.
20 Q. And did you know that he was a working man in the
21 community, managing a gas station and trying to sell
22 insurance?
23 A. Yes.
24 Q. And did you see him on a regular basis and socialize with
25 him and encourage him to continue his AA and sex addiction

1 treatment?
2 A. Yes, I did.
3 Q. And you communicated with the cardinal of this archdiocese
4 about your concerns.
5 A. Yes, I did.
6 Q. And you communicated with the pastors that he was assigned
7 to when he got out of the St. Luke's Institute about your
8 concerns.
9 A. Yes, I did.
10 Q. And you were inclined to put your arm around his shoulder
11 and try to help him.
12 A. Inclined to do as much as I could.
13 Q. That's the way you are.
14 A. Yes.
15 MR. ROYCE: Nothing further.
16 MR. FUNK: Nothing further, Your Honor.
17 THE COURT: Father Cecil, you may step down.
18 THE WITNESS: Thank you.
19 (Witness excused.)
20 MR. ROYCE: Judge, may I have about five minutes?
21 THE COURT: All right. Let's take about a
22 ten-minute recess. May I see the lawyers at sidebar for a
23 moment?
24 (Recess.)
25 THE COURT: Mr. Royce, call your next witness.

1 MR. ROYCE: Vincent McCaffery.
2 THE COURT: Do you wish to offer testimony for
3 Mr. McCaffery, or is he exercising his right to elocution?
4 MR. ROYCE: Testimony, Your Honor.
5 THE COURT: Very well. Mr. McCaffery, will you
6 raise your right hand?
7 (Witness duly sworn.)
8 THE COURT: Just one second. The artists that are
9 here, please have a seat. I'm not sure who was here this
10 morning, but I've asked the artists not to render any
11 likenesses of any of the witnesses that had testified that
12 were identified by first name only.
13 MS. ZAMMUTO: Not all the witnesses?
14 THE COURT: No, no, just victims. I'm sorry.
15 Okay. You may inquire, Mr. Royce.
16 MR. ROYCE: Thank you, sir.
17 VINCENT MC CAFFERY,
18 THE DEFENDANT HEREIN, DULY SWORN
19 DIRECT EXAMINATION
20 BY MR. ROYCE:
21 Q. State your name, please, and spell your last name for the
22 court reporter.
23 A. Vincent McCaffery, M-c-C-a-f-f-e-r-y.
24 MR. ROYCE: May I approach just for a second,
25 Judge?

1 THE COURT: Yes.
2 (Discussion off the record.)
3 BY MR. ROYCE:
4 Q. Mr. McCaffery, you're the defendant in this case?
5 A. Yes.
6 Q. Some time ago, you were charged in a --
7 THE COURT: Hold on. Sit a little closer to that
8 microphone, please.
9 BY MR. ROYCE:
10 Q. Did you hear my question? Why don't you push it up just a
11 bit. I think that might help.
12 A. Okay.
13 Q. There you go. We'll try it again now. You're the
14 defendant in this case?
15 A. Yes.
16 Q. Some time ago, you were charged in June of this year with
17 a two-count information about by the United States Attorney
18 for this district with two counts of child pornography, is
19 that right?
20 A. That's correct.
21 Q. And you then had occasion to retain certain counsel in
22 this case?
23 A. Yes, I did.
24 Q. And then you retained additional counsel, me, is that
25 correct?

1 A. Yes.
2 Q. After I was representing you, you entered a plea of guilty
3 to those two charges, is that correct?
4 A. Yes, I did.
5 Q. And when you pled guilty, did you admit your
6 responsibility?
7 A. Yes, I did.
8 Q. And did you admit that you had images of child pornography
9 in your residence on Artesian?
10 A. Yes, I did.
11 Q. And do you still admit that?
12 A. Yes.
13 Q. What is your educational background from grammar school?
14 A. I went to Quigley South High School, and then I went to
15 Niles College at Loyola, and then St. Mary of the Lake
16 Seminary.
17 Q. And Quigley High School, was that a college preparatory
18 school for potential entry into the Roman Catholic priesthood?
19 A. Yes, minor seminary.
20 Q. And did you complete the courses there?
21 A. Yes.
22 Q. And then what happened?
23 A. Then I went to Niles College.
24 Q. And did you have a particular course of study there?
25 A. I have a degree in English.

1 Q. And did you graduate from Niles College?
2 A. Yes, I did.
3 Q. Did you receive a degree?
4 A. Yes.
5 Q. What was that?
6 A. BA in English.
7 Q. And you attended then another institution?
8 A. Yes, St. Mary of Lake Seminary.
9 Q. And how long was that course?
10 A. Four years.
11 Q. Did you receive a degree after that program?
12 A. No. I completed the program, but I didn't get the degree
13 because I didn't do the last project for it.
14 Q. And would that degree be a Doctor in Divinity or something
15 of that nature?
16 A. That would be a Master's of Divinity.
17 Q. Master's in Divinity. So you completed the courses but
18 didn't get the degree.
19 A. Yes, I did.
20 Q. Did you then become an ordained priest?
21 A. Yes.
22 Q. Were you assigned certain parishes in the city of Chicago?
23 A. Yes, I was.
24 Q. And in Cook County?
25 A. Yes.

1 Q. Tell the Court which parishes you were assigned to from
2 your inception as an ordained priest.
3 A. Well, as a deacon, I was at Our Lady of Help of Christians
4 on the west side of Chicago. Then my first parish was St.
5 Victor's in Calumet City. Then I went to Our Lady of Loretto
6 in Hometown, then to St. Joseph the Worker in Wheeling, then
7 to St. Joseph, and then Our Lady of Good Counsel.
8 Q. When you became a priest, did you take certain vows?
9 A. They don't call them vows in the diocesan priesthood.
10 They call them promises.
11 Q. Did you make certain promises?
12 A. Yes, I did.
13 Q. Okay. Did you commit yourself to the Catholic church at
14 that time again as an ordained priest?
15 A. Yes, I took a promise of obedience.
16 Q. Did you have occasion to come to learn from your personal
17 life experiences at some point in your life that you had a
18 problem with controlling your sexual activities?
19 A. Yes.
20 Q. And when was it that you first learned of this problem?
21 A. In 1978 at St. Victor's, and then I went to see a
22 psychiatrist starting then.
23 Q. How long after you were an ordained priest was --
24 MR. ROYCE: Strike that.
25 BY MR. ROYCE:

1 Q. Was this before you were an ordained priest?
2 A. It was my first year as an ordained priest.
3 Q. You sought psychiatric help.
4 A. Yes.
5 Q. What was the problem that you had, the sexual problem that
6 you had at that time?
7 A. I acted out sexually with adolescent boys.
8 Q. Now, if I could just ask you, what kind of family did you
9 come from?
10 A. A very good family, an Irish Catholic family on the south
11 side of Chicago.
12 Q. Were your parents -- are your parents presently alive?
13 A. No, my parents are deceased.
14 Q. And who died first?
15 A. My mother died when I was eight years old, and my father
16 died when I was 28 years old. His only sin was that he was a
17 Cubs fan.
18 Q. And did he raise you?
19 A. Yes, he did.
20 Q. And did your sisters raise you?
21 A. Yes.
22 Q. As a result of being raised, did you participate in any
23 kind of athletics?
24 A. Just intramural, I was not -- I wasn't good enough for the
25 varsity teams.

1 Q. Did you consider yourself as having a normal childhood?
2 A. I would say as normal as could be without a mother.
3 Q. When was your first sexual experience with another male?
4 A. Probably at the age of 12.
5 Q. Did that continue on from time to time on an semi-regular
6 basis through your high school career?
7 A. Yes.
8 Q. Did it continue on through your college career?
9 A. Yes.
10 Q. Did it continue on through your priest career?
11 A. Yes.
12 Q. How many prepubescent children or boys did you have sexual
13 misconduct or sexual contact with?
14 A. I would guess 12 to 14.
15 Q. And where were these children located?
16 A. In the different parishes.
17 Q. When you were arrested in June of this year by the agents
18 of the Customs Service, did you have occasion to answer their
19 questions about pornography and other things?
20 A. Yes.
21 Q. One of the questions they asked you or they inquired of
22 you was what you did 15 years before in relation to your
23 sexual activity with children. Do you recall that?
24 A. Yes.
25 Q. Did you lie to them?

1 A. No.
2 Q. Did you admit that you had that sexual activity?
3 A. I didn't answer their answer. That's what I did.
4 Q. But you answered truthfully every other question they
5 asked you at that time.
6 A. Yes.
7 Q. And is the reason -- did you attempt to mislead them or
8 trick them into the belief that you didn't have any sexual
9 activities with minor children?
10 A. No.
11 Q. Did you seek any assistance other than the first
12 psychiatric treatment in about 1978 from a private
13 psychiatrist when you were faced with this problem of sexual
14 misconduct?
15 A. Yes.
16 Q. What else did you seek?
17 A. In 1980, I was admitted to Resurrection Hospital on the
18 north side in the alcoholic treatment unit for my acting out
19 sexually with an adolescent, and then I was transferred from
20 there to Guest House up in Rochester, Minnesota, to continue
21 my treatment.
22 Q. Mr. McCaffery, did you learn from your consummation of
23 alcohol that that had any direct relationship with your
24 sexually acting out with minor children at that time in your
25 life?

1 A. They thought that they were connected, yes.
2 Q. When you say "they," was this the people with whom you
3 discussed it, the professionals?
4 A. Yes.
5 Q. How about yourself? Did you have a sense of whether or
6 not when you drank alcohol or became intoxicated that that
7 affected your ability to control your sexual desires with
8 young boys?
9 A. Yes.
10 Q. Did you ever deny to any law enforcement agent, any
11 counselor, any psychiatrist, up until 19 -- up through 1980
12 that you had sexual misconduct with children?
13 A. Did I deny that?
14 Q. Yes.
15 A. No.
16 Q. Now, did you ever go to the police for your misconduct up
17 and through 1980 at the Guest House? Did you ever go to the
18 police and report your conduct?
19 A. No.
20 Q. When you sought assistance at Resurrection Hospital and
21 the Guest House, was it for alcohol as well as sexual
22 misconduct?
23 A. Yes, it was.
24 Q. And were those the two things that you were seeking
25 assistance for?

1 A. Yes.
2 Q. What is the Guest House?
3 A. The Guest House is a psychiatric facility for the
4 treatment of alcoholic clergy members.
5 Q. And how long was that program?
6 A. At the time, it ran about three months.
7 Q. And did you tell your friend, Father Cecil, and other
8 friends of your addiction to alcohol?
9 A. Yes, I did.
10 Q. Did you tell them that you had the sexual problem back in
11 1980?
12 A. Not at that time, no.
13 Q. Were you proud of your conduct?
14 A. No.
15 Q. Did you seek any counsel from other members within the
16 Archdiocese of Chicago, either through the vicar of priests,
17 your pastor, or any psychiatrists or psychologists that might
18 have been available in the archdiocese for your problem?
19 A. Yes, I did.
20 Q. To your experience, what were the results of those
21 contacts?
22 A. Whatever they asked me to do, I did.
23 Q. Did they ask you to go to Resurrection?
24 A. Yes.
25 Q. Did they ask you to go to the Guest House?

1 A. Yes.
2 Q. Did they ask you then to have follow-up care?
3 A. Yes, they did.
4 Q. Was one of the follow-up care that you participated in a
5 recognition that you were an alcoholic?
6 A. Yes.
7 Q. And what did you do about that problem, sir?
8 A. I attended AA meetings.
9 Q. How long?
10 A. Since 1980 about twice a week, two, three times a week.
11 Q. From 1980 until when did you participate in AA?
12 A. Till the present time.
13 Q. Till the day you got arrested.
14 A. Well, I attend AA here in the MCC, too.
15 Q. But on the outside, you were 22 years in AA.
16 A. Yes.
17 Q. Did you have any alcohol in -- consume any alcohol during
18 those 22 years after you were released from the Guest House?
19 A. No.
20 Q. And were you sober?
21 A. Yes.
22 Q. Did you use any illegal drugs?
23 A. No.
24 Q. Cocaine? Heroin? Marijuana?
25 A. No.

1 Q. Did you experiment with marijuana as a teen-ager?
2 A. Yes.
3 Q. Other than that experimentation, did you ever abuse or use
4 any illegal substances?
5 A. No.
6 Q. After you became convinced in the AA program and the
7 abstinence and the 12 steps that they prescribed, did you then
8 find that you were no longer addicted to children and to
9 sexual misconduct?
10 A. No, I did not.
11 Q. So did that change your opinion as to whether or not
12 alcohol was the factor involved in your sexual problem?
13 A. Well, I still knew I was an alcoholic regardless, but I
14 still needed other treatment.
15 Q. And what treatment did you then get?
16 A. Treatment for a sexual disorder, ephebophilia.
17 Q. Now, from about 1980 when you got out of the Guest House,
18 were you -- I'm sorry. From 1980 when you got out of the
19 Guest House program, were you in any inpatient program at any
20 time until approximately 1987?
21 A. Yes, I went to St. Luke's Institute.
22 Q. And when did you do that?
23 A. I arrived there at the end of February of 1987.
24 Q. Okay. Between '80 when you got out of Guest House and
25 '87, were you in any inpatient program?

1 A. From there, from St. Luke's, I went to Isaac --
2 Q. I beg your pardon. I'm sorry. Perhaps I'm not phrasing
3 the question correctly. In '80, you got out of the --
4 A. Guest House.
5 Q. -- Guest House, right?
6 A. Right.
7 Q. In '87, you went to St. Luke's.
8 A. Right.
9 Q. Between '80 and '87, were you in any inpatient program?
10 A. No.
11 Q. Did you act out sexually in relation to your abusing
12 children?
13 A. Yes.
14 Q. How often would you do that?
15 A. A couple dozen times, I would guess.
16 Q. And the people with whom or the children with whom you had
17 these sexual encounters and misconduct, some of whom have
18 testified here today, were they part of your parishes where
19 you were employed?
20 A. Yes, they were.
21 Q. Do you have anything you want to say to them?
22 A. Yes, I do.
23 Q. What would you like to say to them?
24 A. I deeply regret my harm and my hurt to every one of you.
25 I promise you my prayers every day of my life for the rest of

1 my life.
2 Q. Now, you know that that's not going to solve your problem,
3 and many of them won't accept those statements, right?
4 A. I understand.
5 Q. Do you still mean that?
6 A. From the bottom of my heart.
7 Q. You heard your relatives -- your niece and others testify
8 here today.
9 A. Yes.
10 Q. Do you have anything you want to say to them?
11 A. I love my family.
12 Q. Now, did you realize as you were engaging in this
13 misconduct with these children who were testifying here today
14 and others who haven't testified, though we've gone over their
15 statements many times, that you were doing wrong?
16 A. Yes.
17 Q. Were you able to control that activity?
18 A. No.
19 Q. Why?
20 A. Because it's an addiction. I had to fight the source of
21 it, and I tried to follow whatever they told me to do, the
22 psychiatrists, and take whatever medication I had to take.
23 Q. What kind of medication did you take?
24 A. When I arrived at St. Luke Institute, they put me
25 immediately on antidepressants, and then they started me on

1 Depo-Provera.
2 Q. What is Depo-Provera as far as you're concerned?
3 A. It's actually a drug that they use to lower the
4 testosterone level, so it lowers the libido and the sex drive.
5 Q. And did you take that?
6 A. Yes, I did.
7 Q. And was that pursuant to a prescription by the medical
8 doctors there at the hospital?
9 A. Yes.
10 Q. By the way, St. Luke's Institute, is that a hospital
11 setting in Maryland?
12 A. A psychiatric hospital, yes.
13 Q. And is it a confined --
14 MR. ROYCE: Strike that.
15 BY MR. ROYCE:
16 Q. Is it a structured setting?
17 A. Yes, it is.
18 Q. And there are no external privileges of going off the
19 campus or going out of the hospital without supervision?
20 A. Not without supervision, right.
21 Q. And those trips would be for other medical care or related
22 treatment, dental, et cetera, right?
23 A. Yes.
24 Q. Did you ever follow -- did you follow all of their
25 treatment and medical plans while you were at St. Luke's?

1 A. Yes.
2 Q. And did you take the Depo-Provera?
3 A. Yes.
4 Q. And did it work?
5 A. Yes.
6 Q. And how did it work?
7 A. It just lowered the sex drive. It had some side effects,
8 but I was willing to deal with those.
9 Q. And did you also continue to take certain prescribed
10 medication for depression and other things?
11 A. Yes, I did.
12 Q. At one point in your career and your life, were you taking
13 about seven medications per day on different schedules
14 totalling about 30 pills?
15 A. Yes.
16 Q. And did you maintain that regimen of medication throughout
17 your entire hospitalization there?
18 A. Yes.
19 Q. Then you were released back to the Archdiocese of Chicago?
20 A. Yes.
21 Q. Now, while you were at the hospital there at St. Luke's,
22 did you make a full and complete disclosure and admission to
23 the physicians and psychiatrists as to your activities of
24 sexual misconduct in relation to the children with whom you
25 were dealing as a parish priest during the period of time in

1 which you were such a parish priest?
2 A. Yes.
3 Q. And was that part of the program, self-admission as to
4 those problems?
5 A. Yes.
6 Q. And did you find that the counseling, treatment, and
7 medication program that they set up for you at that hospital
8 assisted you in controlling your sexual desires?
9 A. Yes, it did.
10 Q. To the best of your knowledge, did it work?
11 A. Yes, it was very effective.
12 Q. Now, after you were released, if I can use that term, or
13 discharged, did you then engage in an outpatient program at
14 St. Luke's Hospital?
15 A. Yes, I did.
16 Q. Mr. McCaffery, at the time in relation to the Archdiocese
17 of Chicago, was it your experience based as a Catholic priest
18 that this was the plan, policy, and program of the archdiocese
19 in treating priests who were involved in this type of
20 behavior?
21 A. Yes.
22 Q. And even without going into any other names, as a result
23 of your experience, are you aware that this was the type of
24 program from your counseling that other priests had
25 participated in?

1 A. Yes.
2 Q. And so when you went into the priesthood and told Father
3 Cecil that you were going in, it was your desire -- was it
4 your desire at that time to try to make the best of your
5 hospitalization and deal with your sexual addiction problem?
6 A. It was my intention, yes.
7 Q. Did you tell Father Cecil the names of any of the persons
8 that you had abused?
9 A. No.
10 Q. After St. Luke's, did you come home?
11 A. Yes, I did.
12 Q. Did you go to outpatient care or after-care?
13 A. I went to both. I went to outpatient care through Isaac
14 Ray Center, and then I also continued the program at St.
15 Luke's. Every six months, I returned for a visit.
16 Q. Now, as I understood from the records in this case, there
17 were eight of those visits?
18 A. Yes.
19 Q. These were how long, the sessions? What were they
20 sessions of?
21 A. They were a week. You'd stay there for a week, and you'd
22 meet with the after-care counselors and tell them some of the
23 problems you have returning to ministry and some of the
24 challenges that you might have.
25 Q. So you completed those programs?

