

NAME PICARDI, Rev. John Michael, Jr. B.A. & M.Div.  
 DATE OF BIRTH 8/7/56 PLACE OF BIRTH Boston, Mass.  
 DATE OF ORDINATION 6/11/83 PLACE OF ORDINATION Boston, Mass. Holy Cross Cathedral- Cardinal Medeiros  
 HOME 8 Homer Road, Arlington, Ma, 02174 HOME TEL. NO. 648-6320  
 \*Next of kin: John Michael Picardi, Sr. (Same address)

DATE ASSIGNED	OFFICE	ASSIGNMENTS PLACE ASSIGNED	DATE DETACHED	REMARKS
6/21/83	Assoc. Pastor - St. Ann, Gloucester		6/28/88	
6/28/88	Parochial Vicar-St. Michael, Bedford		3/2/92	
3/2/92	Sick Leave			
3/2/92	Address: Clergy Personnel Office			
3/30/92	Address: Trinity Retreat House 1 Prior Manor Rd. Larchmont, NY 10538			
11/1/92	Lend Lease, Diocese of Paterson, NJ			
10/27/92	Address: Clergy Personnel			
11/16/92	St. Margaret Rectory 6 Sussex Ave. Morristown, NJ 07960 Tel.# (201)- 538-8686			
6/20/94	Lend Lease			
6/20/94	Address: Holy Spirit Rectory 320 Neward-Pompton Turnpike Pequannock, NJ 07440			
7/1/95	Leave of Absence (1yr.) No Faculties			
7/1/95	Address: 5 Fairmount Ave. Morristown, NJ 07960 * (Note: delete Rev. from mailings)			

Rev. John M. Picardi, Jr.  
 Saint Maria Goretti Rectory  
 8344 E. Edward Avenue  
 Scottsdale, AZ 85250  
 602-948-8380

10/15/97

Temporary address:  
 4270 East Agave Road  
 Phoenix, Arizona 85044  
 New Jersey telephone:  
 201-546-4390 602 706 5573

St. Cyril and Methodius Church  
 218 Ackerman Avenue, Clifton, N.J. 07011  
 (201) 546-4390

PICARDI, JOHN M.  
 1.0003

Rev. Msgr. Thomas J. Zazella



CARDINAL'S RESIDENCE  
2101 COMMONWEALTH AVENUE  
BRIGHTON, MASSACHUSETTS 02135

May 25, 1988

Reverend John M. Picardi, Jr.  
Saint Ann Parish Rectory  
60 Prospect Street  
Gloucester, MA 01930

Dear Father Picardi:

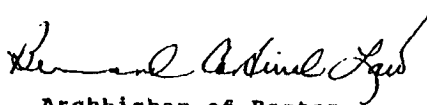
Upon the recommendation of the Personnel Board of the Archdiocese, I am ending your appointment as Parochial Vicar at Saint Ann Parish in Gloucester. I am appointing you as Parochial Vicar at Saint Michael Parish in Bedford. The effective date of this course of action is June 28, 1988.

I am confident that you will render fine priestly service to the people of God in Saint Michael Parish.

Please send written notification to Most Reverend Robert J. Hanks, Vicar for Administration and Reverend James J. McCarthy, Clergy Personnel Director, indicating that you have received this letter.

With my warmest personal regards and my blessing upon you and all whom you serve so well, I remain,

Sincerely yours in Christ,

  
Archbishop of Boston

PICARDI, JOHN M.  
1.0022

MEMORANDUM

TO: Cardinal Law

FROM: Father McCormack

DATE: February 6, 1992

RE: Reverend John Picardi

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1. John Picardi and I had a good meeting following the one he had with you. I arranged for him to meet with Dr. Groves and for him to contact Abbot Matthew around a retreat. He saw Dr. Groves once. Dr. Groves cannot see him for another few weeks. He has arranged to see Abbot Matthew for a retreat beginning March 2.
2. Since then, John spoke to me and asked for permission to make arrangements to enroll in a program with Monsignor Andy Cusick at Seton Hall University. I told him that it would be okay to talk with him, but he could not make arrangements for any programs until after he had finished his retreat and had seen Dr. Groves several times. This was my recommendation as well as yours. There could be no ultimate resolution about his leaving Bedford or entering a program until he had the opportunity to see a psychiatrist and have a retreat. He thought that it was okay to leave as of March 1.
3. Since then, his pastor, Mark Sheehan, came to visit me. He describes John as feisty and angry at times. He would become embroiled in arguments with parishioners. He seems sad and troubled at times and becomes overly invested in short-term relationships. He thinks John physically is not in good health, he smokes a great deal.

At the same time he spoke glowing of John being a talented priest who does wonderful work in the parish.

He recommends that John receive some help in a residential program. He thinks there is a lot going on within John that needs to be addressed.

4. I have made an appointment to see John next Wednesday to discuss future efforts on his behalf and his assignment at St. Michael's. My sense is to agree with Father Sheehan and John that he should come out of St. Michael's as of March 1 or as early as possible afterwards. John is extremely anxious and for some reason or other does not want to stay there.
5. This is for your update. I will let you know more about this when you return.

If you have any questions about this, please give me a call.

Many thanks.

JBM:mo'l  
 4131M  
 cc: Bishop Hughes

PICARDI, JOHN M.  
 1.0030

2

MEMORANDUM

TO: Cardinal Law  
FROM: Father McCormack *JBM*  
DATE: February 25, 1992 *2706318*  
RE: Rev. John Picardi, St. Michael's, Bedford

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Following my meeting with Father Picardi on February 12th. I talked with both Dr. Groves and Monsignor Andy Cusack. The following is a summary.

1. Father Picardi needs to call his own shots at this time. He needs to be in control. I think this attitude reflects our 'culture' as well as his own personal anxiety.
2. John realizes that his emotions are nearly out of control. He wants to enter into a program that will be both scripturally and psychologically based.
3. He wants to make a change in his life. He feels he cannot do it here where people have certain expectations of him - be it the family or the parish. He thinks he needs to be away to accomplish the need to change.
4. He visited both Dr. Groves and Monsignor Andy Cusack. He appreciated his interview with Dr. Groves but prefers Monsignor Cusack who, in his eyes, has both a theological as well as a psychological base.

Summary of Dr. Groves:

He thinks John has not been acting out but needs space and autonomy to deal with internal issues which are bubbling within him. He sees him as one who is possibly on the brink of acting out. He describes him as a 'spoiled child' who always needs praise. He needs a place where people can soak up his 'anger'. He needs to reflect and grow. He says let him go to Seton Hall.

Summary of Monsignor Cusack:

He sees Father Picardi as an 'emotional mess'. He fears John could be acting out privately. If not, he is on the brink of doing so.

He sees John as one who fears that if he doesn't do something now, something negative will happen to him and his priesthood.

Monsignor Cusack recommends the following program for John:

1. Takes a few special courses at Seton Hall these next few months.
2. Live in the community of Father Benedict Groeschel. Meet with Father Groeschel for spiritual direction weekly.
3. Meet with Monsignor Cusack in therapy weekly.
4. Spend an hour in prayer before the Eucharist daily.
5. Possibly do weekend ministry in the area.
6. Take the five week Summer Institute program at Seton Hall on Priestly Life and Ministry.

**PICARDI, JOHN M.**  
1.0033

Observations:

1. I am not very knowledgeable about Monsignor Cusack's personal expertise. He seems to run a decent summer program. He has some standing as a spiritual and psychological guide. Right now John places great confidence in him.
2. John is very determined and is fearful he is going to burst in some way. Therefore, he needs some structure and a supportive setting. Yet, at the same time, because of his personality, he needs some space and autonomy to grow.

Recommendation:

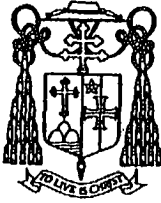
Be released from his assignment at St. Michael's, Bedford as of <sup>March 1st</sup> ~~February 29th~~ and placed on sick leave. If Abbott Matthew agrees, be permitted to enter into a program with Monsignor Cusack following his retreat with Abbott Matthew the week of March 1st.

The program he develops with Monsignor Cusack be written down and signed by John and Monsignor Cusack and that it be reviewed with Father McCormack in April and in the first part of June. If it is determined he should continue in the program, it should be the Summer Institute at Seton Hall. Toward the end of the Institute program, he should contact me about his readiness to return to ministry.

IBM:ah

*F.M. Comb 2756318 Dr. Picardi  
 Jack  
 Fine to proceed  
 as you recommend.  
 And sign good  
 immediately.  
 Ah*

PICARDI, JOHN M.  
 1.0034



CARDINAL'S RESIDENCE  
2101 COMMONWEALTH AVENUE  
BRIGHTON, MASSACHUSETTS 02135

ARCHDIOCESE OF BOSTON  
RECEIVED

MAR 3 1992

OFFICE OF  
MINISTERIAL PERSONNEL

February 29, 1992

Reverend John M. Picardi, Jr.  
Saint Michael Parish Rectory  
90 Concord Road  
Bedford, MA 01730

Dear Father Picardi:

I am writing to advise you that upon the recommendation of Reverend John B. McCormack, Secretary for Ministerial Personnel, I am ending your assignment as Parochial Vicar at Saint Michael Parish in Bedford and I am placing you on Sick Leave. The effective date of this course of action is March 2, 1992.

I realize that at this point it is impossible for you to attend to the concerns which you have and which we spoke about and at the same time be available to care for others and their needs. It would be my hope that this action which relieves you of parish responsibilities would also relieve you of any stress that might arise from feeling obligated to duties which are impossible to fulfill at this time.

It is my understanding that you are working out a program with the assistance of Monsignor Andrew Cusack of Seton Hall University. I would ask that the details of that program be approved by Father McCormack and would likewise ask that you work out details for maintaining contact with Father McCormack during this period of time.

Please be assured that you have my prayers and my full support. If there is anything which I am able to do for you, please do not hesitate to call on me.

With my warmest personal regards and my blessing upon you and all whom you serve so well, I remain,

Sincerely yours in Christ,

Archbishop of Boston

PICARDI, JOHN M.  
1.0037

PERSONAL AND CONFIDENTIAL

Reverend John Picardi  
Holy Trinity Monastery, Larchmont, New York

April 6, 1992

Reverend Benedict Groeschel telephoned to report about Fr. Picardi.

1. He is seeing Philip Guerin, MD, for therapy. He suggested that he provide the psychiatric and psychological evaluation rather than St. Luke.
2. He thinks that John was near a nervous breakdown, that is, an acute emotional stress reaction. He has been shaken right to the ground! He is well involved in therapy.
3. He is open with Fr. Benedict.
4. He has sexual identity confusion.
5. There is no deep homosexual pattern.
6. He would not be surprised that within a few months he would be ready to return to active ministry.

Questions:


- is sufficient?*
1. Are we going to have Dr. Guerin do the evaluation rather than St. Luke? I said yes.
  2. Is it okay for him to return to Boston to do parish ministry? Would the archdiocese want Fr. Picardi to serve temporarily in a diocese such as Orlando or Venice, Florida?
- Depends on recommendation coming from evaluation not on St. Luke's. I have not heard anything further*
- Is [REDACTED] still angry? Is he in a litigious stance?

JBM:mo'l  
4445M



PICARDI, JOHN M.  
1.0069

TACH

 wants  
to pursue charges  
vs J Picardi

|



transcript of handwritten note of ACH - 8/14/92  
document #14

Meeting with [REDACTED] 8/14/92

**1. He wanted:**

- help in getting counseling
- to know results of HIV testing
  
- a letter acknowledging that the report had been made and that we are committed to doing anything necessary to keep same activity from happening again.
  
- to know circumstances of J. Picardi's departure from St. Ann, Gloucester and [ ? ] before assignment at St. Michael, Bedford.

**2. I told him I would check on the first and third**

**3. I indicated two could be possible only if an agreement to bring issues to a closure**

15 *Conf. file*



ARCHDIOCESE OF BOSTON  
2121 COMMONWEALTH AVENUE  
BRIGHTON, MASSACHUSETTS 02135  
(617) 254-0100

SECRETARY FOR MINISTERIAL PERSONNEL

August 25, 1992

Reverend John Picardi  
Trinity Retreat House  
One Pryer Manor Road  
Larchmont, NY 10538

Dear John:

I just tried to reach you and was not successful. I thought I would drop you a line to let you know the details of the assessment that I have arranged for you. This is in case I do not reach you by telephone today or tomorrow.

Arrangements have been made with the Brief Evaluation Program at the Institute for Living, 400 Washington Street, Hartford, CT 06106. The person I have spoken with is Carol Stearn. The consultation service is headed by Dr. Bridburg. The telephone number is (203) 241-6905.

The assessment will take place on September 3-4th. It begins at 8:30 a.m. at the Institute. Arrangements have been made for you to stay overnight at St. Thomas Seminary in Hartford. You are encouraged to stay there the evening of September 2nd so that you can be at the Institute at 8:30 in the morning. You may contact Irene Ronan at (203) 242-5573 for details about the arrangements.

I hope that these days go well for you. I will keep you in my prayers. If you would like to arrange the blood test we talked about recently to take place at the Institute, I can arrange that as well.

I look forward to talking with you after the report of the assessment, John. If there is anything else I can do for you, please let me know.

Sincerely yours,

Reverend John B. McCormack  
Secretary for Ministerial Personnel

JBM:mmc

PICARDI, JOHN M.  
1.0099

John  
Picardi  
9/14 632  
3743

← Copy file  
Dr. Isa 9/9/92  
Institute for Living  
Hartford Conn.

- to the  
1. Dr. Guerin  
2. Dr. Kiley

Report, Psychologist

Telling truth  
Single incident - he was aggressor, drunk,

Other man's report - work friends!