1 A. Yes, I did.
2 Q. You followed the medication and treatment program.
3 A. Yes, I did.
4 Q. Every day this sexual problem, however, bothered you,
5 didn't it?
6 A. Yes.
7 Q. Every day you felt this desire and need for sexual
8 contact.
9 A. Yes.
10 Q. And through the treatment, you believed that it worked for
11 you.
12 A. Yes.
13 Q. Then you were assigned by the archdiocese to a parish?
14 A. Yes, I was.
15 Q. Were you given any restrictions on what kind of work and
16 dealings you could have at the parish?
17 A. I was not to work with adolescents.
18 Q. Did you follow those requirements?
19 A. Yes.
20 Q. Did you principally administer to senior citizens and
21 other local administrative functions within the parish?
22 A. Actually I was going to school at the time at UIC, and I
23 was just helping out in whatever they needed at the parish.
24 Q. Did you have a confrontational meeting or a part of your
25 therapy with your family and nieces at one point at Isaac Ray

1 Center?
2 A. Yes.
3 Q. And was that part of the therapy program that you believe
4 was involved in the treatment?
5 A. No. Actually it came about because my sister asked if she
6 could meet with me and my counselor with her family, her
7 children especially, because she was concerned about the
8 publicity that the family had received because of my
9 addiction, and I think it was for the general good of her
10 children. She wanted to make sure that everything was okay.
11 So we didn't consider that part of therapy, but we did
12 consider it very important.
13 Q. All right. Did you participate in that confrontation or
14 that meeting?
15 A. Yes, I did.
16 Q. Is that the last time you saw your sister?
17 A. Yes.
18 Q. Is that the last time you saw any member of your family?
19 A. Yes.
20 Q. Any of your other sisters?
21 A. I haven't seen them, no.
22 Q. Have any of them been involved in any way with your
23 therapy, treatment, or assistance?
24 A. No.
25 Q. Did you try to follow through with the outpatient care of

1 the St. Luke's Center?
2 A. Yes.
3 Q. And were you faithful to their schedule and regimen?
4 A. Yes.
5 Q. Did you then enroll and attend the program at Isaac Ray
6 Center?
7 A. Yes.
8 Q. And how often would you attend meetings? You heard
9 Dr. Kelly testify.
10 A. Well, we started out, and it would vary at times. When I
11 first started there, it was twice a week, and it was with one
12 of the other doctors at Isaac Ray. I've had four doctors at
13 Isaac Ray.
14 Q. That is to say, you've had four physicians treat you.
15 Dr. Kelly was the most recent one.
16 A. Right.
17 Q. But you had others treat you at the inception and
18 periodically.
19 A. Yes.
20 Q. And they gathered all your charts from St. Luke's and
21 Guest House and everything else, is that right?
22 A. Yes.
23 Q. Were you open and honest with them in your answers to
24 their questions in interviews?
25 A. Yes.

1 Q. Were you on any medication?
2 A. Yes.
3 Q. Did you follow those routines and medication?
4 A. Yes.
5 Q. When did you begin to participate in child pornography?
6 A. About three years ago, I purchased a computer.
7 Q. Now, that would be approximately 1999?
8 A. Yes.
9 Q. From 1999 until the time you got out of St. Luke's and
10 into the Isaac Ray Center counseling program, did you
11 participate or have anything to do with child pornography?
12 A. No.
13 Q. Did you have anything to do in the Nineties with other
14 prepubescent children?
15 A. No.
16 Q. Did you have other homosexual contacts, however?
17 A. Yes.
18 Q. And did you admit to those contacts?
19 A. Yes.
20 Q. Did you have 40 contacts with minor prepubescent children
21 at any time in your life, 40 victims?
22 A. Possibly, yes.
23 Q. When I say "40 victims," were there 40 children in your
24 life that you had contact with?
25 A. Yes.

1 Q. Did you tell the truth to the examiner at that time?
2 A. Yes.
3 Q. And was that from your teen-age years up and through your
4 adult years?
5 A. Yes.
6 Q. And the 40 number that you've established, those numbers
7 you established when you first became involved when you were
8 about 13 or 12 in high school?
9 A. Yes.
10 Q. As a priest, how many people would you estimate that you
11 had sexual --
12 MR. ROYCE: Strike that. Excuse me.
13 BY MR. ROYCE:
14 Q. As a priest, how many prepubescent children did you have
15 contact with to the best of your recollection?
16 A. Adolescents? Probably 12 to 14.
17 Q. Okay. But you've had hundreds of contacts, sexual
18 contacts with lots of people.
19 A. Yes.
20 Q. In the last five years, have you had any sexual contact
21 with anyone?
22 A. Yes.
23 Q. Any of them children?
24 A. No.
25 Q. When you returned to the priesthood for that short period

1 of time, did you then have a conversation with Archbishop or
2 Cardinal Bernadine?
3 A. Yes, I did.
4 Q. Was that a personal conversation?
5 A. Yes.
6 Q. What were the results of that conversation?
7 A. At the time, there was a lot of publicity on the priests
8 that had been removed from parishes. At the time, he
9 requested me to go to Mercy Hospital and become part of the
10 psych ward there because we'd have to be under supervision.
11 At the time, I decided that I had completed my treatment
12 program, and I was committed to continuing my treatment
13 program. So in order to separate myself from those who had
14 not been in treatment, I chose to resign as a priest in the
15 archdiocese.
16 Q. Okay. Was that in 1991?
17 A. Yes, it was.
18 Q. This meeting that you had with the cardinal at that time,
19 would you say it was a friendly meeting, a professional
20 meeting, or was it aggressive?
21 A. It was a professional meeting.
22 Q. You articulated to him orally that you wanted to resign at
23 that time.
24 A. Yes.
25 Q. As a result of that, did you resign immediately?

1 A. No, there was to be some agreement between the archdiocese
2 and myself. So attorneys got involved, and it was two years
3 later before I was presented with a document to sign.
4 Q. Did you in any way cause any of the delay in that to your
5 knowledge or belief where you caused delay in the actual
6 signing of the documents for resignation?
7 A. Not that I know of, but --
8 Q. Did those documents relate to the participation of you in
9 medical treatment and psychological treatment and certain
10 expenses related to that?
11 A. Yes.
12 Q. And were they -- did the archdiocese agree to a short
13 period of financial support for you?
14 A. Yes. My concern was that I was going to be uninsurable
15 and that I needed some help to pay for my psychiatric
16 treatment.
17 Q. Did you cooperate with the archdiocese and others in your
18 psychiatric settings about the persons who had brought claims
19 against the archdiocese and some of the people who've
20 testified?
21 A. Yes, I did know about them.
22 Q. And did you admit your involvement with those folks in
23 relation to those cases?
24 A. Yes.
25 Q. Were you ever asked by anyone to have a face-to-face

1 meeting with any of the victims in this case who've testified
2 or others who we have talked about in relation to the
3 discovery material, to have a face-to-face meeting with them
4 while this case and things have been going on?
5 A. No. One letter I received from --
6 Q. Don't use his last name.
7 A. Well, no, I received a letter from the sister who was the
8 secretary for the vicar for priests saying that there was a
9 young man that wanted to contact me, but that was it.
10 Q. Okay. Did you admit to all of the psychiatrists as well
11 as to the cardinal of your misconduct?
12 A. Yes.
13 Q. Do you believe in any way you took actions to frustrate
14 the communication of your beliefs and attempts at
15 rehabilitation and treatment to those individuals?
16 A. I tried to be as clear and honest as I could.
17 Q. In '93 --
18 MR. ROYCE: Strike that.
19 BY MR. ROYCE:
20 Q. In '99, you got involved in child porn, child pornography,
21 had you not?
22 A. Yes.
23 Q. 1999 approximately?
24 A. Yes.
25 Q. You knew the contents of your computer hard drive?

1 A. Yeah. I'm not real sophisticated with it.
2 Q. But you knew there were images on there?
3 A. Right.
4 Q. Did you actually focus on these sadomasochistic scenes and
5 pictures?
6 A. No.
7 Q. Were most of those photographs and scenes depictions of
8 children, say, between the ages of six and seven maybe -- and
9 I'm estimating -- and 15 or 16?
10 A. Possibly.
11 Q. Did you ever participate and send your photograph across
12 the Internet waves in any sexual fashion?
13 A. No.
14 Q. You heard testimony today that you took some Polaroid
15 photographs of some of the children with whom you had sexual
16 contact as a priest. Did you ever do that?
17 A. No.
18 Q. You deny that you ever took Polaroids.
19 A. Yes. Oh, no, I had the Polaroids, but they were not in
20 the nature of any sexual contact.
21 Q. And did you ever have yourself photographed or displayed
22 in any way with these children as you were engaging in this
23 misconduct?
24 A. No.
25 Q. Are you cured from your sexual addiction?

1 A. No.
2 Q. Do you struggle with it every day?
3 A. Yes.
4 Q. Since approximately 1989, have you had any sexual contact
5 with any minor children?
6 A. No.
7 Q. Of any illegal sort?
8 A. No.
9 Q. And when you lived on [redacted], did you live alone?
10 A. Yes.
11 Q. And when you lived on [redacted], did you live alone?
12 A. Yes.
13 Q. Did you have a girlfriend or any female companionship?
14 A. A long time ago.
15 Q. In the last ten years, have you?
16 A. No.
17 Q. Have you taken every medication that's been prescribed to
18 you while you've been in the MCC?
19 A. Yes.
20 Q. And is that assisting you through this time at this
21 moment?
22 A. Yes.
23 Q. Have you ever been convicted by a jury or a judge in any
24 court in the United States, State of Illinois, or any
25 municipal court of any crime?

1 A. I received a DUI in 1977 or '76.
2 Q. Other than that DUI?
3 A. No.
4 MR. ROYCE: Thank you, sir. I have nothing
5 further.
6 THE COURT: Cross?
7 CROSS-EXAMINATION
8 BY MR. FUNK:
9 Q. Now, on direct examination, Mr. McCaffery, your defense
10 counsel referred to misconduct, correct?
11 A. Yes.
12 Q. And you referred to publicity because you were an addict,
13 correct?
14 A. I'm not sure if I understand the distinction.
15 Q. Well, you said on your direct examination that there was
16 publicity because you were an addict, correct?
17 A. I am an addict, yes.
18 Q. You are an addict. You will always be an addict.
19 A. Yes.
20 Q. But let's talk about what this is really about. It's not
21 about misconduct, is it?
22 A. I'm not sure I understand your question.
23 Q. What you did -- tell me if I'm wrong about this -- you
24 sexually molested little children under your care, correct?
25 A. Yes.

1 Q. Not once, not twice, not 100 times, but hundreds of times,
2 correct?
3 A. Yes.
4 Q. You fondled them against their wishes, correct?
5 A. Yes.
6 Q. You raped them.
7 A. No.
8 Q. You didn't rape them.
9 A. No.
10 Q. So those people who say that must be lying, right?
11 A. That's your indication, not mine.
12 Q. No, I'm asking you.
13 A. I don't know how the question was asked of them.
14 Q. You penetrated some of your victims, correct?
15 A. No.
16 Q. You're denying that.
17 A. Yes.
18 Q. So if the victims say or some of the victims say that you
19 penetrated them, they would be lying.
20 A. Yes.
21 Q. And you would be telling the truth, correct?
22 A. Yes.
23 Q. Because you're a truth teller. You wouldn't lie to
24 anybody, would you? Do you need me to clarify the question?
25 A. Not on purpose would I lie to someone.

1 Q. You wouldn't on purpose lie to somebody.
2 A. Right.
3 Q. But accidentally you might lie a couple of times.
4 A. I have lied, yes.
5 Q. You have. Indeed, you have. Now, in fact, this case is
6 the first time you were ever arrested in connection with
7 anything other than the DUI, correct?
8 A. Correct.
9 Q. It's not the first time you've committed a crime, is it?
10 A. No.
11 Q. You committed hundreds of crimes, correct?
12 A. Yes.
13 Q. You molested children under your care who were entrusted
14 to you hundreds of times. Do you agree with that?
15 A. Yes.
16 Q. You had never been held legally accountable for even one
17 of those molestations. That's the truth, isn't it?
18 A. Yes.
19 Q. You never had to face the victims of your deviant desires
20 before today, correct?
21 A. No, I faced them. Some of them I faced, yes.
22 Q. Oh, you faced some of them.
23 A. Uh-huh.
24 Q. There's a trail of broken lives because of your
25 molestations. Would you agree with that?

1 A. Yes.
2 Q. And you've heard at least a small portion of those people
3 testify today.
4 A. Yes.
5 Q. Did they tell the truth?
6 A. Yes.
7 Q. You never turned yourself in to law enforcement.
8 A. No.
9 Q. You just kept on getting therapy.
10 A. Yes.
11 Q. In 1980 at Guest House, you received therapy for being a
12 child molester?
13 A. Yes.
14 Q. In 1987, St. Luke's Institute, more therapy, correct?
15 A. Correct.
16 Q. In fact, you received therapy from the early Seventies
17 until today for your addiction to child -- to children, to
18 young boys. Would you agree with that?
19 A. Yes.
20 Q. Now, you admitted to a number of different molestations,
21 would you agree, over the years?
22 A. Yes.
23 Q. And the total number of molestations, depending on which
24 report one reads or which one of your admissions one looks at,
25 changes. Would you agree with that?

1 A. I would say that, yes, I'm not always -- I'm not exactly
2 sure how many times.
3 Q. It's hard to keep track, isn't it?
4 A. Yes.
5 Q. You said in 1994 -- and I'm quoting you:
6 "I molested kids while they were sleeping."
7 Was that a true statement?
8 A. Yes.
9 Q. These are children who were under your care as a priest?
10 A. Yes.
11 Q. Some of them, right?
12 A. Uh-huh.
13 Q. Not all of them.
14 A. No.
15 Q. You also said at no time were they awake. Do you remember
16 saying that?
17 A. No, I don't.
18 MR. FUNK: Well, may I approach, Your Honor?
19 THE COURT: Sure.
20 BY MR. FUNK:
21 Q. Showing you the December 27th, 1994 report, I'd like you
22 to read the second sentence from the last paragraph.
23 A. "At no time when they were awake."
24 Q. And what's the sentence previous to that? Read the
25 previous sentence to that, sir.

1 A. "I molested kids while they were sleeping. At no time
2 when they were awake."
3 Q. So do you remember making that statement now?
4 A. No, but I'd say that's probably accurate.
5 Q. So all the victims whose statements you have read and
6 whose testimony you have heard who said that they were
7 molested by you while they were awake were lying.
8 A. Yes.
9 Q. They were lying, not you.
10 A. No, they were not lying.
11 Q. So you were lying.
12 A. I'm lying? Why am I lying?
13 Q. Did you molest children while they were awake?
14 A. Yes, I did.
15 Q. So you provided false information in this '94 report,
16 correct?
17 A. I suppose.
18 Q. Because in your mind molesting somebody who's sleeping
19 isn't as bad as molesting somebody who's awake?
20 A. I didn't make that distinction.
21 Q. Well, you seem pretty intent on arguing, for example, that
22 you never penetrated any of your victims, correct?
23 A. Correct.
24 Q. Even though many of them have stated that you did. You
25 have to answer out loud.

1 A. I still say I deny that.
2 Q. Many of your victims talk about instances in which you
3 beat them and forced them to perform sexual acts upon you. Do
4 you recall reading their statements?
5 A. Yes.
6 Q. They were telling the truth, weren't they?
7 A. No.
8 Q. Oh, they weren't telling the truth. So you're saying that
9 you never used force on any of the children?
10 A. Right.
11 Q. Now, in the December 27th, 1994 report, that same report
12 we just talked about, on page 8 it states that you had
13 approximately 100 sexual contacts with children while you were
14 an adult. Is that an accurate figure?
15 A. I don't know.
16 Q. Once again, you lost count, right?
17 A. Yes.
18 Q. Because you're a serial molester, aren't you?
19 A. Yes.
20 Q. A predator --
21 A. Yes.
22 Q. -- of young boys.
23 A. Yes.
24 Q. Who cannot be cured.
25 A. No.

1 MR. ROYCE: Objection.
2 THE COURT: Overruled.
3 BY MR. FUNK:
4 Q. You have to answer out loud.
5 A. Pardon me?
6 THE COURT: There was an answer to the question.
7 BY THE WITNESS:
8 A. I did answer. No.
9 BY MR. FUNK:
10 Q. You cannot be cured.
11 A. I cannot be cured, right.
12 Q. In 2002, in June of 2002, you admitted that you were
13 addicted to young children, to young boys sexually, and that
14 you had contact -- and I'm quoting: "with 40 or 50 male teens
15 since you were a teen-ager up to 1987."
16 A. Yes.
17 Q. 40 to 50 --
18 A. Yes.
19 Q. -- separate children while you were an adult.
20 A. No, since the time I was a teen-ager.
21 Q. So you're arguing now or you're stating now that this
22 number, 40 to 50, refers to children you had sexual contact
23 with while you were a child?
24 A. From the age of around 12, right.
25 Q. Well, on direct examination, you stated that there were

1 between 12 and 14 children that you victimized, correct?
2 A. Correct.
3 Q. Then when I asked you, you said you couldn't really be
4 sure how many children you victimized.
5 A. Right.
6 Q. And in your '94 statement, you stated that you would also
7 pick up hustlers in their older teens.
8 A. Yes.
9 Q. What do you call a hustler? What does that mean?
10 A. Male prostitutes.
11 Q. In their older teens.
12 A. Over 18.
13 Q. Oh, all over 18. You checked their ID's, correct?
14 A. I asked.
15 Q. You always asked.
16 A. Uh-huh.
17 Q. You wouldn't want to accidentally molest a child, is that
18 correct?
19 A. Correct.
20 Q. You're on record as first having molested a child while
21 you were in your second year of theology. Do you agree with
22 that?
23 A. No, I don't.
24 Q. While you were at the St. Bernadine Clinic -- I'm sorry.
25 In the St. Bernadine Clinic report, you did not admit that you

1 molested a child while you were in your second year of
2 theology?
3 A. I don't recall that.
4 Q. You were in your second year of theology in about 1977, is
5 that right?
6 A. No, 1976.
7 Q. 1976, I'm sorry. You at that time identified yourself as
8 a pedophile because you had taken some psychology courses that
9 taught you about pedophilia, is that correct?
10 A. Yes.
11 Q. Now, after being released from the Guest House in 1980,
12 isn't it true that you resumed sexual contact with young
13 males, prostitutes, and other children within months?
14 A. Yes.
15 Q. Within months of receiving treatment at the Guest House in
16 1980, right?
17 A. Yes.
18 Q. Now, you were at the St. Luke Institute for six months in
19 1987, is that true?
20 A. Yes.
21 Q. At that point, you indicated that there were hundreds of
22 incidents of molestation that you --
23 A. Yes.
24 Q. -- were guilty of? At that point, you admitted to at
25 least 14 boys, isn't that right?