Bisexual - committed to celibacy

Sexual abuse as a child - ~~little~~  
by an older boy

Little sex experience

Immature, impulsive, hedonistic  
<sup>rebellion</sup> - <sup>cocky</sup>

- usual of being <sup>sex</sup> <sup>unjust</sup> -  
civility

- problems in authority - particularly  
his mother

Continued in therapy a sp. director  
with a pastor who knows  
his problems relat. to  
Holy Trinity

Men's group relationship - author states  
+ helpful

Committed to priestly celibacy  
→ W + ... - not ...

PICARDI, JOHN M.  
1.0101

19 *Confidential*

PERSONAL AND CONFIDENTIAL

Reverend John Picardi

October, 1992

Father Zazella, Director of the Clergy Personnel for the Diocese of Patterson, New Jersey, telephoned to say that the diocese would be open to receiving Father Picardi for priestly ministry. I reported that Cardinal Law has agreed to have him serve there for one year.

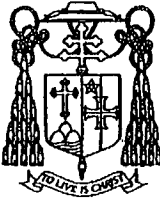
I then informed him of the background of Father Picardi:

1. He admits to a sexual incident with an adult male in Florida. He is described as being impulsive, immature and insensitive to the feelings of others.
2. He has a need to present himself in the best light. Due to this, he has a tendency to avoid addressing the negative factors in his personality.
3. When he thinks others do not understand him, he tends to withdraw.

I recommended that Father Picardi be placed with a pastor who is mature and who will not be intimidated by his immaturity or impulsiveness.

JBM:mo'l  
5141M

PICARDI, JOHN M.  
1.0115



CARDINAL'S RESIDENCE  
2101 COMMONWEALTH AVENUE  
BRIGHTON, MASSACHUSETTS 02135

ARCHDIOCESE OF BOSTON  
RECEIVED

OCT 27 1992

OFFICE OF  
MINISTERIAL PERSONNEL

October 26, 1992

Most Reverend Frank J. Rodimer, D.D., J.C.D.  
Diocesan Center, Diocese of Paterson  
777 Valley Road  
Clifton, New Jersey 07013

Dear Bishop Rodimer:

I am writing at this time to advise you that I have written to Reverend John M. Picardi, Jr., a priest of the Archdiocese of Boston, granting him permission to serve with your kind permission for a period of one year in the Diocese of Paterson.

This decision was made in light of conversations which have taken place between Father Thomas Zazzella your Director of Clergy Personnel and Father John B. McCormack our Secretary for Ministerial Personnel.

Please be assured of my profound gratitude for your willingness to receive Father Picardi. I think we all feel strongly about assisting these young men to persevere in the commitment they have made to follow the Lord. Sometimes that leads us to have to also depend upon one another and I am truly grateful for your understanding in this matter as well as that of your advisors.

Should any questions or concerns arise during this period of time please feel free to contact me personally or to speak with Father McCormack who will continue to maintain contact with Father Picardi.

With my abiding appreciation for your assistance and support in this manner, I remain,

Sincerely yours in Christ,

  
Archbishop of Boston

cc: Rev. John B. McCormack

PICARDI, JOHN M.  
1.0135

February 22, 1993

Ned Cassem, SJ, MD  
Department of Psychiatry  
Massachusetts General Hospital  
Fruit Street  
Boston, Massachusetts 02114

Dear Ned:

Enclosed is a copy of the report made by the Institute of Living regarding Father John Picardi. You will note the diagnostics at the end of the report. It is these numbers that I asked for some understanding in our telephone conversation the other day.

I am also enclosing a psychological evaluation that was made about John in the late spring. It might add to your understanding.

Thanks for your interest and assistance, Ned. I look forward to hearing from you.

Sincerely yours,



JBM:mo'1  
5556M  
Enclosures

Reverend John B. McCormack  
Secretary for Ministerial Personnel

PICARDI, JOHN M.  
1.0168

Archdiocese of Boston  
Secretary for Ministerial Personnel

M E M O R A N D U M

TO: Cardinal Law  
FROM: Father McCormack   
DATE: April 6, 1994  
RE: Reverend John Picardi 

Father Picardi has been serving in the diocese of Paterson for about a year and a half to two years. Previous to that, he had been in spiritual direction while living at Father Benedict Groeschel's retreat house in Westchester, New York. Currently he is serving in St. Margaret of Scotland Parish in Paterson, New Jersey.

Recently, he telephoned me and then wrote a letter. It concerns his request to continue serving in the diocese of Paterson, New Jersey. The reasons he offers to support his request are the following:

1. He has both personally and as a priest developed positively these past couple of years.
2. Much of his development is due to his regular meetings with Father Benedict Groeschel, Dr. Philip Guerin and Reverend Eugene Fulton. Dr. Guerin is his psychotherapist and Father Fulton is his spiritual direction.
3. Encouraged by his counselors, he thinks it is in his best interest, both personally and as a priest, to continue serving in the diocese of Paterson.
4. After speaking with Bishop Rodimer, he learned that the Bishop is open to his request. It would involve a change of assignment to a full-time position with a long-term commitment of about five years for the purpose of incardination.

He is grateful for all that the Archdiocese has done for him these past years. He finds it painful to ask but would appreciate if you, Cardinal Law, would be open to letting him serve in the diocese of Paterson with the view of incardination. He thinks that this is best for him.

He has asked to meet with you and asked me to visit him within the next year or two to learn how his situation is and how beneficial it is for him.

Recommendation: That you grant him permission.

I have not had a chance to ask him about arranging for Bishop Rodimer to write a letter to you saying that he is welcome to serve in the diocese. Would you raise this with or would you want me to do after you meet with him?

JBM:ah

PICARDI, JOHN M.  
1.0202



CARDINAL'S RESIDENCE  
2101 COMMONWEALTH AVENUE  
BRIGHTON, MASSACHUSETTS 02135-3192

26  
ARCHDIOCESE OF BOSTON  
RECEIVED

JUN 9 1994

OFFICE OF  
MINISTERIAL PERSONNEL

June 6, 1994

Most Reverend Frank J. Rodimer, D.D., J.C.D.  
Diocesan Center, Diocese of Paterson  
777 Valley Road  
Clifton, New Jersey 07013

Dear Bishop Rodimer:

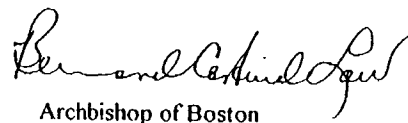
After recent conversation with Father John M. Picardi, Jr., a priest of the Archdiocese of Boston who has been serving with my permission and yours in the Paterson Diocese since November of 1992, I am writing to indicate that I am extending my permission for his continued service and assignment in the Paterson Diocese provided you are in agreement.

Father Picardi is very appreciative of the welcome which has been extended to him and has indicated to me that he has found his time there to be both fruitful and enjoyable. For those reasons he seeks to continue to minister there. I have indicated to him that he has my permission to remain on assignment there and as well my permission to explore the possibility of incardination at some future point if he wishes to do this and if your Excellency is open to this possibility. Without being hasty in this regard, I would think that it is important for him to settle and to feel that he belongs to the presbyterate of a diocese whether that be Boston or Paterson. If at some future point he asks to be considered for incardination and is accepted I would appreciate being made aware of the acceptance.