1 A. Yes.
2 Q. You admitted to cruising for boys, right?
3 A. Yes.
4 Q. What do you mean by that?
5 A. Looking.
6 Q. Driving around looking for boys.
7 A. Yes.
8 Q. And once in awhile when you'd find a boy, you'd take him
9 along, wouldn't you?
10 A. Yes.
11 Q. And you'd molest him.
12 A. Yes.
13 Q. For example, in 1988, you attempted to sexually
14 proposition two boys on Lawrence Avenue, isn't that right?
15 A. Yes.
16 Q. Of course, you denied it at the time, right?
17 A. Yes.
18 Q. But you're admitting it now, right?
19 A. Yes.
20 Q. You lied at the time to your superiors and to the police,
21 isn't that true?
22 A. Yes.
23 Q. You didn't resign in 1991, did you?
24 A. Yes, I did.
25 Q. Technically you might have resigned, but you were forced

1 out of the priesthood in 1991, weren't you?
2 A. No, the cardinal asked me to go to Mercy Hospital, and I
3 resigned instead of doing that.
4 Q. Because you wanted to go back to the parish?
5 A. No, I didn't want to go back to the parish.
6 Q. So if reports indicate and communications within the
7 archdiocese indicate that you wanted to go back to the parish
8 and that when you weren't allowed to go back to the parish you
9 resigned, they would also be incorrect, correct?
10 A. I'm not sure that I understand the distinction there.
11 Q. Well, if there were reports that indicate that you were
12 forced out because the people who were in charge of you did
13 not want to have you back in a parish setting, those reports
14 or those documents would be incorrect. That would not have
15 happened.
16 A. I wasn't aware of any of those documents.
17 Q. So would the information be correct or not?
18 A. I resigned in 1991 on October 30th.
19 Q. You resigned because there had recently been allegations
20 that you had once again molested boys, right?
21 A. I resigned because the cardinal had called people to come
22 into his office to meet with them, and those who had
23 difficulties with acting out with adolescents were asked to go
24 into treatment under supervision immediately or -- well, there
25 was no "or." My choice was to resign.

1 Q. Because you didn't want to go into treatment.
2 A. No, I was already in treatment.
3 Q. Now, you've had a chance to read the 2002 Isaac Ray
4 report, haven't you?
5 A. No, not really.
6 Q. Well, you heard the doctor testify that it was his
7 position and opinion at least at the time of the writing of
8 the report you continued to minimize your own fixation on
9 young boys.
10 A. Yes.
11 Q. You had not been truthful to your therapists, had you?
12 A. Not completely, no.
13 Q. Not completely. You left a few things out, correct?
14 A. Yes.
15 Q. Your extensive child porn collection, for example, you
16 left that out.
17 A. Yes.
18 Q. You didn't tell them about that.
19 A. No.
20 Q. Just like you weren't truthful to your therapists and your
21 supervisors in the 1970s and 1980s.
22 A. Yes.
23 Q. And in 2002 and as you sit there right now, you're still
24 addicted to young boys, isn't that right?
25 A. Yes.

1 Q. You're going to be an addict in that sense for the rest of
2 your life.
3 A. Yes.
4 Q. Now, you stated to law enforcement when you were
5 questioned in June of 2002 that you considered child
6 pornography a victimless crime.
7 A. Yes.
8 Q. Isn't that what you said?
9 A. Yes.
10 Q. Please explain to the Court what you mean by victimless
11 crime.
12 A. Well, they asked me the question did I consider child
13 pornography a victimless crime, and I said yes.
14 Q. Let me rephrase the question. What do you consider a
15 victimless crime?
16 A. The fact that there was -- at the time, there was no
17 direct contact with me with a victim.
18 Q. So in your mind, as long as you're not laying hands the
19 victim, there is no victim.
20 A. No, that's not true.
21 Q. It's not true.
22 A. No.
23 Q. Because you know that child pornography does have victims,
24 don't you?
25 A. Yes.

1 Q. Speaking of victims, you consider yourself a victim, don't
2 you, in this case?
3 A. No.
4 Q. You don't consider yourself a poster boy? You don't
5 consider this prosecution to be some sort of victimization of
6 you?
7 A. No.
8 Q. You've never said that?
9 A. No.
10 Q. Not ever? Not on September the 10th, right, you didn't
11 say it then?
12 A. In what context?
13 Q. That you were being made a poster boy.
14 A. I don't know who I said that to.
15 Q. Did you say it, or didn't you say it?
16 A. I don't know who I said it to.
17 THE COURT: Why don't you call to the witness's
18 attention the facts and circumstances surrounding that
19 statement.
20 MR. FUNK: Certainly.
21 BY MR. FUNK:
22 Q. Had you made a phone call to a woman at -- well, I won't
23 relay the telephone number you used. On September the 10th,
24 7:48, you made a phone call, a collect call to a woman whose
25 first name starts with the letter M, and you claimed that you

1 were being made a poster child like that priest in Boston,
2 isn't that right?
3 A. Possibly, yes.
4 Q. Possibly? Possibly on December the 4th, you once again
5 referred to yourself as being a victim in this case because
6 you're being made a poster child, right?
7 A. Yes.
8 Q. In fact, in a sense, you are the poster boy for a sex
9 predator, aren't you?
10 A. I don't think so.
11 Q. Well, well over a dozen victims, right?
12 A. Yes.
13 Q. Cruising for boys, seeing if you could pick some up off
14 the street to molest, right?
15 A. Yes.
16 Q. In fact, you did molest boys that you picked up off the
17 street randomly, right?
18 A. No. Over 18, nobody under 18.
19 Q. You became friendly with the victims' families, right?
20 A. Yes.
21 Q. So that you could have a better opportunity to molest the
22 children, right?
23 A. That was not my intention.
24 Q. That was the result, right?
25 A. Yes.

1 Q. Over a decade of molestation of children under your care?
2 THE COURT: Hold on. Hold on. You may answer the
3 question.
4 (Brief pause.)
5 BY MR. FUNK:
6 Q. For over a decade, isn't it true that for over a decade
7 you molested children under your care?
8 A. Yes.
9 Q. Well, if you're not the poster boy for sex molesters and
10 predators, who is?
11 MR. ROYCE: Objection.
12 THE COURT: Sustained.
13 BY MR. FUNK:
14 Q. You stated to customs agents that you view child
15 pornography as a release, didn't you?
16 A. Yes.
17 Q. And you stated to them that without child pornography you
18 would have to do the real thing, didn't you?
19 A. No, I did not say that.
20 Q. So the agent was lying when he said that you said that.
21 A. That's not how it was worded.
22 Q. How what was worded?
23 A. The question you just asked me now is not what the agent
24 asked me.
25 Q. But that's what the agent testified you said.

1 A. The agent asked me if I felt that pornography was a
2 release, and I said yes, it was.
3 Q. Well, not to belabor the point, but you've seen the
4 agent's report in this case, haven't you?
5 A. I've reviewed it, yes.
6 Q. You've reviewed it, and the report states that you use
7 child pornography as a release instead of actually going out
8 and conducting that activity with a minor.
9 A. Yes.
10 Q. That's what the report says.
11 A. Uh-huh.
12 Q. You have no control over your sexual desires when it comes
13 to children, do you?
14 A. No.
15 Q. And you never will.
16 A. I have a treatment that keeps it in check.
17 Q. That keeps it in check.
18 A. Right.
19 Q. But you'll never be able to say that you can control your
20 sexual desires as it relates to minors.
21 A. I don't know that.
22 Q. You don't know.
23 A. No.
24 MR. FUNK: Nothing further, Your Honor.
25 THE COURT: Redirect?

REDIRECT EXAMINATION

1

2 BY MR. ROYCE:

3 Q. Do you recall, Mr. McCaffery, who told you or used the

4 words that you were a poster child in this case? Do you

5 recall who said that?

6 A. Yes.

7 Q. Who?

8 A. I don't know who it was that he's referring to, but I

9 remember now the context of what he's saying, yes.

10 Q. Didn't I tell you that you were the poster child?

11 A. You did too, yes.

12 Q. And did I tell you that because of what I had talked to

13 you about, the mounting evidence in the case?

14 A. Yes.

15 Q. Now, whether or not you used that term on the phone when

16 the Government apparently reviewed or seized your telephone

17 calls in the MCC, do you consider yourself a victim?

18 A. No.

19 Q. And the term "poster child" was used to you in a manner of

20 a course of conversation, is that true?

21 A. Yes.

22 Q. You didn't seek self-pity because of that term, did you?

23 A. I don't believe so, no.

24 Q. And the concept of the issue in Boston did come up, didn't

25 it?

1 A. Yes.
2 Q. Do you remember the context of that conversation about
3 Boston?
4 A. Yes.
5 Q. And who was that conversation with?
6 A. I believe it was with you.
7 Q. And then perhaps you made telephone calls that might have
8 been overheard by the Government or taped, right?
9 THE COURT: Ask a question.
10 MR. ROYCE: Pardon?
11 THE COURT: Ask a question.
12 BY MR. ROYCE:
13 Q. And then you said that in a conversation that the
14 Government might have overheard?
15 A. Yes.
16 Q. You met with John Cardinal Bernadine on October 29th,
17 1991, didn't you?
18 A. Yes.
19 Q. And you received a letter from him December 26th, 1991.
20 Do you recall that?
21 A. I think so.
22 MR. ROYCE: This is Defendant's 4 -- I'm sorry --
23 Defendant's 3, if I may approach.
24 THE COURT: Yes.
25 BY MR. ROYCE:

1 Q. Having reviewed Defendant's 3 for identification at this
2 hearing, does it refresh your memory as to whether or not on
3 December 26th, 1991, you received a letter from John Cardinal
4 Bernadine confirming your resignation and conversation with
5 him?
6 A. Yes.
7 Q. Did you resign in that meeting orally with him?
8 A. Yes, I did.
9 Q. Subsequent to that, did you have occasion to go through
10 certain meetings with other members of the archdiocese in
11 relation to the final drafting of papers for your official lay
12 -- how do you say that?
13 A. Laicization.
14 Q. Laicization?
15 A. Right.
16 Q. And what does that mean?
17 A. That's when you officially are unordained, so to speak.
18 Q. And where does all of that paperwork go to and come from,
19 do you know?
20 A. It goes to Rome.
21 Q. And does that go ultimately to the Pope to your knowledge?
22 A. To the Congregation of Christian Doctrine, I believe.
23 Q. And is that why it took as long as it did for you to get
24 the actual signing and acceptance of your resignation?
25 A. No, I didn't -- I never applied for laicization.

1 Q. But it went through wrong, didn't it?
2 A. No, I just resigned, and it still has not gone through
3 Rome yet.
4 Q. On December 3rd, 1993, did you get a letter and agreement
5 confirming your resignation from the cardinal?
6 A. Yes.
7 Q. That's Defendant's 4, consisting of approximately six
8 pages bearing all the signatures involved in this case and
9 dated December 3rd, 1993?
10 A. Oh, as part of the agreement, yes.
11 Q. And is that the final resignation which concluded all the
12 discussion between you and the archdiocese involving your
13 status as a priest?
14 A. Yes.
15 Q. When you resigned from the priesthood, was it because of
16 some statement that you had about getting involved in some
17 other program or rejecting anything in relation to the
18 archdiocese?
19 A. No, it was just that I did not want to go back into
20 treatment again.
21 Q. And where was the treatment to be held?
22 A. At Mercy Hospital but, I mean, they didn't have a formal
23 sexual disorders treatment program there. They were just
24 holding these men there.
25 Q. And you were in a sexual treatment program.

1 A. Yes.
2 Q. And you felt it best in your interest as well as the
3 interests of the community to resign.
4 A. Right.
5 Q. And you did so.
6 A. Yes.
7 Q. Counsel for the state -- for the Government asked you if
8 the witnesses who said that you had sexual penetration with
9 them lied. Do you recall that question?
10 A. I do recall the question, yes.
11 Q. Did you ever sexually or digitally penetrate anyone?
12 A. No.
13 MR. ROYCE: Thank you. I have nothing further.
14 THE COURT: Mr. Funk?
15 MR. FUNK: Nothing from the Government, Your Honor.
16 THE COURT: You may step down.
17 (Witness excused.)
18 MR. ROYCE: That's all the witnesses I have.
19 MR. FUNK: The Government has no rebuttal, Your
20 Honor.
21 THE COURT: You have no rebuttal?
22 MR. FUNK: No rebuttal.
23 THE COURT: All right. I have a supplemental
24 report from the Probation Department, Ms. Zammuto.
25 MS. ZAMMUTO: Yes.

1 THE COURT: I'm wondering about the possibility of
2 asking you to prepare, to the extent that you think it might
3 be feasible, a further supplemental report perhaps
4 incorporating the testimony of today into the presentence
5 report, the presentence investigation that you previously
6 prepared. You certainly don't have to rehash any of the
7 material that's in the present presentence report, but maybe
8 updating it.
9 MS. ZAMMUTO: Fine, Your Honor.
10 THE COURT: I'd ask you to do that.
11 MS. ZAMMUTO: Okay.
12 THE COURT: Gentlemen, do you wish submit anything?
13 I have the objections. There's some supplemental memoranda
14 regarding upward departures. Do you wish submit anything
15 tying all this together?
16 MR. ROYCE: Judge, if I might just state, last
17 evening, I think it was about 9:00 p.m. that I got -- I
18 received in my office Mr. Funk's most recent response. To be
19 frank with Your Honor, I got it at that point, but it was a
20 long weekend working, and I didn't respond to it. I'd only
21 want to respond to argument 3 that he made. So very briefly,
22 I would say it would take a very short time and involve --
23 THE COURT: Do you wish to file anything further
24 based on what was the testimony here today?
25 MR. FUNK: Your Honor, I'd like to reserve it. I

1 don't anticipate filing anything further. The Government
2 doesn't anticipate filing anything further. I'd like to
3 review what I've filed in the context of what we have heard
4 today to just ensure myself that the legal arguments remain
5 the same, but I believe that all the Government's legal
6 arguments and factual assertions are consistent with what
7 we've heard today and that there's no need to file anything
8 additional.
9 THE COURT: Could you have something on file in the
10 next week?
11 MR. ROYCE: Sure, Your Honor. Yes, sir.
12 THE COURT: Ms. Zammuto, in the next three weeks,
13 could you put something together incorporating what has been
14 further adduced during the testimony today?
15 MS. ZAMMUTO: I could, Your Honor.
16 THE COURT: Very well. Mr. Funk, if you wish to
17 file anything, I'll ask you to do so within seven days.
18 MR. FUNK: Certainly, Your Honor.
19 THE COURT: We'll set the matter over to Monday,
20 January 6th, 2003, at 11:00 o'clock for sentencing.
21 MR. ROYCE: Thank you for your time, Your Honor.
22 MR. FUNK: Thank you very much, Judge.
23 THE COURT: You're welcome.
24 (Proceedings adjourned to 11:00 a.m., January 6, 2003.)
25

COPY

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

January 15, 2008

DRAFT
1/15/08

[redacted]

Dear [redacted]

I first want to apologize for my significant delay in getting this draft report to you. My inability to get this draft to you sooner is in no way a reflection of the importance of your coming forward to the Archdiocese of Chicago.

Enclosed you will find a draft report of your allegation of sexual abuse against the former Rev. Vincent McCaffrey. The report is based upon our meeting that took place on October 3, 2007. Thank you again for agreeing to meet with Ms. Mayra Flores and me.

I ask that you review the report and make any changes necessary to ensure its accuracy. Please return the draft to me with any changes in the envelope provided. I will then return a final report to you for your signature. Once all signatures are provided, I will have a copy of the final report sent to you.

[redacted] in the interest of continuing to bring this matter forward, I ask that you please return the enclosed report with your changes by January 30, 2008. Please know that you may also respond by January 30th with a written request for a two-week extension to review the report, which then I would ask that you return it to me by February 13th.

If you have any questions, please feel free to contact me at [312] 751-5205.

Sincerely,

Leah McCluskey
Director, Office for Child Abuse Investigations and Review

Enclosure

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, IL 60611

(312)751-5205
1-800-994-6200
Fax (312)751-5279

Professional Fitness Review Board Meeting
Saturday, July 17, 1999

MINUTES

Review Board Members Present:

[redacted]

Others Present:

Rev. Thomas Paprocki, Cardinal's Delegate to the Review Board, Kathleen Leggdas, PFR Administrator.

Absent:

[redacted]

I. **Case Reviews:**

A. Approval of May 15, 1999 minutes deferred.

B. Matter of new allegation: [redacted]

[redacted]

[redacted]

C. Matter of new allegation - Rev. Vincent McCaffrey (resigned priest).

The Review Board considered a new allegation against Vincent McCaffrey, a resigned priest. The Board found the allegation of [redacted] credible.

The Board asked that Kathleen Leggdas ask the Vicar for Priests to speak to Fr. Leo Mahon about alleged comments made to [redacted] by Fr. Mahon (see Kathleen Leggdas memo of June 15, 1999).

Father Larry McBrady, Vicar for Priests is in contact with Vince and will present the allegation to him within the next few weeks.

D. Matter of new allegation – [redacted]

[redacted]

E. Matter of [redacted]

[redacted]

[redacted]

F. [redacted]

II. **Other Business:**

Update on items from June 19, 1999 meeting which was cancelled.

- [redacted]
-
-
-
-

Next regularly scheduled meeting is Saturday, August 21, 1999.

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility

P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279
www.archchicago.org

Professional Responsibility Review Board
Saturday, June 18, 2005 9:00 a.m. to 1:00 p.m.

MINUTES **CORRECTED**

Review Board Members Present:

[redacted]

Members absent:

[redacted]

Non-members present:

Leah McCluskey, Professional Responsibility Administrator [PRA]
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board

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I. Approval of Minutes – May 21, 2005

- Change made to last bullet point at the bottom of page 1 [see "Corrected" minutes]; then approved by a vote of 6-0 [[redacted] was not yet present]
- [redacted]
- [redacted]

II. Case Reviews

Review for Cause

A. In the Matter of [redacted]

[redacted]

[redacted]

B. In the Matter of Rev. Vincent McCaffrey [Resigned 1993/Incarcerated 2002] PFR 26

The Review Board conducted a Review for Cause regarding the allegation made by [redacted] The allegation is as follows: fondling genitals.

In a 7-0 vote in light of the information presented, the Review Board determined that there is reasonable cause to suspect that the alleged misconduct occurred. Further, the Board determined that no further action be taken because the former Fr. McCaffrey is resigned, except to provide appropriate outreach to those affected by the alleged misconduct.

In the Matter of Rev. Vincent McCaffrey [Resigned 1993/Incarcerated 2002] PFR 26

The Review Board conducted a Review for Cause regarding the allegation made by [redacted] The allegation is as follows: verbal, emotional, and sexual abuse.

[redacted]

In the Matter of Rev. Vincent McCaffrey [Resigned 1993/Incarcerated 2002]
PFR 26
The Review Board conducted a Review for Cause regarding the allegation made by [redacted] The allegation is as follows: [redacted] by Fr. McCaffrey. Fr. McCaffrey offered to give [redacted] a back rub. [redacted] was lying on his stomach on the floor and Fr. McCaffrey was straddling his [redacted] back. When [redacted] was able to move after drinking [approximately 5-10 minutes], he realized that Fr. McCaffrey's penis was out and in between his [redacted] buttocks. [redacted] had been wearing a [redacted] swimsuit that was provided by Fr. McCaffrey--the cleric had pulled away [redacted] swimsuit and placed his penis in between [redacted]'s buttocks.

In a 7-0 vote in light of the information presented, the Review Board determined that there is reasonable cause to suspect that the alleged misconduct occurred. Further, the Board determined that no further action be taken because the former Fr. McCaffrey is resigned, except to provide appropriate outreach to those affected by the alleged misconduct.

In the Matter of Rev. Vincent McCaffrey [Resigned 1993/Incarcerated 2002]
PFR 26
The Review Board conducted a Review for Cause regarding the allegation made by [redacted] The allegation is as follows: fondling over and under the clothes; inappropriate touching. Countless incidents of abuse over identified time period [at least 100].

In a 7-0 vote in light of the information presented, the Review Board determined that there is reasonable cause to suspect that the alleged misconduct occurred. Further, the Board determined that no further action be taken because the former Fr. McCaffrey is resigned, except to provide appropriate outreach to those affected by the alleged misconduct.

In the Matter of Rev. Vincent McCaffrey [Resigned 1993/Incarcerated 2002]
PFR 26
The Review Board conducted a Review for Cause regarding the allegation made by [redacted] The allegation is as follows: during an overnight outing, Fr. McCaffrey touched [redacted] groin area over clothing while sleeping [redacted] was unsure if Fr. McCaffrey was asleep at the time] next to him. After playing [redacted], Fr. McCaffrey would watch [redacted] take a shower. Fr. McCaffrey fondled [redacted] over his clothing while sleeping over at the seminary.

In a 7-0 vote in light of the information presented, the Review Board determined that there is reasonable cause to suspect that the alleged misconduct occurred. Further, the Board

determined that no further action be taken because the former Fr. McCaffrey is resigned, except to provide appropriate outreach to those affected by the alleged misconduct.

In the Matter of Rev. Vincent McCaffrey [Resigned 1993/Incarcerated 2002]
PFR 26
The Review Board conducted a Review for Cause regarding the allegation made by [redacted] The allegation is as follows: mutual oral sex; Fr. McCaffrey provided [redacted] alcohol.

In a 7-0 vote in light of the information presented, the Review Board determined that there is reasonable cause to suspect that the alleged misconduct occurred. Further, the Board determined that no further action be taken because the former Fr. McCaffrey is resigned, except to provide appropriate outreach to those affected by the alleged misconduct.

C. In the Matter of [redacted]

D. In the Matter of [redacted]

III. Other Matters

- [redacted]

- [redacted]
- [redacted]
- PRA provided an update of new allegations to Board members
- PRA provided an update of Cardinal George's decisions to accept all Review Board recommendations made in regards to the May 21, 2005 and May 31, 2005 meetings
- [redacted] will not be present at the July 16, 2005 scheduled Review Board meeting

Next scheduled meeting is Saturday, July 16, 2005 at 9:00 a.m.

Cc: Review Board Members
Rev. Daniel A. Smilanic, Cardinal's Delegate to the Review Board
Rev. James T. Kaczorowski, Vicar for Priests
Rev. Edward D. Grace, Vicar for Priests
Francis Cardinal George, O.M.I.

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility

P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279
www.archchicago.org

Professional Responsibility Review Board
Saturday, May 21, 2005 9:00 a.m. to 12:00 p.m.

MINUTES

CORRECTED

Review Board Members Present:

[redacted]

Members absent:

[redacted]

Non-members present:

Leah McCluskey, Professional Responsibility Administrator [PRA]
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board

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I. Approval of Minutes – April 16, 2005

- Unanimously approved 5-0

II. Other Matters

- [redacted]

[redacted]

III. Case Reviews

Initial Review

A. In the Matter of Rev. Vincent McCaffrey [Resigned 1993/Incarcerated 2002] PFR 26

The Review Board conducted an Initial Review regarding the allegation made by [redacted] The allegation is as follows: fondling genitals.

In a 5-0 vote in light of the information presented, the Review Board determined that the information warrants additional investigation.

In the Matter of Rev. Vincent McCaffrey [Resigned 1993/Incarcerated 2002] PFR 26

The Review Board conducted an Initial Review regarding the allegation made by [redacted] The allegation is as follows: verbal, emotional, and sexual abuse.

In a 5-0 vote in light of the information presented, the Review Board determined that the information warrants additional investigation.

In the Matter of Rev. Vincent McCaffrey [Resigned 1993/Incarcerated 2002] PFR 26

The Review Board conducted an Initial Review regarding the allegation made by [redacted] The allegation is as follows: Possible drug put into [redacted] Pepsi/Coke by Fr. McCaffrey. Fr. McCaffrey offered to give [redacted] a back rub. [redacted] was lying on his stomach on the floor and Fr. McCaffrey was straddling his [redacted] back. When [redacted] was able to move after drinking [approximately 5-10 minutes], he realized that Fr. McCaffrey's penis was out and in between his [redacted] buttocks. [redacted] had been wearing a [redacted]

swimsuit that was provided by Fr. McCaffrey--the cleric had pulled away [redacted] swimsuit and placed his penis in between [redacted] buttocks.

In a 5-0 vote in light of the information presented, the Review Board determined that the information warrants additional investigation.

In the Matter of Rev. Vincent McCaffrey [Resigned 1993/Incarcerated 2002]
PFR 26
The Review Board conducted an Initial Review regarding the allegation made by [redacted] The allegation is as follows: fondling over and under the clothes; inappropriate touching. Countless incidents of abuse over identified time period [at least 100].

In a 5-0 vote in light of the information presented, the Review Board determined that the information warrants additional investigation.

In the Matter of Rev. Vincent McCaffrey [Resigned 1993/Incarcerated 2002]
PFR 26
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In a 5-0 vote in light of the information presented, the Review Board determined that the information warrants additional investigation.

In the Matter of Rev. Vincent McCaffrey [Resigned 1993/Incarcerated 2002]
PFR 26
The Review Board conducted an Initial Review regarding the allegation made by [redacted] The allegation is as follows: mutual oral sex; Fr. McCaffrey provided [redacted] alcohol.

In a 5-0 vote in light of the information presented, the Review Board determined that the information warrants additional investigation.

In regards to all aforementioned Vincent McCaffrey cases:

- [redacted] suggested to have an Archdiocesan attorney contact the prison to speak with Vincent McCaffrey; suggested that an audience with an attorney would not be refused by the prison
- [redacted] initiated the discussion surrounding the possibility of conducting an Initial Review and Review for Cause on the McCaffrey matters in one day as opposed to waiting 30 days for the Review for Cause

- Fr. Smilanic advised that policy be observed and that Initial Review take place [during the May 21, 2005 Board meeting] and that the Review for Cause take place as early as the June 18, 2005 scheduled Board meeting
- [redacted] suggested that the letters from PRA [upon Cardinal George's written decisions on the aforementioned McCaffrey matters] to Vincent McCaffrey request his responses to the allegations by a stated date [so that the aforementioned matters could be presented to the Board for Review for Cause at the June 18, 2005 Board meeting]
- PRA to determine if Department of Legal Services has transcripts of the court file [involving Vincent McCaffrey's sentencing]; PRA then to determine if McCaffrey admitted to the crimes of the abuse of children as well as determine who [victims] testified against McCaffrey in court
- PRA to send a copy of [redacted] statement [allegation] to attorney Marc Pealman with the request that [redacted] sign his statement

Review for Cause

A. In the Matter of [redacted]

B. In the Matter of [redacted]

C. In the Matter of [redacted]

[redacted]

D. In the Matter of [redacted]

E. In the Matter of [redacted]

Next scheduled meeting is Saturday, June 18, 2005 at 9:00 a.m.

Cc: Review Board Members
Rev. Daniel A. Smilanic, Cardinal's Delegate to the Review Board
Rev. James T. Kaczorowski, Vicar for Priests
Rev. Edward D. Grace, Vicar for Priests
Francis Cardinal George, O.M.I.

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

Office for Child Abuse Investigations and Review

Review Board Conference Call
Thursday, April 3, 2008 1:15 pm to 1:45 pm

MINUTES

Review Board Member Participants in Conference Call:

[redacted]

Review Board Members Unable to Participate in Conference Call:

[redacted]

Non-member Participants in Conference Call:

Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board

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- [redacted] explained the purpose of the April 3, 2008 Conference Call; noted that there were three lay members and three clergy members at the beginning of the call and therefore as per policy, clerics may not carry a motion
- [redacted] explained that there was not a quorum at the March 15, 2008 Review Board meeting; stated that the Board members present that day in addition to himself were [redacted]
- [redacted] stated that those members present at the March 15th meeting discussed the matters on the [March 15, 2008] Agenda without taking any votes; discussion recorded and reflected in March 15, 2008 Meeting Minutes; agreed that an attempt would be made to schedule a Conference Call to discuss the Initial Review matters prior to the next Review Board meeting scheduled for April 26, 2008
- [redacted] stated that the Initial Review and Request for Supplementary Review matters would be discussed during the April 3rd Conference Call; noted that the Review for Cause matters would be discussed at the scheduled April 26th meeting
- [redacted] reiterated that there was no vote taken on any of the matters discussed at the March 15th meeting, but that consensus recommendations were made to be shared with the entire Review Board

- At this point during the April 3rd meeting, [redacted] joined the Conference Call; [redacted] provided [redacted] with the aforementioned update

I. **Case Reviews**

Initial Review

A. **In the Matter of** [redacted]

B. **In the Matter of** [redacted]

C. In the Matter of [redacted]

D. In the Matter of [redacted]

E. In the Matter of Rev. Vincent McCaffrey [Resigned 1993/Incarcerated]–PFR -26
The Review Board conducted an Initial Review of [redacted] allegation of the sexual abuse of a minor by the former Rev. Vincent McCaffrey. A summary of the allegation is as follows: began in 4th or 5th grade through 7th or 8th grade; fondling over and under clothing; incidents where Fr. McCaffrey had [redacted] and [redacted] disrobe so that he could fondle their genitals, and/or apply lotion to their bodies, and/or apply sunscreen to their bodies; Fr. McCaffrey sleeping in bed with

[redacted] and spooning, fondling, and holding him; [redacted] feels there were at least two incidents where he woke up in the morning [redacted] and Fr. McCaffrey was in bed with him

The Board members were asked if anyone had any additional requests for information to be added to those suggested by the members present at the March 15th meeting. No one had any additional requests.

In a 7-0 vote in light of the information presented, the Board determined that this matter warrants additional investigation.

Review for Cause

F. In the Matter of [redacted]

In the Matter of [redacted]

II. Request for Supplementary Review

- [redacted]

[redacted]

- [redacted]

Next scheduled meeting is Saturday, April 26, 2008 at 9:00 a.m.

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

Office for Child Abuse Investigations and Review

Review Board
Saturday, March 15, 2008 9:00 am to 1:00 pm

MINUTES

Review Board Members Present:

[redacted]

Review Board Members Not Present:

[redacted]

Non-members Present:

Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Patricia Zacharias, Assistant Director, Office for Child Abuse Investigations and Review

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I. **Approval of Minutes** – February 16, 2008

- Minutes approved
- By 9:30am, there were only five members present and it was determined that discussions of the following cases would proceed with the understanding that there would not be a quorum and therefore, no votes could be taken on any of the matters
- [redacted]
- Noted that the next Review Board meeting is scheduled for Saturday, April 26, 2008
- Noted that the May 2008 Review Board meeting is cancelled

- [redacted] will not be present at the June 14, 2008 or September 13, 2008 scheduled Review Board meetings

II. Case Reviews

Initial Review

A. In the Matter of [redacted]

B. In the Matter of [redacted]

C. In the Matter of [redacted]

D. In the Matter of

E. **In the Matter of Rev. Vincent McCaffrey [Resigned 1993/Incarcerated]–PFR -26**
The Review Board was to conduct an Initial Review of allegation of the sexual abuse of a minor by the former Rev. Vincent McCaffrey. A summary of the allegation is as follows: began in 4th or 5th grade through 7th or 8th grade; fondling over and under clothing; incidents where Fr. McCaffrey had and disrobe so that he could fondle their genitals, and/or apply lotion to their bodies, and/or apply sunscreen to their bodies; Fr. McCaffrey sleeping in bed with and spooning, fondling, and holding him; feels there were at least two incidents where he woke up in the morning and Fr. McCaffrey was in bed with him

Ms. McCluskey informed the Review Board of her phone conversation with earlier that week. called Ms. McCluskey and explained that he had received envelope that was sent to him in January 2008, which contained the draft report of his allegation. He stated that he did not open the envelope as suggested by Ms. Flores of Assistance Ministry and Ms. McCluskey during their October 3, 2007 meeting. When asked, Ms. McCluskey explained to that even though he had not returned the draft report, the matter was still going forward to the Review Board. Ms. McCluskey also invited to review the draft report and send any additions/corrections to her attention.

Due to the fact that there was not a quorum, the Board could not render a vote. However, the members present discussed the matter and the consensus was that it bears further investigation. The Board members present suggested that if this matter proceeded forward, that Ms. McCluskey do the following:

- Ask Legal Services for any information they have on [redacted] and his allegation against Fr. McCaffrey as "both allegations seem to be intertwined"

Review for Cause

F. In the Matter of [redacted]

In the Matter of [redacted]

III. Request for Supplementary Review

- [redacted]

- [redacted]

IV. Other Matters

- [redacted]

- [redacted]

Updates

- [redacted]

- [redacted]
- At the end of the March 15th meeting, it was suggested that a Conference Call be scheduled for March 27, 2008 at 12p with the proposal to have further discussion of the Initial Reviews and the Review for Causes on the March 15th agenda; a quorum would be necessary for the Conference Call to take place; it was requested that Ms. McCluskey type a summary of the March 15th meeting and have copies sent out in packets to all Review Board members to be read in preparation for the suggested Conference Call

Next scheduled meeting is Saturday, April 26, 2008 at 9:00 a.m.

COUNTY OF COOK)
) ss.
STATE OF ILLINOIS)

AFFIDAVIT

1. My name is Rev. Lawrence McBrady. I am a Roman Catholic priest, and the Vicar for Priests of the Archdiocese of Chicago.

2. Among my responsibilities is to care for priests who are receiving treatment or supervision for various personal problems. I maintain or have access to the files of such priests. I also maintain or have access to the files of former priests who were under the care of my predecessors.

3. I have reviewed the files of Vincent McCaffrey, formerly a priest of the Archdiocese of Chicago. [redacted]

4. To the best of my knowledge, and according to the records in the possession of the Archdiocese of Chicago, Vincent McCaffrey was ordained a priest on May 10, 1978 and was assigned to St. Victor's Parish in Calumet City. He was transferred to Our Lady of Loretto Parish in Hometown on June 11, 1979.

5. [redacted] has alleged that he was sexually abused by McCaffrey before June 11, 1979, shortly before McCaffrey transferred parishes.

6. To the best of my knowledge, and according to the records in the possession of the Archdiocese of Chicago, as of June 11, 1979, neither the Archdiocese of Chicago nor any of its agents (including priests, bishops, employees or other agents) had any knowledge that Vincent

McCaffrey had ever had or desired sexual contact with a minor, or that he posed any other risk to minors or other persons.

8. Further, Affiant sayeth naught.

Rev. Lawrence McBrady

Subscribed and Sworn to
before me this _____ day
of June, 1999.

_____
Notary Public

1251

CATHOLIC BISHOP OF CHICAGO
ARCHDIOCESE OF CHICAGO INSURANCE FUND
155 E. SUPERIOR ST.
CHICAGO, IL 60611

2-15/710

April 28 19 93

PAY TO THE ORDER OF Pope & John Ltd., Attorney for [redacted] $ [redacted] *

[redacted] DOLLARS

The Northern Trust Company
Chicago, Illinois

CATHOLIC BISHOP OF CHICAGO

FOR McCaffrey/[redacted] Settlement

[redacted]

1250

CATHOLIC BISHOP OF CHICAGO
ARCHDIOCESE OF CHICAGO INSURANCE FUND
155 E. SUPERIOR ST.
CHICAGO, IL 60611

2-15/710

April 28 19 93

PAY TO THE ORDER OF Pope & John Ltd., Attorneys for [redacted] $ [redacted] **

[redacted] DOLLARS

The Northern Trust Company
Chicago, Illinois

CATHOLIC BISHOP OF CHICAGO

FOR McCaffrey/[redacted] Settlement

[redacted]

MAYER, BROWN & PLATT

BRUSSELS
HOUSTON
LONDON
LOS ANGELES
NEW YORK
TOKYO
WASHINGTON
MEXICO CITY CORRESPONDENT
JAUREGUI, NAVARRETE Y NADER

190 SOUTH LA SALLE STREET

CHICAGO, ILLINOIS 60603-3441

312-782-0600
TELEX: 190404
FACSIMILE:
312-701-7711

WRITER'S DIRECT DIAL NUMBER

(312) 701-7137

March 22, 1993

BY MESSENGER

Mr. William R. Quinlan
Pope & John
311 S. Wacker Dr., Suite 4200
Chicago, IL 60606

Re: [redacted]

Dear Bill:

Enclosed please find the following checks of the Catholic Bishop:

No.	Payee	Amount
1209	[redacted]	[redacted]
1210		
1211		

These checks are delivered in full satisfaction of the obligation of the Catholic Bishop under paragraphs 1, 4 and 5 of the Settlement Agreement dated February 22, 1993.

You have not yet advised us of the amount due your firm under paragraph 6 of the Settlement Agreement.

Sincerely,

Daniel W. Luther

DWL:lk
Enclosure
cc: Mr. James A. Serritella
Rev. Patrick J. O'Malley

12088359.1 032293 1553C 86676889

ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

Memo:
To: Cardinal Bernardin
Re; Vincent McCaffrey
From: POM
11/10/92

[redacted]. Recently we received word that he is still in contact with a family from Good Counsel. They have four children.