May I again express my gratitude to you and to the priests of your diocese, especially to Father Zazzella, for your understanding support and welcome of Father Picardi. I know he is most grateful and I want to assure you that I too am most grateful for the fraternal care being extended to this priest of Boston.

With my warmest personal regards and my appreciation for your assistance and support in this matter, I remain,

Sincerely yours in Christ,

  
Archbishop of Boston

cc: Reverend John B. McCormack

PICARDI, JOHN M.  
1.0213



PERSONAL AND CONFIDENTIAL

MEMORANDUM

TO: Bernard Cardinal Law  
FROM: Rev. Brian M. Flatley  
DATE: March 25, 1995  
RE: Rev. John M. Picardi  
Appointment, Wednesday March 29 at 4:45 P.M.

---

Father Picardi is coming home on Tuesday. He has an appointment with you on Wednesday at 4:45 P.M. This is the situation:

Father Picardi left the Archdiocese in March of 1992 after a homosexual experience with an adult, who was a youth leader in the parish. He went to Father Groeschel's Retreat House from March to October of 1992, at which time he was given permission to minister in the Diocese of Paterson, New Jersey. He has ministered there successfully since.

In January of this year, an allegation surfaced in New Jersey that Father Picardi touched a young child in an improper way in the schoolyard of the Parish School where he was stationed at the time. Father Picardi vehemently denies the allegation, and is supported by the Pastor of the Parish, and by Msgr. Zazzella, the Clergy Personnel Director for the Diocese of Paterson, who is Father Picardi's former Pastor.

The case had to be reported to the District Attorney. The District Attorney called the Bedford Police Department, Saint Michael's in Bedford, and here, looking for information. In the course of their investigation, they learned that "a couple" of anonymous calls had been made to the Bedford Police concerning Father Picardi and children. I do not know where the information came from. There are no records at the Bedford Police Department. There has been "talk". Msgr. Zazzella called on March 3, 1995 to report that it seemed that the prosecutor would not pursue the issue. The parents of the child did not want Father Picardi punished - "defrocked" is the word he used.

On Friday March 10, Msgr. Zazzella called to say that the parents of the child have agreed not to pursue this matter only if the Diocese will agree not to give Father Picardi another assignment. Father Picardi saw Bishop Rodimer on Friday, and told the Bishop that he has decided he cannot live under this cloud. He intends to step away from ministry for five years, and would like to talk with you first, and then with me.

I called Father Picardi, and he returned my call. He appreciates the fact that this is a very serious situation. He is ready to talk and listen, but is not willing to let this case decide his future. He has already been assessed, but will go through another assessment if we require it. If you need more details of the case, I will be happy to provide them.

March 25, 1995

March 21, 1995: I talked with Father Picardi today, and his attitude is completely different. He has hired an attorney, and is going to fight this. He would still like to talk with you. He suggested you might want to call him. He is staying with friends [REDACTED] Meanwhile, you (Cardinal Law) called, and I filled you in on the situation. You were concerned that Bishop Rodimer be aware of what is going on, and said that you were not anxious to talk with Father Picardi over the telephone, but want him to come home and to talk with you and with me and with Father O'Flaherty. I relayed this information to Father Picardi. He said that Msgr. Zazzella is aware of the situation, so he is sure that Bishop Rodimer is.

Saturday, March 25, 1995:

Father Picardi called this week, and asked me to make the appointment with you. In the course of my conversation with the you (Cardinal Law), you asked if Father Picardi was aware of the anonymous calls. I did not know. I called Father Picardi this morning and informed him of the reports. He naturally is upset and confused. He asked what his future was. I asked what he has in mind. He is angry and upset - says he wants out, but that he is not trained for anything. I told him that although we do not act on anonymous calls, in light of the New Jersey situation, these calls take on new importance. He responded. "I know that. I'm not stupid".

He knows that you are aware of the anonymous allegations. My recommendation is that you listen, but do not encourage him in regards to future ministry. As vague as all of this is, we would be subject to tremendous liability if he were working around children.

Copy: Reverend Msgr. William Murphy

PICARDI, JOHN M.  
1.0246



OFFICE OF THE BISHOP

PATERSON DIOCESAN CENTER

777 VALLEY ROAD  
CLIFTON, NEW JERSEY 07013  
(201) 777-8818

PERSONAL AND CONFIDENTIAL

March 29, 1995

His Eminence Bernard Cardinal Law  
Archdiocese of Boston  
2121 Commonwealth Avenue  
Brighton, Massachusetts 02135

Dear Cardinal Law:

As you know by now, Father John Picardi who has been with us in the Diocese of Paterson for 2 1/2 years, has planned to ask for a leave of absence so that he can discern God's will for him. He started off well when he came to Paterson. Monsignor Zazella, who is our Personnel Director, was his pastor while he was in St. Margaret's, Morristown, and he speaks highly of John.

Unfortunately, John didn't do as well in his second assignment, and, in fact, was accused of an improper action which I'm inclined to doubt he actually performed. We were required to report it to the New Jersey Division of Youth and Family Services (DYFS), and to remove John from his assignment. Our Chancellor, Monsignor Tillyer, has informed John that the State of New Jersey Institutional Abuse Unit has verbally advised the Diocese that it formally objects to John receiving any Church assignment ever again in the State of New Jersey where he would have any possibility of contact with children. Obviously, they conclude he did what he was accused of doing.

This whole thing has been hard on John and I have tried to support him in any way I could. However, I think his decision to take a leave of absence is a good one.

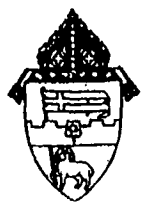
With best wishes for the Lord's blessings, I remain

Respectfully in Christ,

Most Rev. Frank J. Rodimer  
Bishop of Paterson

PICARDI, JOHN M.  
1.0247

42



OFFICE OF THE CHANCELLOR

**PATERSON DIOCESAN CENTER**

777 VALLEY ROAD  
CLIFTON, NEW JERSEY 07013  
201 - 777 - 8816

May 2, 1995

Mr. Joseph Whelan, Investigator  
Division of Youth and Family Services  
Institutional Abuse Investigation Unit  
100 Hamilton Plaza, Suite 803  
Paterson, NJ 07505

Dear Mr. Whelan:

You had requested that the Diocese of Paterson supply you with a report on the current status and employment of Rev. John Picardi. Your request was an outgrowth of your investigation of an incident which allegedly occurred at Holy Spirit School in Pequannock on January 13, 1995 and which allegedly involved Father Picardi.

Based upon your investigation you informed me verbally by phone that the position of DYFS's Institutional Abuse Investigation Unit to the Paterson Diocese is that Father Picardi should never again be assigned by the Church to any position in the State of New Jersey where he would have any contact with children.

Father Picardi had been serving as Parochial Vicar of Holy Spirit Parish since June 10, 1994. He is an incardinated priest of the Archdiocese of Boston and he was serving in the Diocese of Paterson pursuant to permission granted by his Ordinary, Bernard Cardinal Law, the Archbishop of Boston.

Father Picardi no longer has any ties or commitment to the Diocese of Paterson. He has no assignment of any kind from the diocese and no assignment of him will be made by the Diocese of Paterson in the future.

All future clerical assignments of Father Picardi are under the jurisdiction of the Archdiocese of Boston. Any service by him as a priest within the Archdiocese of Boston or anyplace else would be subject to the approval of his Archbishop so long as he remains an incardinated priest of that Archdiocese.

Any further inquiry regarding Father Picardi's status may be addressed as follows:

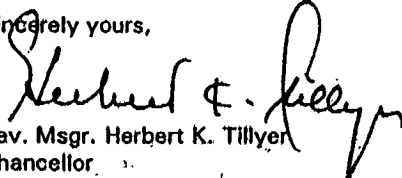
Reverend John B. McCormack  
Secretary for Ministerial Personnel  
Archdiocese of Boston  
2121 Commonwealth Avenue  
Brighton, MA 02135

**PICARDI, JOHN M.**  
1.0284

Mr. Joseph Whelan  
page 2  
May 2, 1995

Nothing contained herein should be construed as constituting a judgment by the Diocese of Paterson concerning the allegations about the January 13, 1995 incident.

Sincerely yours,



Rev. Msgr. Herbert K. Tillyer  
Chancellor

cc: Reverend John B. McCormack, Archdiocese of Boston Secretary  
for Ministerial Personnel  
Paterson Diocese Priests Personnel Office  
Diocesan Attorney of the Paterson Diocese

PICARDI, JOHN M.  
1.0285



State of New Jersey

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF YOUTH AND FAMILY SERVICES  
*Institutional Abuse Investigation Unit*  
100 Hamilton Plaza - Room 803  
Paterson, New Jersey 07505

CHRISTINE TODD WHITMAN  
Governor

WILLIAM WALDMAN  
Commissioner  
PATRICIA BALASCO-BARR  
Director

May 12, 1995

The Most Reverend Frank J. Rodimer  
Bishop of Paterson  
Paterson Diocesan Center  
777 Valley Road  
Clifton, New Jersey 07013

Re: *An Allegation of Sexual Abuse Concerning*  
[REDACTED] *at Holly Spirit School,*  
*Pequannock, on January 13, 1995*  
*(IAIU Case #95-0104)*

Dear Bishop Rodimer:

*It is the responsibility of the Division of Youth and Family Services to investigate all child abuse and neglect referrals as outlined in N.J.S.A. 9:6-8.11. On January 25, 1995, the Division's Northern Regional Investigation Unit received an allegation of sexual abuse at the above named facility.*

*An investigation was conducted. Sexual abuse was unsubstantiated with concerns, regarding the actions of Father John Picardo, in accordance with the child abuse/neglect statutes of the State of New Jersey. Genital contact occurred. The actions of Father Picardo were determined to be unjustified/inappropriate, placing [REDACTED] at some unnecessary and undue risk of harm. Specifically, the credible evidence indicates Father Picardo placed his hand on [REDACTED] buttocks area over her skirt for one to two seconds and then lifted the child's skirt below the level of her buttocks.*

*An administrative concern arose during the course of this investigation. The evidence indicates that the facility administrator, Sister Marie Antonelli, failed to immediately report this matter to the Division, as required by New Jersey statute.*

*Appropriate remedial/corrective action was taken at the time of this investigation; Father Picardo removed himself from parish duties and will not be assigned to parish duties in the Diocese of Paterson now or in the future.*

*If you have any questions regarding this finding, you may contact this office at (201) 977-4060, Monday through Friday, between the hours of 9:00am and 5:00pm.*

PICARDI, JOHN M.  
1.0299

*Under the state confidentiality statute, N.J.S.A. 9:6-8.10a et seq., reports and records concerning child abuse and neglect are confidential. In accordance with the statute, however, we can release information to you to help ensure that proper care, treatment or supervision is provided not only to the specific child or children involved here, but to all children under the care and supervision of this facility. In conjunction with the provision of proper care, this information may be used in any investigations or disciplinary actions you may find necessary.*

*The law requires any agency or person receiving such information to preserve its confidentiality and it provides for criminal penalties for anyone violating its provisions. Therefore, when conducting appropriate investigations and disciplinary actions, steps should be taken to limit access to persons necessary to the investigation or disciplinary action. The materials and the information contained herein may not be disclosed to the public or to the press either directly or as part of any otherwise public records or proceedings.*

*Sincerely,*

  
*Allison Blake*  
Asst. Regional Supervisor

*AB/g*

*c: Rev. John B. McCormack, Secretary for  
✓ Ministerial Personnel  
Archdiocese of Boston*

*Sgt. Kevin Loughman, Supervisor  
Morris County Prosecutor's Office*

**PICARDI, JOHN M.**  
1.0300



46

State of New Jersey

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF YOUTH AND FAMILY SERVICES

CHRISTINE TODD WHITMAN  
Governor

CN 717  
Trenton, New Jersey 08625-0717

WILLIAM WALDMAN  
Commissioner

PATRICIA BALASCO-BARR  
Director

**CONFIDENTIAL**

June 6, 1995

Reverend John Picardi  
85 Fairmount Avenue  
Morristown, New Jersey 07960

Re: Review of IAIU Case 95-0104  
Holy Spirit School

Dear Father Picardi:

Per your request I have received the above named case and concur with the finding of unsubstantiated with concerns. Specifically the concerns were that you placed your hand on a female child's buttocks area over her skirt and then lifted the child's skirt below the level of her buttocks. These actions placed the child at some unnecessary and undue risk of harm since they were deemed to be non-accidental in nature.

The decision to assign you to duties which would keep you from direct access to children was a mutual decision made from our recommendations and a concurrence by the diocese.

This review is considered a final agency decision. Should you wish to appeal this matter further you may do so by contacting the Appellate Division of the New Jersey Superior Court, Hughes Justice Complex, CN 006, Trenton, New Jersey 08625, (609)292-4822.

I trust this information has been helpful to you in clarifying the findings of our agency.