A week after being removed from the place of employment in October of 1991, Vince is known to have visited the young son, [redacted]. We have reason to believe that our client has been seen on more than one occasion with the young man alone. The parents themselves admitted to the local youth minister that the client and the boy had spent time together. We believe that the parents are aware of this relationship and approve of it. The local youth director and, most recently, the parents' pastor, Fr. O'Donovan, have alerted the family to Vince's general past history.

The parents seemingly have not and do not believe our client has committed any misconduct in the past with others "until they hear it from his lips." We have reason to believe that our client may not have told them the truth or may have minimized past behavior.

Our fear is of a patterned relationship build up.

We believe that this client should not be in the presence of minors without another adult being present - a mandate put on him some time back. We believe this mandate has not been properly observed.

We believe that, because of the past relationship of our client with this young man, the client should sever any relationship with this family. This will undoubtedly cause the client feelings of anger and loss. It may also anger the family and the young man.

[redacted]

ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

Our concern is about his seeming failure to observe our mandate. We are responsible for him during this time. With the public trials fast approaching, all of these men removed from parishes will be under scrutiny again. The media will be out there trying to find out where the men are, what they are doing, what is our relationship with them. We can account for all of them in some way.

But Vince's situation is somewhat different. [redacted] Perhaps we are over-reacting, but we need to talk to Vince about this matter.

MAYER, BROWN & PLATT

WASHINGTON
LONDON
NEW YORK
HOUSTON
LOS ANGELES
TOKYO
BRUSSELS

190 SOUTH LA SALLE STREET

CHICAGO, ILLINOIS 60603-3441

312-782-0600
TELEX 190404
FACSIMILE:
312-701-7711

WRITER'S DIRECT DIAL NUMBER

(312) 701-7037

March 5, 1992

Confidential

Richard M. Waris
Pretzel & Stouffer Chartered
One South Wacker Drive
Suite 2500
Chicago, Illinois 60606-4673

Re: Fr. Vincent McCaffrey

Dear Mr. Waris:

We were served with the enclosed Grand Jury subpoena directed to the Vicar for Priests and demanding the production of "any and all information, notes, records, disciplinary action, etc. contained on [sic] the Vicar of Priests [sic] on Vincent McCaffrey."

In addition to documents that reflect confidential attorney-client communications, we intend to withhold all documents that reflect "confidential communications" [redacted] Where only part of the document reflects a confidential communication within the statutory definition, we have redacted the protected portion.

In view of the difficult privilege and confidentiality issues presented by the subpoena, we have asked for and received an extension of time to respond. We expect to turn over the non-privileged and redacted documents sometime next week.

If there are any matters which we need to discuss, please call me.

Sincerely,

Carrie K. Huff

CKH/gls

Enclosure

bcc (w/enc.): James A. Serritella
Fr. Robert Kealy
Fr. Patrick O'Malley

McCaffrey

AGENDA FOR MEETING WITH PEOPLE OF GOOD COUNSEL
TUESDAY, NOV. 12, 1991 7:00 PM

Prayer - Fr. O'Donovan
Introduction by Marty
All are introduced.

1. May we ask something of one another this evening. This is a family meeting; we are members of this family dealing with a confidential personnel matter. We would ask that all of us observe confidentiality about what goes on at this meeting. Is that agreed?

2. As some of you may already know, Fr. Vince McCaffrey has resigned from the priesthood. His resignation comes as a shock to you perhaps. However over the past few years Fr. Vince has been dealing with his own vocation especially in the light of the struggles in his personal life.

As you may know, he has been waging a successful battle against alcohol addiction for some years now. Fr. Vince has been a recovering addict for a long time. He has been very faithful to his AA program.

At the same time, he has been struggling with personal psychological forces as well. Some years back accusations of sexual abuse of young people were brought against him. [redacted] He came here to Good Counsel in 1988. He was placed under the direct supervision of his friend and classmate, Fr. O'Donovan. Fr. Marty had full knowledge of Fr. Vince's addictions.

[redacted]

But we are at a new moment now. With medical, legal, & psychological advances in understanding & dealing with child abuse & with heightened concern in Church & society the Archdiocese has moved to a new understanding of its policy of placing priests back in parish ministry. In order to avoid even the possibility of risks to young people, the Archdiocese has removed Fr. Vince from parish ministry.

It was when the Cardinal and Fr. Vince met to talk about this new moment that Fr. Vince felt it was time for him to resign from the priesthood. He told the Cardinal he had felt it coming for quite some time.

We wanted to share this information with this small group from the parish, but we also want to ask your advice on how it can be shared with the rest of the parish.

ARCHDIOCESE OF CHICAGO
VICAR FOR PRIESTS
800 NORTH CLARK STREET, SUITE 311
CHICAGO, ILLINOIS 60610
Off: (312) 642-1837

TO: File (R. Goedert)

DATE: Nov. 13, 1989

RE: Vincent McCaffrey

1. Michael O'Connell called (234-0205). He is concerned about one of our priests and a family that he knows quite well. The family lives in St. Michael's in Orland and the mother, [redacted] is the Youth Minister at the parish. Mike got to know her very well while he was at St. Michael's and he has continued to more or less be her mentor with regard to the youth programs.

2. [redacted] is married to [redacted] who goes by the name of [redacted] [redacted] is usually called [redacted]

3. According to Mike, [redacted] grew up with Vince McCaffrey at St. Sabina's. Their families were very, very close and in a sense, after Vince's mother died, [redacted] became a sort of surrogate mother to Vince. She's like his big sister.

4. Mike said that when he was at St. Michael's, Vince would call frequently and if Mike answered the phone, he would just hang up. [redacted] felt sure it was Vince. [redacted] But a couple of times [redacted] has mentioned to Mike how wonderful Vinny is because he would do so much for the kids, and especially when about a year ago, he took [redacted] on a skiing vacation to Colorado. It was just Vince and [redacted]

5. Mike said that he recently heard from another priest some gossip about why Vince left St. Josaphat's. I asked Mike what he had heard. He said that he had heard Vince was directed not to have any teenagers in his room and he went against the mandate and because of that he had to leave St. Josaphat.

6. Mike said that the [redacted] have three children. [redacted] is the oldest and she is a junior in college. [redacted] is next and he is a senior in high school. [redacted] is a freshman in high school. [redacted] is also raising two nieces who lost their mother. These neices are now married.

7. Mike said that [redacted] herself has never raised any concern about Vince. He [redacted]. As far as Mike knows, [redacted] is the only one that Vince took with him. Mike just heard this gossip about St. Josaphat about two weeks ago and this is what started him to wonder if there was the possibility that Vince had done anything improper with [redacted] Mike bumped into Jack Gorman at a meeting and Jack suggested that he talk to me.

8. Mike said that when [redacted] told him about Vince taking [redacted] on the skiing vacation, while she thought it was very nice, Mike himself thought it was strange. He couldn't imagine himself spending his vacation with a high school kid.

9. Mike said that he knew [redacted] had some kind of problem when he was younger. He used to wake up at night screaming. [redacted] mentioned this that he would sometimes scream and sleep walk. Whether there is any connection at all, Mike doesn't know.

10. Mike said that he will be seeing [redacted] in the next week or so and he would be able to just talk in generalities about the family, etc., and probe enough to see if he comes up with anything more concrete. I did not let on to Mike the nature of Vince's problem. I just let him do the talking.

N.B. cf. memo of 4/15/88 – probably the same family.

ARCHDIOCESE OF CHICAGO
VICAR FOR PRIESTS
800 NORTH CLARK STREET, SUITE 311
CHICAGO, ILLINOIS 60610
Off: (312) 642-1837

TO: Cardinal Bernardin

FROM: Rev. Raymond Goedert RG

DATE: May 27, 1989

RE: Rev. Vincent McCaffrey

1. I would like to request a transfer of Vince McCaffrey from St. Josaphat to Our Lady of Good Counsel.

2. As you know, Vince has been in residence at St. Josaphat since December 15, 1987, [redacted] He and Dom Grassi have worked reasonably well together, and my request for a transfer has nothing whatever to do with any difficulty within the rectory.

3. Unfortunately, one of the key parishioners, the School Board president and her husband, received an anonymous phone call which made reference by name to Vince and alleged misconduct on his part with young boys. Vince denies any such misconduct, and I checked the story out as best I could and came up with no real evidence that Vince is guilty of any wrong-doing. Obviously, the anonymous nature of the call makes it impossible to clarify the matter 100%, [redacted]

4. Ordinarily anonymous communications should be disregarded, but whenever you are dealing with pedophiles, none of the usual rules seem to apply. And in this case, the damage was done -- namely, the seed of distrust and doubt was planted in the minds of this couple. And while they strike me as being very good and discrete individuals, they do have a young son, who admires Vince very much, and they could not help but express their concern.

5. Because of what happened, I had a meeting with Vince and Dom Grassi, and we all agreed that the best thing would be for Vince to move. We don't know if the anonymous caller will strike again, but Dom feels he can't run the risk of his parish being hurt in any way. I agreed, and Vince understands this too. The sad thing is that this threat will hang over Vince until the day he dies.

6. Vince is a classmate and friend of Marty O'Donovan, the pastor of Our Lady of Good Counsel. I have explained everything to Marty, as did Vince, and Marty is willing to take Vince in. I mentioned it to Ray Cusack and he passed along my recommendation for a transfer to the Personnel Board and stated that the Board supported this move. I would appreciate it if you would approve such a transfer. (6/6/89 - Ken Velo said Card. agreed to move. It will be in the Newsletter)

7. Apart from a change of residence, I am trying to encourage Vince to re-tool himself, as I am afraid parish ministry will never be a real possibility for him. He is looking into various schools and courses and will try to give me some idea as to what he would like to pursue, the tuition costs, etc. After I hear from him

I will pass along the information to you and then ask that you meet with him, hear what he has to propose, and decide whether you are able to support him in this new direction and to what extent.

ARCHDIOCESE OF CHICAGO
VICAR FOR PRIESTS
800 NORTH CLARK STREET, SUITE 311
CHICAGO, ILLINOIS 60610

Off: (312) 642-1837

TO: File (R. Goedert)

DATE: April 6, 1989

RE: Vincent McCaffrey

1. I convened a meeting today in my office with Vince McCaffrey, Dom Grassi and [redacted] The purpose was to determine our strategy in handling the allegations made against Vince by the anonymous phone caller. After considerable discussion, we reached the following consensus:

A. Vince will have to leave St. Josaphat's.

B. His departure will be timed to coincide with the rest of the changes in June.

C. Dom Grassi will explain to the couple who received the anonymous phone call that Vince's primary assignment is graduate studies and that his intention is to pursue them and he is going to seek a residency rather than an Associate Pastor assignment in order to facilitate his studies. This was his intention all along, but now it will be hastened somewhat because of this unfortunate incident. (Vince has been talking along these lines and has already enrolled in a GRE program to determine whether he would be accepted into graduate school.)

D. During the next two months, Vince will look into just what is involved if he is accepted into graduate school -- where will he go to school, what will it cost, where will he live, etc.

E. It was agreed that Vince would live at Little Flower if he does not have another residence determined at the time of the June move.

F. If there is any hitch in any of this, then the four of us will re-convene and work out the next steps.

2. I encouraged Vince to pursue more earnestly what he had already talked to me about before. He had indicated to me some time ago that he would be interested in working with sexual disorder people. He had hoped to go to school and we did not really pursue it that strongly at the time. But given this particular circumstance, I felt that he should really look into it and perhaps see it as the direction for his future ministry.

3. Vince also mentioned that he would have to resolve the vocational issue. He is not sure whether he is called to priesthood or not. I agreed that this ought to be looked into, but I also stated that I felt he could find a niche in ministry as a priest. [redacted]

[redacted]

ARCHDIOCESE OF CHICAGO
POST OFFICE BOX 1979
CHICAGO, ILLINOIS 60690

Office of the Chancellor
(312) 751-8220

CONFIDENTIAL

PRO MEMORIA

From: Father Kealy RKK

Re: Father Vince McCaffrey/Interview with Father James O'Connor

Date: March 4, 1987

Today I called Father James O'Connor and asked him to meet with me. He is pastor of St. Joseph Church in Libertyville, but had been pastor of Our Lady of Loretto church in Hometown when Father McCaffrey was there.

This was 1971

One night at Our Lady of Loretto, about 3:00 a.m. or 4:00 a.m., Jim O'Connor got buzzed on the telephone intercom by Vince who said, "There is someone on the phone who needs to talk with you about someone who is sick." Jim took the call and it was a sergeant from the Hometown Police who said, "Father, please come over here right away and don't tell anyone in the rectory you are coming."

O'Connor went to the police station where there was a teenage boy, who appeared to be 16 or 17, and his parents. The boy said he was from Calumet City, where Vince had been assigned, and was visiting Vince.

Vince tried to get him drunk. Told kid he would help him get a job, but kid had to help Vince with some research. Told kid he was studying teenage sexuality and needed to know what would turn on a kid like him. He told kid to come closer, drop his pants. He gave kid two sex books to look at. Vince bent over "and started kissing his body." Kid fought him off.

Vince was drunk, but drove kid home. Kid told his parents who drove with him back to rectory. Vince answered the door. They demanded to see his superior. He said, "I have no superior except Cardinal Cody." They went to Hometown Police who called Jim O'Connor. Mother told Jim, "I won't sign a complaint as long as something is done about his problem." Jim told her it would be.

Later in the morning, Jim had the first Mass. While Vince was saying the second Mass, Jim went to his room where he found one book on explicit sex instruction. The room showed evidence that there had been a scuffle.

Pro Memoria Re. Father Vince McCaffrey/
Interview with Father James O'Connor

Jim confronted Vince. At first Vince denied it, but then he backed down. Vince left that day for Andy McDonagh's rectory [redacted]

Jim knew a family in Hometown with boys who had been friendly with Vince. He felt he should pursue it and asked them, "I know your boys have been friends with Vince. Has there ever been any problem?" They asked their boys. One who was an altar boy said Vince once invited him to stay overnight at the rectory. They slept in the same double bed. In the middle of the night the boy (who was wearing pajamas) awoke to find Vince fondling his genital area (he did not have his hand inside the p.j.'s.). The boy said, "please don't do that" and told Vince he wanted to sleep in the guest room, which he did. (This boy was actually [redacted]) The [redacted] parents asked the boy why he had never said anything and he said he was ashamed.

The boy in Cal City [redacted]. The boy in Hometown had help from [redacted] to work it through.

The police chief in Hometown told Jim he had called the police chief in Cal City who told him that when Vince left Cal City there were three or four charges of sexual misconduct on the police blotter against Vince.

Jim O'Connor told the Personnel Board the problem. He expressed his anger that Leo Mahon had not warned him of this problem.

After I finished talking with Jim O'Connor, I called Leo Mahon, but was told he is away until April.

Summary 6/27/02

Vincent McCaffery

3/4/87: Our Lady of Loretto. Jim O'Connor was called to police station to meet with teenage boy, 16 or 17 , and parents. Boy visiting McCaffery, tried to get the boy drunk , told boy he would help him get a job, but had to help McC with some research on sexuality. Asked boy to get closer, drop pants, gave him 2 sex books, bent over and started kissing his body. Vince was drunk, drove boy home. Parents went back tor rectoary to see McC superior. Mother did not sign a complaint as long as something was done about the problem. – Also happened to boy from Calumet City where the boy stayed at rectory, slept with McC in double bed, who fondled boy's genitals during the night. Boy resisted, asked to be moved to guest room. – Police in Cal City indicated that McC had 3-4 charges of sexual misconduct on the police blotter. [redacted]

[redacted]

11/12/87: Returned to diocese. Authorities felt McC would function in a parish. Went to St. Josaphat. Dom Grassi would act as his supervisor. [redacted]

4/15/88: Took boy skiing without apparent supervision. Was being investigated.

7/11/88: Dom Grassi reported McC as being very demanding, "picky", irritable. Was a parish situation the best for McC. Very difficult to deal with McC in the rectory.

[redacted]

3/30/89: Invited two 12 yearold boys to his car to have sex games. Story told by Mark and JoAnn Gross, fine people at St. Josaphat.

4/6/89: McC left St. Josaphat to pursue graduate studies.

5/89: Took up residence at Our Lady of Good Counsel. Wanted to pursue studies.

8/14/89:

11/27/89: Files indicated a claim filed against the diocese by . 3/6/87 communication to John Buras that misconduct with other minors occurred. with Mc in '84, in '82, 2 un-named persosn in '81

File indicates bills for tuition at Circle

2/8/91: Marty O'Donovan, pastor at Our Lady of Good Counsel concerned about McC and relationship with teenage boys. 2/1-2/3: Took freshman to McC's cottage. Latter said other adults were present – not trusted by O'Donovan

9/18/91: Concern expressed by Joe McGinnity at St. Zachary about McC taking kids to ball games, con. cern based on what other priests said about McC. Mentioned in Mc's sermon No details about an incident with a boy at St. Zachary.

10/7/91: Begin to move Mc out of priesthood.

11/91: McC resigned from priesthood, but regtracted at this time.

12/14/91: petitioned for more remuneration for harm of McC to the son, following other public revelations concerning McC.

12/26/91: Bernardin to McC: did not receive resignation, told him that he was prohibited from all exercises of priestly ministry, wearing clerical garb, and assignment at Good Counsel all was effective 10/29/91.

3/5/92: Subpoena served on Vicar for Priests re: Mc

11/3/92: Ltr. From Bernardin to Fr. Pat Cecil at St. Mary's Buffalo Grove re: concern about McC. Referred to re-training that the diocese did for McC

11/92: Repeated references made by VP office that McC not be in presence of minors. Also back to a family at Good Counsel.

1/8/93: Salary reduced.

6/18/93: Call received by Steve Sidlowski from a man in Washington re: Vince. Asked McC to call Pat O'Malley.

12/93: VP working toward Laicization for McC. Submitted resignation 11/20/93.

3/29/95: Bonacorsi received call from family in Orland Park, former friends of McC. One of their two sons was abused by McC.

4/4/95: abused by McC ten years earlier.

5/21/96: abused by McC. Reported by Fr. McLaughlin in Orland Park

6/15/99: brought allegation of sexual misconduct when he was a minor. against McC.

Vincent McCaffrey

Letter dated November 25, 1980 to Msgr. Keating as head of the Personnel Board from Rev. James J. O'Connor

Disturbed because he was not informed of Vince McCaffrey's alcohol or other problems. As pastor he should have known these things prior to accepting an associate.

Letter dated January 14, 1981 from Rev. James J. O'Connor to Vince McCaffrey

Letter apparently written following a visit to Vince [redacted] with c.c. to William Lovett and Father Andy McDonough

[redacted]

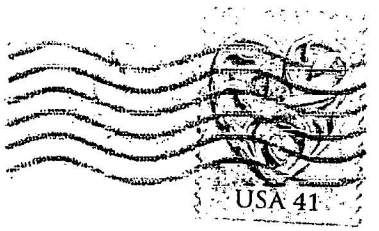
Victim Statement Abstract

This abstract replaces the summary prepared by Leah McCluskey, Director of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review, of Victim EG's statement, given to Ms. McCluskey on October 3, 2007, formalizing his allegation of abuse against Rev. Vincent McCaffrey. The alleged abuse consisted of Fr. McCaffrey fondling Victim EG during trips to Fr. McCaffrey's cabin and on other out-of-town trips. Fr. McCaffrey would also get into bed with Victim EG and spoon with him in addition to fondling him. The alleged abuse began when Victim EG was in fourth or fifth grade and ended when Victim EG was in seventh or eighth grade.

RECEIVED
MAR 15 '09
ARCHDIOCESE OF CHICAGO
OFFICE FOR CLERGY MISCONDUCT
INVESTIGATIONS AND REVIEW

Vincent McCaffrey
ID # 14638-424
FMC Devens
P.O. Box 879
Ayer, MA 01432

CENTRAL MA 015
10 MAR 2009 PM 1 L



Rev. Vincent Costello
645 N. Michigan Ave.
Suite 543
Chicago, IL 60611

60611+2881

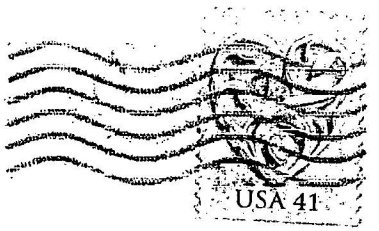
COPY

AOC 004134

RECEIVED
MAR 15 '09
ARCHDIOCESE OF CHICAGO
OFFICE FOR CLERGY MISCONDUCT
INVESTIGATIONS AND REVIEW

Vincent McCaffrey
ID # 14638-424
FMC Devens
P.O. Box 879
Ayer, MA 01432

CENTRAL MA 015
10 MAR 2009 PM 1 L



Rev. Vincent Costello
645 N. Michigan Ave.
Suite 543
Chicago, IL 60611

60611+2881

COPY

AOC 004134

COPY

9. March. 08.

Dear Vince,

Thanks for your recent letter. I am already aware of [redacted] claims from the discovery preceeding my legal proceedings in 2002. The claims are false. [redacted] comes from a good family and as I remember him; he is a fine man. I deeply regret the hurt and pain I've caused his family. They are constantly in my thoughts and prayers.

I feel deeply the burden I've brought to the diocese. I've caused the Church to be vulnerable even in situations where it shouldn't be. I do regret this.

In my situation, it is difficult to receive any confidential material. So I would not want to receive any as such.

I humbly ask for your prayers and assure you of mine. You have a difficult, but necessary job; may the Good Lord guide you every step of the way.

Sincerely,

Vince McCaffrey

COPY

9. March. 08.

Dear Vince,

Thanks for your recent letter. I am already aware of [redacted] claims from the discovery preceeding my legal proceedings in 2002. The claims are false. [redacted] comes from a good family and as I remember him; he is a fine man. I deeply regret the hurt and pain I've caused his family. They are constantly in my thoughts and prayers.

I feel deeply the burden I've brought to the diocese. I've caused the Church to be vulnerable even in situations where it shouldn't be. I do regret this.

In my situation, it is difficult to receive any confidential material. So I would not want to receive any as such.

I humbly ask for your prayers and assure you of mine. You have a difficult, but necessary job; may the Good Lord guide you every step of the way.

Sincerely,

Vince McCaffrey

February 29, 2008

Mr. Vincent McCaffrey
Registration Number 14638-424
Federal Medical Center, Devens
42 Patton Road
Post Office Box 880
Ayer, Massachusetts 01432

Dear Vince,

I want to make you aware that Ms.Leah McCluskey would like to share some information with you that came to her during a conversation she had with a man named [redacted] claims to be an old family friend of yours. Some of the information that came to light during that conversation appears to be rather troubling. Leah asked that I contact you in order to determine whether you would like to learn what [redacted] said to her. If you are interested in getting a copy of the report of that conversation, either verbally or in writing, I ask that you contact me as soon as possible.

If you do not wish to learn the contents of that conversation I ask that you contact me as well.

Here is my address:

Vince Costello
645 North Michigan Avenue
Suite 543
Chicago, Illinois 60611

Sincerely yours,

From: Leah McCluskey
To: Costello, Vincent
Date: 2/26/2008 2:50:10 PM
Subject: Allegation to read

Hello Fr. Costello,

I have an allegation to read to Vincent McCaffrey. The alleged victim is [redacted]

For at least the last five years, Mr. McCaffrey has refused to receive any phone calls and/or correspondence from the AOC in regards to allegations. However to be thorough, would you be able to attempt to contact McCaffrey to notify him that we have received a new allegation against him and would like to present him with it if he is chooses?

Thank you.

Leah

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

MEMORANDUM

To: File – PFR - 26

From: Leah McCluskey, Office for Child Abuse Investigations and Review

Re: McCaffrey, Rev. Vincent [Resigned]/[redacted]

Date: April 17, 2008

Rev. Vincent Costello received a handwritten response from the former Rev. Vincent McCaffrey to [redacted] allegation of the sexual abuse of a minor against him. Mr. McCaffrey also wrote in his March 9, 2008 letter to Fr. Costello that, "In my situation it is difficult to receive any confidential material. So I would not want to receive any as such."

As a result of Mr. McCaffrey's reference to "confidential material," I will not send the attached April 16, 2008 letter concerning Cardinal George's acceptance of the Initial Review recommendations of the Review Board pertaining to this matter.

Attachment

Cc Rev. Vincent Costello, Vicar for Priests
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board

Bcc: John O'Malley
James Serritella

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P O Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

COPY

April 16, 2008

Mr. Vincent McCaffrey
Registration Number 14638-424
Federal Medical Center, Devens
42 Patton Road
P. O. Box 880
Ayer, Massachusetts 01432

Dear Mr. McCaffrey,

Please be advised that the Independent Review Board met on April 3, 2008 and conducted an Initial Review of [redacted] allegation of sexual misconduct against you pursuant to Article §1104.9 of the Review Process for Continuation of Ministry.

Cardinal George has accepted the Review Board's determination that in light of the information presented, additional investigation is warranted. Meaning, the Board determined that based upon the information presented for their review, there is cause to continue to investigate this matter. Further, if you have any additional information at this time you wish to share and have presented to the Board, please forward it to my attention. Any additional information obtained and/or received will be presented to the Board at a Review for Cause of this matter.

If you have any questions, please feel free to contact me at any time. I may be reached at [312] 751-5205. Also, please know that Rev. Vincent Costello, Vicar for Priests continues to be available to you and may be reached at [312] 642-1837.

Sincerely,

Leah McCluskey
Director, Office for Child Abuse Investigations and Review

Cc Rev. Vincent Costello, Vicar for Priests

Bcc: John O'Malley
James Serritella

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

MEMORANDUM

To: Review Board Members

From: Leah McCluskey, Office for Child Abuse Investigations and Review

Re: McCaffery, Rev. Vincent [Resigned/Incarcerated] [redacted]

Date: June 12, 2008

Our files on the former Rev. Vincent McCaffery include a copy of the 205 page "TRANSCRIPT OF PROCEEDINGS BEFORE THE HONORABLE JOHN W. DARRAH" which cites the United States of America vs. Vincent McCaffery, Defendant. The court date of this proceeding was December 9, 2002.

The document includes testimony of four of Fr. McCaffery's victims. As recorded in the transcript, it was agreed prior to the court proceeding that only the first names of these individuals would be reflected in the court record. I compared the transcript with files in our office and was able to determine that the following individuals testified to their sexual abuse as minors by Fr. McCaffery: [redacted], and [redacted] Each of these men was an adult at the time of the December 9th court date.

A psychiatrist named Dr. Jonathan Kelly was among those witnesses who testified. Dr. Kelly testified that Mr. McCaffery was a patient of his in 1994 and that he saw the cleric as an "...outpatient for treatment of a sexual disorder." When asked, Dr. Kelly testified that Mr. McCaffery experienced the specific sexual disorder of "ephebophilia." Also when asked, Dr. Kelly defined the disorder as "...a sexual disorder involving sexual arousal to male minors in the adolescent age range."

The following quote from Dr. Kelly's December 27, 1994 clinical summary concerning Mr. McCaffery was read, "Vincent states that he had hundreds of male sexual contacts during his life and about a hundred of these were under the age of 18 at the time that the sexual contact occurred."

Through testimony given by Dr. Kelly, it was revealed that Mr. McCaffery went to Guest House for alcohol treatment in 1980. Dr. Kelly testified that he had Mr. McCaffery involved in an inpatient care program at St. Luke's Institute in Maryland in the late 1980s. He also testified that he had Mr. McCaffery from 1994 through 2002 "...on a regular medical patient treatment program at Isaac Ray Center at Rush..."

Mr. McCaffery testified as the defendant in this case. He stated that he was charged in June 2002 "...with a two-count information about by the United States Attorney for this district with two counts of child pornography..."

Mr. McCaffery testified that he began to see a psychiatrist in 1978. When asked how many prepubescent children or boys he "...had sexual misconduct with or sexual contact with...", Mr. McCaffery guessed that the number was between 12 and 14.

Through questioning, Mr. McCaffery testified that he was admitted to Resurrection Hospital in the alcoholic treatment unit in 1980 "...for my acting out sexually with an adolescent, and then I was transferred from there to Guest House up in Rochester, Minnesota, to continue my treatment."

When asked, Mr. McCaffery testified to being put on antidepressants upon his arrival to St. Luke Institute as well as Depo-Provera.

RECEIVED

JUL 15 2008

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OFFICE FOR CHILD ABUSE
~~INVESTIGATIONS AND~~ REVIEW

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Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

July 1, 2008

Cardinal Francis George, O.M.I.
Archbishop of Chicago
155 E. Superior Street
Chicago, Illinois 60611

Dear Cardinal George,

Please be advised that the independent Review Board met on June 28, 2008 and conducted a Review for Cause of [redacted] allegation of sexual misconduct against the former Rev. Vincent McCaffery pursuant to Article §1104.10 of the Review Process for Continuation of Ministry. Mr. McCaffery is incarcerated and a resigned priest of the Archdiocese of Chicago.

The Board made the determination that in light of the information presented, there is reason to suspect that the accused did sexually abuse [redacted]

If you have any questions, please feel free to contact me at [312] 751-5205.

Sincerely,

Leah McCluskey
Director, Office for Child Abuse Investigations and Review

Accept the determination.
F. A.
July 2, 2008

JAN 13 2011
ARCHDIOCESE OF CHICAGO
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

COPY

RECEIVED 1-10-11

4. January. 2011.

Rev. Kenneth A. Budzikowski
980 N. Michigan Avenue, Suite 1525
Chicago, IL 60611

Dear Ken,

I wish you well in your new position. I know the job is challenging and can be somewhat disheartening. May your faith and coarage sustain you.

I came to know and befriend [redacted] in my last assignment. I continued this relationship after resigning from the ministry and leaving the parish. I did engage in inappropriate misconduct several years after my resignation. I deeply regret the hurt and harm that I have caused. Once again, my behavior has placed the diocese in a vulnerable position and the ripple effects of my behavior has caused devastating pain. For this, I am truly sorry. I pray for my victims daily, asking only that God may heal the hurt I've caused.

I am presently participating in [redacted] working towards a lifestyle that is offense-free. I ask your prayers as I will continue to pray for the Church in Chicago. May the Holy Spirit guide you in your discernment and your deliberations.

Sincerely,
Vincent McCaffrey

ARCHDIOCESE OF CHICAGO

FILE COPY

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

December 15, 2010

[redacted]
C/o Mr. David Argay
Kerns Frost & Pearlman, LLC
Three First National Plaza
70 W. Madison Street
Suite 5350
Chicago, Illinois 60602

Dear [redacted]

I hope that this letter finds you and your family doing well.

Enclosed you will find a final report of your allegation of the sexual abuse of a minor against Vincent McCaffrey. Due to the fact that the accused is a laicized priest, my office's involvement with this matter is now concluded.

If you have any questions, please feel free to contact me at (312) 534-5205 or lmccluskey@archchicago.org. Please know that Ruth Robinson of the Office of Assistance Ministry continues to be available to you. Ms. Robinson may be reached at (312) 534-8256 or rurobinson@archchicago.org.

Sincerely,

Leah McCluskey
Office for Child Abuse Investigations and Review

Enclosure

Cc Ruth Robinson, Office of Assistance Ministry

Bc: Rev. Kenneth Budzikowski, Vicar for Priests
John O'Malley, Legal Services

Victim Statement Abstract

This abstract replaces the summary prepared by Leah McCluskey, Director of the Archdiocese of Chicago's Office for Child Abuse Investigations and Review, of Victim EH's statement, given to Ms. McCluskey on October 4, 2010, formalizing his allegation of abuse against Rev. Vincent McCaffrey. The alleged abuse consisted of Fr. McCaffrey fondling Victim EH, hugging and kissing Victim EH, and performing oral sex on Victim EH. Fr. McCaffrey also had Victim EH sleep over at his condominium hundreds of times and would sleep in the same bed with him to spoon and fondle Victim EH while he pretended to sleep. The alleged abuse occurred at the rectory, at Fr. McCaffrey's condo in Chicago and on several out-of-town trips. The alleged abuse began when Victim EH was a freshman in high school in the late 1980's and ended when he was a freshman in college.

Jeff Anderson & Associates P.A.
Attorneys & Counselors at Law
ADVOCACY NATIONWIDE

366 Jackson Street • Suite 100 • St. Paul, Minnesota 55101
Telephone (651) 227-9990 • Fax (651) 297-6543

Jeffrey R. Anderson[I,W,Co]
Patrick W. Noaker[I,M]
Kathleen O'Connor
Michael G. Finnegan[Co,W]

April 27, 2010

James Serritella
Burke, Warren, MacKay & Serritella
22nd Floor, IBM Plaza
330 North Wabash Avenue
Chicago, IL 60611-3607

RE: [redacted] v. Archdiocese of Chicago

Dear Mr. Serritella:

This is to advise you that we represent the interests of [redacted] in a claim against the Archdiocese of Chicago for claims of sexual misconduct by Fr. Vincent McCaffrey while he was serving within the Archdiocese of Chicago. Please contact Chris Rued at 651-227-9990 to facilitate the review board process with our client.

Please add [redacted] to the tolling agreement effective this date.

Very truly yours,

Jeffrey R. Anderson
jeff@andersonadvocates.com

JRA:tg
cc: Marc Pearlman

COPY

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JAN 13 2011
ARCHDIOCESE OF CHICAGO
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

Kenneth A. Budzikowski
980 N. Michigan Avenue, Suite 1525
Chicago, IL 60611
312-534-1837

December 20, 2010

Mr. Vincent McCaffrey
Registration Number 14638-424
Federal Medical Center, Devens
42 Patton Road
P.O. Box 880
Ayer, MA 01432

Dear Mr. McCaffrey,

Please allow me to introduce myself. My name is Kenneth Budzikowski, and as of July 1, 2010, I have taken the position formerly held by Vincent Costello. Vince has been on sabbatical and will take a new position when he returns.

Ms. Leah McCluskey and I wish to speak to you concerning a new matter that has recently come to our attention that involves a [redacted] If you would like to pursue this matter further, please contact me at the above address. If, however, you choose not to follow up on it, I would ask that you contact me as well.

Sincerely,

Kenneth A. Budzikowski

Kenneth A. Budzikowski

From: Leah McCluskey
To: Budzikowski, Kenneth
Date: 12/14/2010 12:59 PM
Subject: Allegation to read
Attachments: Leah McCluskey.vcf

Hi Fr. Ken,

When you have a chance, could you please reach out to Vince McCaffrey in order to determine if he would like to be presented an allegation made against him by [redacted]

Just as a note, in the eight years I have been with the Archdiocese, Mr. McCaffrey has declined to be sent/presented/respond to any allegation received.

The contact information that I have for McCaffrey is in RADAR:
Registration Number 14638-424
Federal Medical Center, Devens
42 Patton Road
P. O. Box 880
Ayer, Massachusetts 01432

Thank you.

Leah

Leah McCluskey, MSW, LSW
Director, Office for Child Abuse Investigations and Review
Archdiocese of Chicago
737 N. Michigan Ave., Suite 900
Chicago, Illinois 60611
Office: (312) 534-5205
Fax: (312) 751-5279
lmccluskey@archchicago.org

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OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

From: Leah McCluskey
To: Leonatti, Janet
Date: 3/5/2008 3:30 PM
Subject: Request for Information

Jan,

When you have a chance, can you please send me what you have on McCaffrey, [redacted]

Thank you.

Leah

John,

[redacted]

Our file # 92SC4024

Leah,
Here are the docs.
Donna

re: Fr. Van McCarthy

RECEIVED
SEP 02 2008
ARCHDIOCESE OF CHICAGO
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

July 12, 1988

Dear Jim,

I received word recently through Ray Goedert about the wonderful support you have been to the Siena family. Mrs. Siena has communicated her admiration and gratitude to Ray, and he passed her comments along to me.

Needless to say, Jim, I am deeply grateful for all the care and concern you manifested in this extremely delicate and difficult situation. The fact that you have had to carry the burden of so much of the work of the parish itself is all the more reason for my sincerest appreciation for all that you do for the Siena family that is in such great need of your pastoral assistance. Thanks, Jim, for being such a beautiful example of what Our Lord, the Good Shepherd, has called us to be.

Asking God's blessings on you and the people of St. Joseph's, and with cordial good wishes, I remain

Fraternally yours in Christ,

Archbishop of Chicago

Reverend James F. O'Malley
St. Joseph the Worker Church
181 West Dundee Road
Wheeling, Illinois 60090

bc: Fr. Goedert

F.C.M.

From: Leah McCluskey
To: Costello, Vincent
Date: 3/11/2008 9:02:20 AM
Subject: Re: McCaffrey Files

Thank you for the e-mail Fr. Costello.

Leah

>>> Vincent Costello 3/11/2008 9:01 AM >>>
Dear Leah,

As I mentioned in yesterday's telephone conversation, I spoke with Father Larry McBrady on the phone about the [redacted] allegation. This allegation surfaced over eight years ago so Larry could not remember all of the details involving this case. He said he was present when [redacted] was interviewed, but he has no recollection of ever sharing the allegation with Vince McCaffrey. Larry also stated that he never had a face-to-face meeting with Vince McCaffrey. He said that if he did read the allegation to Vince he would have done so over the telephone, but he does not recollect if he actually did read it to him.