Sincerely,

Susan Manion, Administrator  
Institutional Abuse  
Investigation Unit

SM:det

PICARDI, JOHN M.  
1.0307



Bishop Frank Rodimer  
Paterson Diocesan Center  
777 Valley Road  
Clifton, NJ 07013

August 8, 1995

Dear Bishop Rodimer,

I hope that this letter finds you well and getting some relaxation. It has been a very busy summer for me, I am still job hunting with no end in sight. The job market is very tight at present. I want to first thank you once again for your time and support through what has been a most difficult time in my life. Your personal belief in me has been a continual means of strength and courage. I am writing to you in order to keep you informed of my situation as it now stands. I have been working with Adolph Galluccio on my case. Since the allegation of sexual abuse was unsubstantiated, DYFS only issued a recommendation that I not work directly with children. When my attorney questioned DYFS on this recommendation they told him that it specifically applied to three situations; my ability to adopt, become a foster parent or run a day care center. Again, according to Mr. Galluccio, it is only under these circumstances that these files would be opened again. His feeling at this time is that there is no legal restriction prohibiting me from working as a priest. Mr. Galluccio has also stated that DYFS would reject any application for a hearing into this matter due to the fact that there is no finding of guilt and therefore, nothing to argue against. The bottom line is that although they found me "not guilty," they are treating me as if I were. Mr. Galluccio feels that this situation can happen largely due to the climate of the times that we find ourselves in. In his letter, Mr. Galluccio also expresses a concern of the "possibility for criminal charges being filed against me." He is concerned that by continually attempting to fight this finding they may attempt to get back at me by "going public" with the situation in order to cause me embarrassment. Due to the present findings in the case as it stands, he finds this possibility slim, but he feels that I need to be made aware of this situation. I have enclosed a copy of his letter to me in order that you can read it for yourself.

When we last met, you expressed to me your openness to my working in the diocese. I also realize that other realities since that meeting could have changed your feelings on this matter. I write to you now to ascertain your present feelings on this matter. I am also trying to discover the position of the Archdiocese of Boston in this matter as well. Please be assured that I am willing to entertain what ever the requirements you and the diocese would need in order that you would feel confident in placing me back into a parish. I am also in no immediate rush to return to work. Personally I feel the need to work through the many emotions that have been affected by this situation. I fully intend to focus on this during my present requested year leave of absence from the Archdiocese. The three years that I have worked in the diocese were key in helping me to maintain my health and it is because of this fact that I have a primary desire to work here.

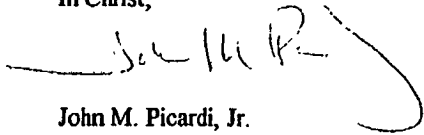
I have also been meeting with Benedict Groechel. He is also very interested and supportive of me. He is most willing to talk with you or one of your delegates to discuss this situation. It would be my hope that through him, the diocese and the archdiocese will be able to form some

PICARDI, JOHN M.  
1.0343

tiype of program for me that would be agreeable to all parties involved.

I also realize that my return to working in the diocese may no longer be a possibility. I want you to assure you that I will understand if your feelings lean in this direction. The present situation has also taught me to be a realist! I realize that my request is not an easy one, but I also feel that it is important enough for me to ask. I hope that you understand this. Once again, I thank you for all that you have done for me. My time in the diocese will always be a cherished memory and a catalyst of hope for the future where ever I may ultimatly end this journey.

In Christ,

A handwritten signature in dark ink, appearing to read "John M. Picardi, Jr.", with a large, sweeping flourish extending to the right.

John M. Picardi, Jr.

**PICARDI, JOHN M.**  
1.0344

Reverend Brian Flatley  
Chancery, Archdiocese of Boston  
2121 Commonwealth Avenue  
Brighton, MA 02135-3193

August 8, 1995

Dear Brian,

Sorry that I have not been in touch for a while, it has been a very busy summer for me. I am still out looking for a job, with no luck in sight. I have also been working with my lawyer, Adolph Galluccio on my case. Enclosed you will find a copy of his most recent letter to me. According to Mr. Galluccio, the allegation of sexual abuse was found to be unsubstantiated. DYFS issued a recommendation that I not work directly with children. When my attorney questioned DYFS on this recommendation they told him that it specifically applied to three situations; my ability to adopt, become a foster parent or run a day care center. Again, according to Mr. Galluccio, it is only under these circumstances that these files would be opened again. His feeling at this time is that there is no legal restrictions prohibiting me from working as a priest. Mr. Galluccio has also stated that DYFS would reject any application for a hearing into this matter due to the fact that there is no finding of guilt and therefore, nothing to argue against. The bottom line is that although they found me "not guilty," they are treating me as if I were. Mr. Galluccio feels that this situation can happen largely due to the climate of the times that we find ourselves in. In his letter, Mr. Galluccio also expresses a concern of the "Possibility for criminal charges being filed against me." He is concerned that by continually attempting to fight this finding they may attempt to get back at me by "going public" with the situation in order to cause me embarrassment. Due to the present findings in the case as it stands, he finds this possibility slim, but he feels that I need to be made aware of this situation. This would place me in an even worse quagmire, one that I do not wish to place myself, the Archdiocese of the Diocese of Paterson into.

I know that you are well aware that before I was granted permission to work in the Diocese of Paterson that I went through two testings. One of these was through my counselor, Dr. Guerin and the other one was through The Institute for Living in Hartford, Conn. [REDACTED]

[REDACTED] In light of these tests and the unsubstantiated report from DYFS in New Jersey, I am a bit perplexed as to why I should have to go for further testing. I would be very willing to go for further testing if I had been found guilty of any accusation or even if there was a charge made against me. While you have told me according to Boston's policy, any new accusation requires new testing, does this not presume some type of guilt found? I guess that my question is; what is the policy when no guilt has been found and no charges will ever come of the situation? Is this not the situation that I find myself in? I am also well aware of the fact that at present, I am unable to return to work as a priest. I need to work through the many emotions that this present situation has obviously touched upon so that if I were to return to active ministry that I will not carry with me any negative emotions that would adversely affect my ministry. I am presently working with Fr. Gene Fulton in this area.

RCAB REDACTION

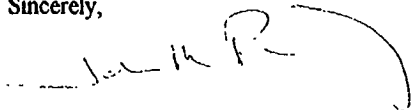
PICARDI, JOHN M.  
1.0345

I have also been meeting with Fr. Benedict Groechel, he too is a bit perplexed by the situation. I would be very open to the both of you discussing what would be the best road for me to follow in order for me to one day find myself in a position to return to full and active ministry. When I met with Benedict, I discussed with him my hope that you would contact him in order to discuss with him, the expectations of the Archdiocese and the best way that this can be met. He is most willing to speak with you on this matter.

Regarding the two anonymous accusations against me, I honestly feel that they come through Father Mark Sheehan. I do not make this statement lightly. In light of our history together, I feel that it would be difficult for me to contact him personally to discuss this matter. I also feel that it would not be beneficial to the situation. I do feel that an appropriate person from the Archdiocese could ascertain this information in a manner that would be far more appropriate and professional. Your help in this matter would be greatly appreciated. I also feel that this is a matter of justice. Despite my feelings toward Mark, I honestly believe that if these accusations come from my time in Bedford, be they rooted in truth or not, that the testing which took place after the accusations should cover the questions raised by these accusations. Your feelings on this aspect could also be discussed with Benedict when the both of you discuss my situation. I look forward to hearing from you directly or through Benedict on the matters that I have raised in this letter.