Father Vince Costello

>>> Leah McCluskey 3/5/2008 11:06 AM >>>
Fr. Costello,

When you return to the office, could you please check your files on McCaffrey to see if Larry McBrady ever presented [redacted] allegation to Vince McCaffrey for a response? According to the notes in our files here, a 7/19/99 Memo to file notes that "Father Larry McBrady, Vicar for Priests is in contact with Vince and will present the allegation to him within the next few weeks."

Thank you.

Leah

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office

P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

April 29, 2008

Mr. Harvey Radney
Senior Vice President HHSOS Security Operations
10 S. Wacker Drive
Suite 1125
Chicago, Illinois 60606

Dear Mr. Radney,

Please find enclosed with this letter documentation concerning File – PFR – 26, the matter of [redacted] allegation of the sexual abuse of a minor against the former Rev. Vincent McCaffrey.

I am sending this matter to you at this time to ask that you conduct whatever background checks on the parties that you normally would on cases received from this office.

I ask that you have this information to me by Wednesday, May 21, 2008 if at all possible. Please call me at 312] 751-5205 with any questions or concerns.

Sincerely,

Leah McCluskey
Director, Office for Child Abuse Investigations and Review

McCAFFREY, Rev. Vincent	Date of birth	Ordained
	[redacted]	5-10-78

Nationality

Date Appointed	Assignment	Charge	Date Left
6-15-77	Our Lady Help of Christians	Deacon	12-31-77
6-12-78	St. Victor, Calumet City	Associate	1982
1982	St. Joseph the Worker Wheeling, Ill.	Assoc.	12/15/87
12/15/87	St. Josaphat	Associate	6/13/89
6/13/89	O.L. Good Counsel (Hermitage)	"	1/6/93
1/6/93	Admin. Leave		12/1/93
12/1/93	Full Active Ministry		

Extraordinary Appointments

AOC 004153

From: Daniel Welter
To: Janet Leonatti
Date: 11/25/2008 5:17:15 PM
Subject: Re: McCaffrey

Jan

The petition to laicize McCaffrey was forwarded to the Congregation for the Doctrine of the Faith(CDF) on August 15,2008, to be reviewed and presented to the Holy Father for a final determination. to date there has been no response.

Peace

Dcn. Dan

>>> Janet Leonatti 11/21/2008 3:54 PM >>>
Hi Dan,

I have been asked to check to see if McCaffrey is laicized. I believe you were working on this. Please advise.

Thanks,

Jan

Janet E. Leonatti
Legal Administrator
Archdiocese of Chicago
jleonatti@archchicago.org
312 751-8319

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SUMMARY TIME LINE OF ALLEGATION

	ACCUSED	ACCUSER
Name:	Rev. Vincent McCaffrey	[redacted]
Address:	Federal Medical Center, Devens Ayer, Massachusetts 01432	[redacted]
Current age:	55	33
Date of Birth:	[redacted]	[redacted]
Name of civil attorney:	N/A	N/A

Date of Ordination [of accused]: 5/10/78

Location: Mundelein

Age at ordination: 25

Assignment location of accused: N/A

Status of accused: Resigned/Incarcerated

Name of canonical advocate: N/A

Date allegation received: 8/21/07

Date allegation formalized: 10/3/07

Date of initial incident of alleged abuse: mid to late 1980s

Date of last incident of alleged abuse: mid to late 1980s

Approximate number of incidents of alleged abuse: numerous

Brief summary of alleged abuse: began in 4th or 5th grade through 7th or 8th grade; fondling over and under clothing; incidents where Fr. McCaffrey had [redacted] and [redacted] disrobe so that he could fondle their genitals, and/or apply lotion to their bodies, and/or apply sunscreen to their bodies; Fr. McCaffrey sleeping in bed with [redacted] and spooning, fondling, and holding him; [redacted] feels there were at least two incidents where he woke up in the morning [redacted] and Fr. McCaffrey being in bed with him

Brief summary and date of response from accused: Vicar for Priests sent a letter to Mr. McCaffrey at end of February 2008 to ask to schedule time to present allegation to him

---

Stage of disposition by Review Board: Initial Review

Additional allegations made by accuser: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [redacted]

Address: California

Date of Birth [redacted]

Age: 36

Name of civil attorney: Jeff Anderson

Date allegation received: 9/30/02

Date allegation formalized: Mr. Anderson refused to allow [redacted] to formalize his allegation with AOC

Date of initial incident of alleged abuse: 1984

Date of last incident of alleged abuse: 1985

Approximate number of incidents of alleged abuse: at least 25

Brief summary of alleged abuse: June 2002 – Mr. McCaffrey incarcerated for sexual abuse of minors, pornography; sentenced to 20 years in prison; 11/8/02 [redacted] attorney sent a letter to the diocese to report allegation; alleges sexual misconduct from approximately 1984-85, at least twenty-five incidents in and around rectory at St. Joseph the Worker; also alleges that AOC knew and transferred Fr. McCaffrey repeatedly and that a Rev. [redacted], Pastor of St. Joseph the Worker, met with [redacted] and warned him not to disclose abuse

Brief summary of response: this matter was not presented to Mr. McCaffrey for a response

Stage of disposition by Review Board: substantiated by Administrative Review

---

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [redacted]

Address: [redacted] IL

Date of Birth:

Age:

Name of civil attorney: Jeff Anderson

Date allegation received: 1/27/03

Date allegation formalized: refused to participate in process

Date of initial incident of alleged abuse: 1987

Date of last incident of alleged abuse: 1988

Approximate number of incidents of alleged abuse: two

Brief summary of alleged abuse: 2/18/03 Lay person in the Church sent a letter to diocese to report allegation; [redacted] was abused two times in the rectory and in a cabin; Fr. McCaffrey did this while [redacted]; [redacted] was in 7th or 8th grade

Brief summary of response: this matter was not presented to Mr. McCaffrey for a response

Stage of disposition by Review Board: substantiated by Administrative Review

---

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [redacted]

Address: [redacted] IL

Date of Birth:

Age:

Name of civil attorney: Jeff Anderson

Date allegation received: 1/27/03

Date allegation formalized: refused process

Date of initial incident of alleged abuse: 1980s

Date of last incident of alleged abuse: 1980s

Approximate number of incidents of alleged abuse: four

Brief summary of alleged abuse: 2/18/03 [redacted] attorney sent a letter to diocese to report allegation; [redacted] was victimized by Fr. McCaffrey on four separate occasions; occurred in a sauna, while camping, in the rectory, and in a house

Brief summary of response: this matter was not presented to Mr. McCaffrey for a response

Stage of disposition by Review Board: substantiated by Administrative Review

---

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [redacted]

Address: [redacted] Wisconsin

Date of Birth:

Age:

Name of civil attorney: Jeff Anderson

Date allegation received: 1/27/03

Date allegation formalized: refused process

Date of initial incident of alleged abuse: approximately 1979

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse:

Brief summary of alleged abuse: allegation out of Fr. McCaffrey's first parish

Brief summary of response: this matter was not presented to Mr. McCaffrey for a response

Stage of disposition by Review Board: substantiated by Administrative Review

---

Additional allegations made by accused: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [redacted]

Address: [redacted], IL

Date of Birth: [redacted]

Age: 36

Name of civil attorney: [redacted]

Date allegation received: 4/12/95

Date allegation formalized: refused process

Date of initial incident of alleged abuse: September 1984

Date of last incident of alleged abuse: June 1990

Approximate number of incidents of alleged abuse: several

Brief summary of alleged abuse: sexual abuse; family resurfaced old allegation [at time reported to AOC on 4/12/95]

Brief summary of response: this matter was not presented to Mr. McCaffrey for a response

Stage of disposition by Review Board: substantiated by Administrative Review

---

Additional allegations made by accused: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [redacted]

Address: [redacted] Florida

Date of Birth: [redacted]

Age: 46

Name of civil attorney: [redacted]

Date allegation received: 5/26/99

Date allegation formalized: 6/15/99

Date of initial incident of alleged abuse: 1970s

Date of last incident of alleged abuse: 1970s

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: [redacted] parents went to parish to report allegation; consumption of alcohol, oral sex - naked in whirlpool

Brief summary of response: this matter was not presented to Mr. McCaffrey for a response

Stage of disposition by Review Board: 7/17/99; determined to be "credible"

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [redacted]

Address:

Date of Birth:

Age:

Name of civil attorney: [redacted]

Date allegation received: 11/4/92

Date allegation formalized:

Date of initial incident of alleged abuse:

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse:

Brief summary of alleged abuse: [redacted] attorney contacted the diocese to report allegation; alleged abuse took place in parish residence at St. Victor; overnight stay

Brief summary of response: this matter was not presented to Mr. McCaffrey for his response

Stage of disposition by Review Board: substantiated by Administrative Review

---

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [redacted]

Address: IL

Date of Birth:

Age:

Name of civil attorney: N/A

Date allegation received: 7/17/92

Date allegation formalized:

Date of initial incident of alleged abuse:

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse:

Brief summary of alleged abuse:

Brief summary of response:

Stage of disposition by Review Board: substantiated by Administrative Review

---

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [redacted]

Address:

Date of Birth: [redacted]

Age: 38

Name of civil attorney: Jeff Anderson

Date allegation received: 10/20/03

Date allegation formalized: 6/4/04

Date of initial incident of alleged abuse: 1983

Date of last incident of alleged abuse: 1984

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: fondling genitals

Brief summary of response: Mr. McCaffrey would not allow allegation to be presented to him'

Stage of disposition by Review Board: 6/05; reasonable cause to suspect

---

Additional allegations made by accuser:

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [redacted]

Address: [redacted] IL

Date of Birth: [redacted]

Age: 43

Name of civil attorney: Jeff Anderson

Date allegation received: 10/20/03

Date allegation formalized: 2/3/04

Date of initial incident of alleged abuse: 1977

Date of last incident of alleged abuse: 1987

Approximate number of incidents of alleged abuse: numerous

Brief summary of alleged abuse: overnight at the rectories; overnights at cottages in Wisconsin; abuse would take place while in bed with Fr. McCaffrey while the two wearing only underwear; on two occasions, [redacted] woke up without any underwear on; Fr. McCaffrey fondled [redacted] under his underwear; while at Our Lady of Loretto, Fr. McCaffrey would have [redacted] take off his underwear in front of him [redacted]] [redacted]; Fr. McCaffrey provided [redacted] alcohol; Fr. McCaffrey talked to [redacted] about sex; [redacted]

Brief summary of response: Mr. McCaffrey would not allow the allegation to be presented to him

Stage of disposition by Review Board: 6/05; reasonable cause to suspect

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Additional allegations made by accuser: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [redacted]

Address: [redacted] IL

Date of Birth: [redacted]

Age: 42

Name of civil attorney: Jeff Anderson

Date allegation received: 12/1/03

Date allegation formalized: 2/2/04

Date of initial incident of alleged abuse: 1982

Date of last incident of alleged abuse: 1982

Approximate number of incidents of alleged abuse: one

Brief summary of alleged abuse: possible drug put into [redacted] by Fr. McCaffrey; Fr. McCaffrey offered to give [redacted] a back rub; [redacted] was lying on his stomach on the floor and Fr. McCaffrey was straddling his back; when [redacted] was able to move after drinking [approximately 5-10 minutes], [redacted] realized that Fr. McCaffrey's penis was out and in between his buttocks; [redacted] had been wearing a [redacted] swimsuit that was provided by Fr. McCaffrey—he had pulled away [redacted] swimsuit and placed his penis in between his buttocks

Brief summary of response: Mr. McCaffrey would not allow the allegation to be presented to him

Stage of disposition by Review Board: 6/05; reasonable cause to suspect

---

Additional allegations made by accuser: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [redacted]

Address: IL

Date of Birth: [redacted]

Age: 33

Name of civil attorney: Jeff Anderson

Date allegation received: 12/6/03

Date allegation formalized: 2/19/04

Date of initial incident of alleged abuse: 1982

Date of last incident of alleged abuse: 1986

Approximate number of incidents of alleged abuse: at least 100

Brief summary of alleged abuse: fondling over and under the clothes; inappropriate touching; abuse occurred countless times over identified time period [at least 100]

Brief summary of response: Mr. McCaffrey would not allow the allegation to be presented to him

Stage of disposition by Review Board: 6/05; reasonable cause to suspect

---

Additional allegations made by accuser: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [redacted]

Address: N/A

Date of Birth:

Age: deceased; [redacted]

Name of civil attorney: N/A

Date allegation received: 1/22/04; third party allegation reported by Rev. James Donovan

Date allegation formalized:

Date of initial incident of alleged abuse: 1980

Date of last incident of alleged abuse: 1982

Approximate number of incidents of alleged abuse:

Brief summary of alleged abuse: [redacted] mother contacted Fr. Donovan and told him that Fr. McCaffrey abused her son [redacted] from 1980-1982; [redacted] told Fr. Donovan that [redacted]

Brief summary of response: not presented to Mr. McCaffrey for a response

Stage of disposition by Review Board: not presented to Review Board for its consideration

---

Additional allegations made by accuser: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [redacted]

Address:

Date of Birth: [redacted]

Age: 44

Name of civil attorney: [redacted]

Date allegation received: 2/24/04

Date allegation formalized: 8/10/04

Date of initial incident of alleged abuse: 1976

Date of last incident of alleged abuse: 1978

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: during an overnight outing, Fr. McCaffrey would touch [redacted] groin area over clothing while sleeping [redacted] was unsure if Fr. McCaffrey was asleep at the time) next to [redacted]; after playing racquetball, Fr. McCaffrey would watch [redacted] take a shower; Fr. McCaffrey fondled [redacted] over his clothing while sleeping over at the seminary

Brief summary of response: Mr. McCaffrey would not allow the allegation to be presented to him

Stage of disposition by Review Board: 6/05; reasonable cause to suspect

---

Additional allegations made by accuser: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [redacted]

Address:

Date of Birth:

Age:

Name of civil attorney: N/A

Date allegation received: 6/1/94

Date allegation formalized:

Date of initial incident of alleged abuse:

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse:

Brief summary of alleged abuse: 6/1/94: reported by [redacted] that her two brothers had recently disclosed to her and their parents that they had been abused by Fr. McCaffrey; said that she was not sure if her brothers wanted to take any action but she wanted to notify AOC; said that Fr. McCaffrey was a family friend and may have abused their cousins as well

Brief summary of response: not presented to Mr. McCaffrey as the brother has not come forward to formalize an allegation

Stage of disposition by Review Board: not presented to Review Board; see "Brief summary of response"

Additional allegations made by accuser: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [redacted]

Address:

Date of Birth:

Age:

Name of civil attorney: N/A

Date allegation received: 6/1/94

Date allegation formalized:

Date of initial incident of alleged abuse:

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse:

Brief summary of alleged abuse: 6/1/94: reported by [redacted] that her two brothers had recently disclosed to her and their parents that they had been abused by Fr. McCaffrey; said that she was not sure if her brothers wanted to take any action but she wanted to notify AOC; said that Fr. McCaffrey was a family friend and may have abused their cousins as well

Brief summary of response: not presented to Mr. McCaffrey as the brother has not come forward to formalize an allegation

Stage of disposition by Review Board: not presented to Review Board; see "Brief summary of response"

Additional allegations made by accuser: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [redacted]

Address:

Date of Birth: [redacted]

Age: 45

Name of civil attorney: Jeff Anderson

Date allegation received: 6/2/04

Date allegation formalized: 6/25/04

Date of initial incident of alleged abuse: 1976

Date of last incident of alleged abuse: 1979

Approximate number of incidents of alleged abuse: numerous

Brief summary of alleged abuse: mutual oral sex, alcohol

Brief summary of response: Mr. McCaffrey would not allow the allegation to be presented to him

Stage of disposition by Review Board: 6/05; reasonable cause to suspect

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Additional allegations made by accuser: None

Signature of Director: Ted McCarrick **Date:** 3/5/08

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690

December 1, 1993

Dear Vince:

In light of your letter of November 16, 1993, I hereby accede to your request to resign from the active ministry, effective immediately.

I know you have spoken with Father Patrick O'Malley regarding the particular arrangements. I would also like you to know that Father David Hynous, O.P., a priest on the chancery staff, stands ready to assist you in preparing a petition of laicization. Please be in contact with him. He may be reached at 312-751-8211.

Vince, I know that much prayer, thought and discussion has gone into your decision. Be assured of my own thoughts and prayers for you during this time of transition. Know, too, of my gratitude for the service you offered to God's people through your fifteen years as a priest of this Archdiocese.

With cordial good wishes, I remain

Sincerely yours in Christ,

Joseph Card. Bernardin
Archbishop of Chicago

Robert J. Slavin, S.V.D.
Ecclesiastical Notary

Vincent E. McCaffrey
2038 West Jarvis
Apartment 3-E
Chicago, Illinois 60645

cc: Reverend Patrick J. O'Malley
Reverend David M. Hynous
Diocesan Priests' Placement Board

ARCHDIOCESE OF CHICAGO

Office of the Archbishop

Post Office Box 1979
Chicago, Illinois 60690

(312) 751-8230
Fax (312) 337-6379

December 26, 1991

Dear Father McCaffrey:

When we met on October 29, 1991, you indicated that you intended to resign from the active ministry. Since I have not yet received your resignation, I must state in writing what I told you orally, namely, that you are prohibited from any and all exercises of priestly ministry due to incapacitating psychological difficulties (c. 1044, #2, n. 2); that you are prohibited from wearing clerical garb; and that your assignment as associate pastor of Our Lady of Good Counsel parish was terminated, effective October 29, 1991.

[redacted]

With cordial good wishes, I remain

Sincerely yours in Christ,

Joseph Card. Bernardin

Archbishop of Chicago

Robert L. Kealy

Reverend Robert L. Kealy
Chancellor

Reverend Vincent E. McCaffrey
Our Lady of Good Counsel Parish
3528 S. Hermitage
Chicago, Illinois 60609

NOT SENT BECAUSE HE RESIGNED ORALLY

ARCHDIOCESE OF CHICAGO
POST OFFICE BOX 1979
CHICAGO, ILLINOIS 60690

Office of the Archbishop

October 28, 1991

Dear Father McCaffrey:

It is with sadness that I must formally convey to you my decision that the nature of your psychological difficulties is such that you are not able to carry out priestly ministry properly. Therefore, I must issue this decree that, effective at noon on October 29, 1991, you are prohibited from any and all exercise of the priestly ministry, in virtue of canon 1044, #2, n. 2. In addition, for the public good, you are not allowed to wear the Roman collar. Also, your assignment as the associate pastor of Our Lady of Good Counsel Parish is terminated, effective immediately.

[redacted]

Considering the gravity of your difficulties, I do not forsee ever being able to allow you to exercise the sacred ministry. This is something which Father O'Malley and the Chancellor, Father Robert Kealy, will discuss with you [redacted]

I assure you that this situation grieves me deeply. Be assured that you are remembered in my prayers.

With cordial good wishes, I remain

Sincerely yours in Christ,

Joseph Card. Bernardin

Archbishop of Chicago

Robert L. Kealy

Reverend Robert L. Kealy
Chancellor

Reverend Vincent E. McCaffrey
Our Lady of Good Counsel Parish
3528 S. Hermitage
Chicago, Illinois 60609

SAMPLE STATEMENT REGARDING VINCENT McCAFFREY

(Fr. O'Donovan will be asked to read it)

As most of you know, Fr. Vincent McCaffrey has been with us here at Our Lady of Good Counsel since 1989. In that time, he has grown close to many people of the parish. Before his arrival at Our Lady of Good Counsel, Fr. Vince [redacted] He was appointed to Good Counsel only after [redacted] which assured the Archdiocese that it was acting responsibly in placing him in pastoral work.

[redacted] I was asked to exercise special supervision over his activities in the parish. I can assure you that there have been no complaints since his arrival.

I ask that you keep Fr. Vince in your prayers as he moves through this next step in his life. I also want you to know that you should feel free to approach me if you have any questions or further concerns.

ARCHDIOCESE OF CHICAGO
POST OFFICE BOX 1979
CHICAGO, ILLINOIS 60690

Office of the Archbishop

June 5, 1989

Dear Father McCaffrey:

In light of the recommendation of the Diocesan Priests' Personnel Board, I hereby appoint you as Resident of Our Lady of Good Counsel Parish (So. Hermitage). This appointment is effective June 13, 1989. Please speak with the pastor regarding the necessary arrangements.

Vince, I would like to take this occasion to thank you for your presence at Saint Josaphat Parish. I know that Dom Grassi enjoyed your time, talent and company. I am sure that Marty O'Donovan will also appreciate your presence as well. Know of my gratitude for all your efforts and cooperation.

As you begin this assignment you have my prayers. I am confident you will receive a warm welcome at your new parish. May your care, compassion and concern invite the people to live the Gospel more fully and be brought closer to the Lord.

With cordial good wishes, I remain

Sincerely yours in Christ,

Joseph Card. Bernardin
Archbishop of Chicago

Kenneth Velo
Ecclesiastical Notary

Reverend Vincent E. McCaffrey
Saint Josaphat Parish
2311 N. Southport Avenue
Chicago, Illinois 60614

cc: Reverend Dominic Grassi
Reverend Martin O'Donovan
Reverend Raymond Goedert
Diocesan Priests' Personnel Board

ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

March 3, 1987

Vicar for Priests
800 North Clark Street, Suite 311
Chicago, Illinois 60611
Off: (312) 642-1837
Res: (312) 528-0540

TO: Mary Ann Penczak

FROM: Tom Ventura TV

RE: Account #10-82-5011

1. Fr. Vincent McCaffrey (class of '78) has been granted a leave of absence for medical reasons.

2. Please send him a monthly salary check and continue his medical and auto insurance coverage. He will be on leave until further notice.

[redacted]

copy: Cardinal Bernardin
Ray Ranas
Vince McCaffrey

THE FAMILY OF OUR LADY OF LORETTO
8925 S. KOSTNER AVENUE
HOMETOWN, ILLINOIS 60456

RECTORY 424-7471
SCHOOL 636-8668
HALL 857-9344
C.C.D. 499-0832
CONVENT 424-1898

November 25, 1980

Very Rev. J. R. Keating
Clergy Personnel Board
Archdiocese of Chicago

Dick,

I am writing you as Chairman of the Personnel Board for the clergy and as a friend. I would ask you to put on the agenda of the Board a reconsideration of your policy concerning the appointment of a priest who has either an alcoholic or psychological problem.

Why? I think if I had been told the truth about Vince Mc Caffrey's problems I might have been able to help him. Instead, when a representative of the Personnel Board called asking me to consider having Vince as an associate, I was told that the reason for his change after only one year at St. Victor's was that he had previously served there as a Seminarian and that his return as a priest had been a mistake. I was told that the Board had advised against his going to St. Victor's, but that Vince had insisted and the Board had gone along. While I didn't really buy this whole story, I took the attitude that everyone has a right to a new beginning, presuming no one would get hurt in the process.

If I had been told that Vince had an alcoholic problem, would I have accepted him? I think I would have. [redacted]

I am now faced with a situation which is bad.

I am not a psychologist and we received no training to be such during our days in the Seminary. However, during my period of working in the Matrimonial Tribunal I dealt with several cases involving Schizophrenia and its varying degrees. I am not saying Vince has this illness, but I am saying there is definitely a basic problem. Vince is never on a normal plane. He is either high or depressed. He is always trying to prove himself, yet thinks in his cunningness that he hides this. He is the greatest con artist there is. He is the greatest procrastinator there is. I know these things from observation during the seventeen months he has been here. I have learned them from talking with priests who have known him over the years. (One priest who knew him in the Seminary told me of his "highs," "highs" which would cause him to pass out. Another told me how he was constantly "the con artist" in the Seminary. A priest who was his parish priest while in Grammar School told me of his constant compensation for his small stature, his macho efforts. In staff meeting here he would put people down or keep going back to matters which he did

not agree with, even after the subject matter being discussed had changed.)

If I had been told of his alcoholism, I would have been more alert to the many mornings he did not get up to offer Mass. (He was very careful not to drink more than an occasional beer in front of me and smoked incessantly which covered his breath. He would have the altar boy take the wine remaining in the chalice and pour it down the sacrarium rather than finish it because "he didn't like wine.") He always apologized for missing Mass and gave the excuse he was a "night person." It would have alerted me to the reason for the late hours he kept. (His friends in the parish did not know he had a problem; but I am finding out that the number of parishioners who knew he was frequenting bars in the area until the wee hours was fairly large.) I have learned that while he was at St. Victor's a priest who does alcoholic counseling wanted him to go to Guest House and the Seminary Psychologist talked him out of it. I think the scandal could have been avoided or at least lessened if I had been told the truth.

If I had been told of his other problem, I am sure I would have reacted to my "gut feelings" and we could have avoided the present scandal. I was not alone that something was amiss, but I had no concrete evidence. But how many priests have a young teenager (from St. Victor's) come frequently to stay over night in his room? Oh, the excuses were that he was helping him with his study. In the old rectory, even after we had a guest room, he always stayed in his room. In the new rectory (the old convent) we have a couple of guest rooms, but this made no difference. The night of the episode (a different lad from Cal City), I sensed he had brought someone into the house and slipped him up the back stairs. If I had known I would have been a little less comfortable with his friendship with some of the young kids, zeroing in on certain individuals. I don't think any overt actions took place with youth from this area, but I do think ground work was being laid. I know this is a strong charge and it is only an opinion, but it is my "gut" feeling.

I said above that I am faced with a situation which is bad. The police in Hometown have been very good in keeping the situation quiet. The parents of the boy involved have been good as long as I keep assuring them [redacted] The mother insists that I tell her exactly what is being done about this problem or she will prosecute. I know of at least one parishioner who knew of both his problems since he came here and only recently told me, looking for a denial on part to ease her mind. I think she will keep quiet as she has for seventeen months.

The bad situation is this. No matter what I do I'll be damned. I cannot tell the people, yet if it gets out who's going to catch hell? He was well liked and is keeping in touch with friends and people want to know when he will be coming back; and I will not take him back. This is a small town and I had to tell the people he was sick and that it was alcoholism to stop the speculation. And I am not exaggerating.

Even though I believe a person should be given a second and third chance, I would not take Vince back. Why? Because I do not feel I can trust the Personnel Board policy to level with me [redacted]

[redacted]. That is why I am asking you to reconsider the Board's policy in appointing a man. I will gladly meet with you, any member of the Board or the whole Board to discuss this matter if you wish. When I find his former Pastor, the Vicar of the area and the Personnel Board all know of the problems and no one tells the "receiving Pastor," I think something is wrong.

Please review your policy in this matter.

Sincerely,

James T. O'Connor

Rev. James T. O'Connor

JTO/hs

cc: John Cardinal Cody
Very Rev. John Curran
Rev. Andrew McDonagh
Members of the Board

THE FAMILY OF OUR LADY OF LORETTO
8925 S. KOSTNER AVENUE
HOMETOWN, ILLINOIS 60458

RECTORY 424-7471
SCHOOL 636-6688
HALL 857-9344
C.C.D. 499-6602
CONVENT 424-1998

Confidential

Attachment D

January 22, 1981

Vince,

[redacted]

Tell me. Do you have any more surprises for me? On that Wednesday, I asked you if anyone from Hometown was involved. You replied: "No." Now I find that an eighth grader was. Any others?

You realize, Vince, that by this action you have closed the door to your return to Our Lady of Loretto. Now the question is: "Are you going to be man enough to say to your friends that you have decided that it be best for you to start over someplace else or are you going to throw the blame one me?"

As a person, as a fellow priest, I will do anything I can to help you. But I have to think of this parish and its members. Things like this have a way of getting around. And I know of individuals who will find your presence difficult to accept, difficult enough that if they see your car in front of a home where there are young boys/men living they will stop and ring the door bell. I have been told this directly.

Sincerely,

Rev. James T. O'Connor

CC: William Lovett
Andrew McDonagh

THE FAMILY OF OUR LADY OF LORETTO
8825 S. KOSTNER AVENUE
HOMETOWN, ILLINOIS 60458

RECTORY 7471
SCHOOL 636-6668
HALL 887-9344
C.C.D 499-0832
CONVENT 424-1998

Confidential

Attachment C

January 14, 1981

Vince,

It was good seeing you. I was happy to see the apparent progress you have made in getting down to the basics of your problems. This is encouraging.

I would be dishonest, though, if I did not express some apprehension about your returning here to Our Lady of Loretto. I think I indicated to you I did not know which way I was going when I arrived [redacted] Flying home, thinking about it yesterday and today, there are certain facets I cannot sort out in my mind.

First of all, you are the "con artist" supreme. You know that. I was told that about you when I inquired about your Seminary days. You often tried to con me here. I knew what was going on. I'm not that dumb.

Secondly, I still find it difficult to accept the premise that alcoholism can cause abnormal sexual behavior even when one is not drinking. (When I asked you if [redacted] accusations were correct, you responded affirmatively. His description of events before and during the drinking which took place that night indicate to me a plan and not an alcoholic reaction.)

Along the same line, it has come to my attention that on occasion you would single out one youth to accompany you some place to the exclusion of others present at the time. Hopefully, all was on the up and up; but it certainly looked suspicious in the eyes of those present.

Thirdly, I question whether you are a true alcoholic which I understand to be a compulsive drinker or whether you are a heavy drinker who, when things are not going his way, finds an excuse to drink.

Vince, you have put me in an awful bind. No matter what I do, I'm damned. I have an honest, genuine concern for your recovery from whatever it is. At the same time I have a parish which has to come first in my considerations. And I don't know the answer to your returning here. Vince, I thought I did when I got on the plane to return to Chicago. But my ponderings say to me: "Go slow!" I am sorry, but Bill's answers were too facile; and the more I ponder them, the more I hear the words: "Go slow!"

Vince, I don't write this to discourage you, although I know it must. But I have to be honest. I know I am going to be the "fall guy" no matter what.

Does this mean I have made a decision? No! [redacted]

In the meantime, let's pray for eachother and for the good of this parish.

Sincerely

Rev. James T. O'Connor

cc: William Lovett
Rev. Andrew McDonagh

P.S. This evening I had a call from a parishioner who wished to come in with her husband to talk to me. They have young boys and they had figured the situation out. As you said, it is something you are going to have to live with. I have done my best to cover, but I cannot lie.

RECTORY
SCHOOL
HALL
CCD
CONVENT

[illegible] WOSTNER AVENUE
HOMETOWN, ILLINOIS 60458

Confidential

Attachment D

January 22, 1981

Vince,

[redacted]

Tell me. Do you have any more surprises for me? On that Wednesday, I asked you if anyone from Hometown was involved. You replied: "No." Now I find that an eighth grader was. Any others?

You realize, Vince, that by this action you have closed the door to your return to Our Lady of Loretto. Now the question is: "Are you going to be man enough to say to your friends that you have decided that it be best for you to start over someplace else or are you going to throw the blame one me?"

As a person, as a fellow priest, I will do anything I can to help you. But I have to think of this parish and its members. Things like this have a way of getting around. And I know of individuals who will find your presence difficult to accept, difficult enough that if they see your car in front of a home where there are young boys/men living they will stop and ring the door bell. I have been told this directly.

Sincerely,

Rev. James T. O'Connor

CC: William Lovett
Andrew McDonagh

Priests file –

~~Connie~~
Angie – file

January 12, 1981

[redacted]

Dear Father McCaffrey,

I am very grateful for your letter of January 6, 1981, and I am delighted to learn that your sojourn [redacted] is proving of such great help to you. [redacted] I am certain that you will soon be able to return to your fine priestly work. I know the great help that Fathers McDonagh and Simpson have been to you and I shall share your success with them.

Wishing you an abundance of blessings and hoping to see you very soon, I am, dear Father McCaffrey,

Very truly yours in Christ,

Archbishop of Chicago

JPC:ms

MC CAFFREY, VINCENT EDWARD, JR. SS: [redacted]

Birth Date	Place	Ordination Date
[redacted]	Evergreen Park, Ill.	May 10, 1978

Nationality of:
Father: [redacted] - Irish Living x Yes ___ No
Mother: [redacted] - Irish Living ___ Yes x No
(Maiden Name: [redacted])

Home Parish(es):
St. Barnabas

Deacon Internship:
Our Lady Help of Christians, Chicago, Illinois 60651

Vincent E. McCaffrey

Date of Appointment	ASSIGNMENT **********	Charge	Date Left
TCC: 5-17-78	St. Victor, Calumet City	Associate	TCC eff:6-11-79
TCC eff:6-11-79	Our Lady of Loretto, Hometown	Associate	3/13/81
3/13/81	St. Joseph the Worker, Wheeling	Associate	12/15/87
12/15/87	St. Josaphat Parish	Associate	6/13/89
6/13/89	OUR LADY OF GOOD COUNSEL, S. Hermitage see minutes p. 339	RESIDENT	10/29/91
11/16/93	Left Active Ministry		

Date of Appointment	EXTRAORDINARY APPOINTMENTS **********	Charge	Date Left

ARCHDIOCESE OF CHICAGO
POST OFFICE BOX 1979
CHICAGO, ILLINOIS 60690

Office of the Archbishop

December 15, 1987

Dear Father McCaffery:

I am pleased to appoint you as Associate Pastor to Reverend Dominic Grassi, the pastor of Saint Josaphat Parish. This appointment will become effective December 15, 1987, but I will leave it to you and Father Grassi to work out any particular arrangements.

Vince, needless to say, I am delighted to have you home again. I have been kept informed of your progress and I know you are fully prepared now to minister to the people of Saint Josaphat's with the same dedication and devotion you have always manifested in your previous assignments.

I would ask you to keep in touch with Ray Goedert, the Vicar for Priests, on a regular basis, as I would like to know from time to time how well your new assignment is going. Your recovery is very important to me, Vince, and I want to be sure that everything possible, at least on my part, is being done to assist you in your successful return to ministry. Know that you will be in my prayers always and should you wish to be in touch with me, don't hesitate to call.

With cordial good wishes, I remain

Sincerely yours in Christ,

Joseph Card. Bernardin
Archbishop of Chicago

Reverend Vincent McCaffery
Saint Josaphat Parish
2311 No. Southport Avenue
Chicago, Illinois 60614

cc: Reverend Dominic Grassi
Reverend Raymond Goedert
Clergy Personnel Board

THE DIOCESAN CLERGY PERSONNEL BOARD
OF THE ARCHDIOCESE OF CHICAGO

M I N U T E S
Meeting No. 50 - The Seventh Board

Meeting: Friday, December 5, 1980

Present: Reverend Monsignor Eugene F. Lyons, Reverends: John J. Grace, Robert J. Heidenreich, Thaddeus J. Makuch, William D. Mannion, Michael J. Nallen, Richard R. Schroeder.

Place: Clergy Personnel Board Office.

1. Opening Prayer: Reverend William D. Mannion

2. Approval of the Minutes: 7-0

3. Reports:

   a. [redacted]

   b.

   c.

   d.

   e. Vince McCaffery is [redacted]

   f. [redacted]

   g.

4. Agenda Approved: 7-0

5. [redacted]

6.

VII-137

[redacted]

VII-138

(2)

7. Old Business

[redacted]

8. New Business

[redacted]

9. Adjournment - 3:00 P.M.

A G E N D A

Meeting: #16 - Thirteenth Board
Date: December 6, 1991
Place: Priests' Personnel Board

I. Opening Prayer: Rev. Donald J. Nevins

II. Acceptance of Minutes:

III. Reports: (See Attached Sheet)

IV. Acceptance of Agenda:

V. Business:

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

VI. Old Business:
ACTION:

VII. New Business:
ACTION:

VIII. Adjournment:
MOTION:

[redacted]

[redacted]

[redacted]

REPORTS: (12/06/91)

1. [redacted]

2. [redacted]

3. Our Lady of Good Counsel: Ed Fialkowski contacted Martin O'Donovan '78 [Pastor] to ask how he and the parish were reacting to the departure of Vincent McCaffrey '78. Marty said that he is fine and that the parishioners are very good people who have been supportive and understanding of Vince's situation and Marty's generosity to help him. They are very vocal in their displeasure and disagreement on how the Diocese handled Vince and the parish. Marty says he hopes the Diocese is aware of their feelings and understands the consequences of their actions.

4. [redacted]

5. [redacted]

MINUTES

Meeting: #96 - Thirteenth Board

Date: December 3, 1993

Place: Priests' Placement Board

Present: Reverends: Jeremiah M. Boland, Daniel P. Coughlin, Edward R. Fialkowski, Michael T. Ivers, Donald J. Nevins, Kenneth J. Velo.

Absent: Revs. Robert P. Heinz and Victor J. Sivore

I **Opening Prayer:** Rev. Donald Nevins 10:15 A.M.

II **Minutes:** Approved 6 - 0 - 0

III **Reports:**

1. [redacted]

2. Cardinal's Appointments:

   a) [redacted]

   b)

   c)

   d)

e) [redacted]

f) Vincent McCaffrey '78: The Cardinal has accepted Vince's request to resign from active ministry, effective immediately.

g) [redacted]

h)

i)

3. [redacted]

4.

5.

6.

7.

8.

9.

10. [redacted]

11. [redacted]

12. [redacted]

13. [redacted]

IV **Acceptance of Agenda:** Accepted 6 - 0 - 0

V **Business:**

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

VI. **Old Business:** None discussed.

VII. **New Business:** None discussed.

VIII. **Adjournment:** 1:05 P.M.
MOTION: 6 - 0 - 0

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]