As usual, I have also sent Cardinal Law copies of these letters and I also include the letter that I sent to him. I also have sent a letter to Bishop Rodimer to keep him abreast of the situation. I have sent Cardinal Law a copy of this letter. Bishop Rodimer also received a copy of Mr. Galluccio's letter. I have done this in a large part due to the fact that when I last met with him he did express a desire to reassign me in the Diocese if the situation changed in any way. While it would be my primary desire to return to Paterson to work due to my personal experience of the health that I have maintained while working there over the last three years. Cardinal Law also expressed this fact when you and I met with him in the chancery office. I also realize that this option could be closed to me. Again, I realize that any immediate return to ministry is out of the question at this time. As always, I am deeply appreciative of your support and concern for me. Thanks again for everything.

Sincerely,



John M. Picardi, Jr

PS: As of the mail today, I have not received my check for July. I am sure that this is just a clerical error that can be easily straightened out.

Secondly, I am presently renting a rooms from an older woman from my parish in Morristown. Her name is Doris O'Neill. The phone number is: 201-539-0887. The address is: 49 Sylvan Drive Morris Plains, NJ 07950

**PICARDI, JOHN M.**  
1.0346

Reverend Brian Flatley  
Chancery, Archdiocese of Boston  
2121 Commonwealth Avenue  
Brighton, MA 02135-3193

August 8, 1995

Dear Brian,

Sorry that I have not been in touch for a while, it has been a very busy summer for me. I am still out looking for a job, with no luck in sight. I have also been working with my lawyer, Adolph Galluccio on my case. Enclosed you will find a copy of his most recent letter to me. According to Mr. Galluccio, the allegation of sexual abuse was found to be unsubstantiated. DYFS issued a recommendation that I not work directly with children. When my attorney questioned DYFS on this recommendation they told him that it specifically applied to three situations; my ability to adopt, become a foster parent or run a day care center. Again, according to Mr. Galluccio, it is only under these circumstances that these files would be opened again. His feeling at this time is that there is no legal restrictions prohibiting me from working as a priest. Mr. Galluccio has also stated that DYFS would reject any application for a hearing into this matter due to the fact that there is no finding of guilt and therefore, nothing to argue against. The bottom line is that although they found me "not guilty," they are treating me as if I were. Mr. Galluccio feels that this situation can happen largely due to the climate of the times that we find ourselves in. In his letter, Mr. Galluccio also expresses a concern of the "Possibility for criminal charges being filed against me." He is concerned that by continually attempting to fight this finding they may attempt to get back at me by "going public" with the situation in order to cause me embarrassment. Due to the present findings in the case as it stands, he finds this possibility slim, but he feels that I need to be made aware of this situation. This would place me in an even worse quagmire, one that I do not wish to place myself, the Archdiocese of the Diocese of Paterson into.

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RCAB REDACTION

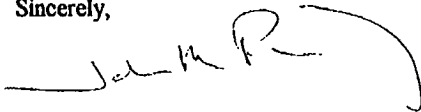
PICARDI, JOHN M.  
1.0347

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Sincerely,



John M. Picardi, Jr

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PICARDI, JOHN M.  
1.0348

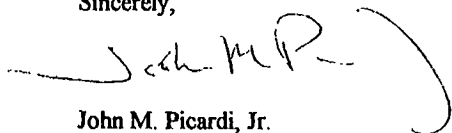
Bernard Cardinal Law  
Archbishop of Boston  
2101 Commonwealth Avenue  
Brighton, MA 02135-3192

August 8, 1995

Your Eminence,

I hope this letter finds you well and enjoying the summer. It has been a very busy summer for me. While I am still job hunting, there seems to be no end in sight! I will keep plugging though. Enclosed you will find copies of two letters, one that I sent to Brian Flatley and the other from my lawyer. As you can see, I have basically reached a dead end and am a bit perplexed as to what to do next. I hope that by my expressing my honest feelings and concerns to you that some type of program can be set up that is amicable to all can be reached. The fact of the matter is that as I continue my job search it seems to only convince me of my vocation as an active priest. I also realize that the many questions raised by my situation must be resolved and that this will take time, time that I am willing to spend. While I still wish to continue my leave of absence for the year, I wish to direct a greater part of my energy towards a return to full and active ministry. An openness on your part to this possibility would then change my job focus as well. I have also written to Bishop Rodimer and sent him a copy of Mr. Galluccio's letter. Enclosed you will find a copy of this letter. Your feelings and perspective on this matter would be extremely helpful to me at this time. Thanks again for your time and interest.

Sincerely,



John M. Picardi, Jr.

PICARDI, JOHN M.  
1.0349

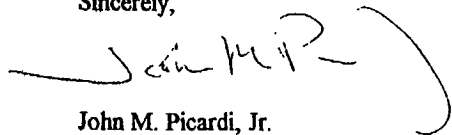
Bernard Cardinal Law  
Archbishop of Boston  
2101 Commonwealth Avenue  
Brighton, MA 02135-3192

August 8, 1995

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Sincerely,



John M. Picardi, Jr.

PICARDI, JOHN M.  
1.0350







CARDINAL'S RESIDENCE  
2101 COMMONWEALTH AVENUE  
BRIGHTON, MASSACHUSETTS 02135-3192

*Picardi*

59

**PERSONAL AND CONFIDENTIAL**

October 11, 1995

The Most Reverend Frank J. Rodimer, D.D., J.C.D.  
Diocese of Paterson Diocesan Center  
777 Valley Road  
Clifton, New Jersey, 07013

Dear Bishop Rodimer:

In your letter of September 18, 1995 you state that with my authorization you are willing to have the Diocese of Paterson conduct an internal Church investigation into the allegation of sexual abuse concerning Reverend John M. Picardi, Jr., a priest of the Archdiocese of Boston who was serving in the Diocese of Paterson at the time of the allegation.

Having consulted with advisors here in the Archdiocese, I have decided not to authorize this investigation. Please permit me to explain the reason for this decision. As a priest of the Archdiocese of Boston, Father Picardi is subject to the Sexual Misconduct Policy of this Archdiocese. That Policy calls for Father Picardi to undergo a medical and/or psychological assessment before any decisions may be made regarding any future assignment in this Archdiocese or anywhere else. Therefore an internal Church investigation in Paterson would not be appropriate at this time, for it would not resolve the question of Father Picardi's return to ministry.

Father Picardi has been in conversation with Reverend Brian M. Flatley, my Delegate for these matters, who has made Father Picardi aware that if he wishes to pursue the option to return to priestly ministry, he must agree to a medical and/or psychological assessment.

Again, I would like to express my gratitude to you for your help and support of Father Picardi. With warm personal wishes, and asking God to bless you, I am

Sincerely yours in Christ,

*Edward Cardinal Galt*  
Archbishop of Boston

**PICARDI, JOHN M.**  
1.0374

**CONFIDENTIAL**  
**MEMORANDUM**

**TO:** Reverend Brian M. Flatley  
**FROM:** Bernard Cardinal Law  
**RE:** Reverend John M. Picardi, Jr.  
Review Board Case # 67

---

I have reviewed the report and the recommendation of the Delegate and the Review Board regarding Reverend John M. Picardi, Jr.

I accept the recommendation of the Delegate, and direct the Office of the Delegate to implement the recommendation.

Date: *5/31/96* *[Signature]*

80  
Archdiocese of Boston  
Assistant to the Secretary for Ministerial Personnel

PERSONAL AND CONFIDENTIAL

MEMORANDUM

TO: Bernard Cardinal Law  
FROM: Rev. Brian M. Flatter *Bmf*  
DATE: June 8, 1996  
RE: Rev. John M. Picardi, Jr.

---

I talked with Father Picardi this morning and told him that you accepted the Review Board recommendation. Would you please date the enclosed memo May 31, 1996.

Enclosed is a copy of the letter I will send out on Monday. Father Picardi is aware that it is coming.

I asked Father Picardi if we could set up a date to discuss the situation. He said he would rather see the letter first.

The Review Board recommendation continued "He should be encouraged to continue in his therapy and to continue to discern whether he should seek laicization." We have decided that this is a suggestion rather than part of the recommendation. I decided not to share it with Father Picardi.

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PICARDI, JOHN M.  
1.0477



ARCHDIOCESE OF BOSTON  
2121 COMMONWEALTH AVENUE  
BRIGHTON, MASSACHUSETTS 02135-3193  
(617) 254 0100

SECRETARY FOR MINISTERIAL PERSONNEL

June 10, 1996

**PERSONAL AND CONFIDENTIAL**

Rev. John M. Picardi, Jr.  
% Msgr. Thomas Zazella  
Saints Cyril and Methodius Rectory  
218 Ackerman Avenue  
Clifton, New Jersey 07950

Dear Father Picardi:

As you are aware, as Delegate of the Archbishop I made a recommendation to Cardinal Law with regard to an allegation of sexual misconduct which had been made concerning you. Having determined that there is reasonable probability that sexual misconduct with a minor occurred in this case, my recommendation was that you not be returned to parish ministry or other ministry that involves minors. The Review Board recommended that the Cardinal accept my recommendation.

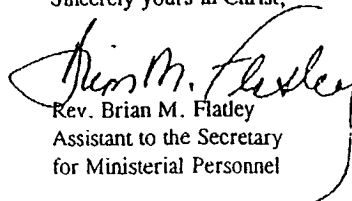
Before making a decision on the recommendation, the Cardinal asked that the Office of the Delegate make an attempt to interview the child involved in the incident. I am grateful to you for granting permission for us to interview the child. However, we were not able to do so, because the child's mother would not allow it.

I write now to inform you that the Cardinal has accepted the Review Board's recommendation.

As the termination date of your leave of absence approaches, Cardinal Law has directed me to be in conversation with you about your future. Please give me a call to set up an appointment. I am willing to be of assistance to you in any way that I can.

These are difficult matters to resolve, John. You are always in my prayers.

Sincerely yours in Christ,

  
Rev. Brian M. Flatley  
Assistant to the Secretary  
for Ministerial Personnel

**PICARDI, JOHN M.**  
1.0478

July 9, 1996

Bernard Cardinal Law  
 Cardinal's Residence  
 2101 Commonwealth Avenue  
 Brighton, MA 02135-3192

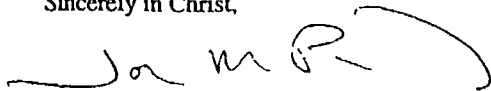
Your Eminence,

I have received the June 27th letter of Father Brian M. Flatley, in which he clarifies Your Eminence's decision about my status and my ministerial future. In that letter, Father Flatley wrote, "It would, therefore, appear that this clarification concerning the content of the Cardinal's decision would serve as a response to your request for a reversal of that decision." This being the case, I realize I need not wait for the full thirty days in which to proceed further (as defined in canon 1735).

While not wishing to increase your administrative burdens as my Ordinary and as the Archbishop of Boston, I remain firmly convinced that this decision has placed an unnecessary cloud over my good name and reputation, I hereby wish to inform Your Eminence that I am utilizing the provisions of canon 1737 and initiating recourse to the Congregation for the Clergy within the time parameters determined by that canon.

I am enclosing a copy of my formal appeal, which I have sent directly to the Congregation for the Clergy in Rome.

Sincerely in Christ,



Réverend John M. Picardi, Jr.

cc: The Most Reverend Frank J. Rodimer, D.D.,  
 Bishop of Paterson

enclosure

*Fr. Flatley -  
 Please draft  
 acknowledgment.  
 Have Msgr.  
 Dealy review + sign.*

PICARDI, JOHN M.  
 1.0491

**CONFIDENTIAL**  
September, 1996

**Chronology of contacts between Rev. John M. Picardi, Jr. and The Delegate**

**\*January, 1992:**

Father Picardi apparently indicated that he was having some emotional/spiritual hard times and was looking for some relief.

**\*February, 1992:**

Bishop McCormack met with Father Picardi, referred him for a psychiatric consultation and shortly thereafter he was relieved of his assignment. This was based on his presenting issues of anxiety, frustration, etc.

**\*March 11, 1992: (Bishop Hughes handwritten notes)**

Among other issues there is the notation: "John raped [redacted] in Florida"

**\*March, 1992: (Bishop McCormack typed notes - Personal and Confidential)**

March 11 - "Mark Sheehan reported to Bishop Hughes that John Picardi had acted out sexually with a 29-year old male named [redacted] while on a trip in Florida. [redacted] complained to Father Mark Sheehan about this."

March 12 - "Bishop Hughes saw Father Picardi. He admitted to the incident and said it was his first time. He is penitent."

**ACTION: BASED ON THIS INCIDENT THE FOLLOWING ACTION WAS TAKEN:**

**MARCH 13 - "I MET WITH FATHER PICARDI AND ARRANGED FOR HIM TO HAVE AN ASSESSMENT AND A PHYSICAL EXAM AT ST. LUKE'S INSTITUTE BEGINNING APRIL 26, 1992"**

**RCAB REDACTION**

**\*March 19, 1992: (Bishop Hughes hand-written notes)**

"Notes on conversation with [redacted]  
"Trip to Florida....drank heavily....Jacuzzi...awakened by J.P. removing his pants....2nd time, he performed oral sex...3rd time he had removed his pants and attempted anal sex; he ejaculated...went to Ft. Lauderdale....J.P. admitted he had raped [redacted] (Emphasis added)

**\*Undated note on Bishop Hughes stationery:**

[redacted] wants to pursue charges vs J. Picardi."

**\*September 18, 1992: (Memo, Father McCormack to Bishop Hughes)**

"1. He admits to being the aggressor. He was drunk. It was a single incident."  
Other comments follow about a treatment plan with the conclusion: "4. In light of the above, I recommend that he be given permission to take an assignment in the New York/New Jersey area for one year."

**\*October 16, 1992: (Bishop Hughes handwritten notes.)**

[redacted] has spoken to at least three young people in the parish and raised questions about J.P. Two young men and one young woman have come and mentioned this. They have also reported J.P. to have been tactile with them, but never genitally involved."

**NOTE: FATHER PICARDI REMAINED IN N.Y./N.J. IN THERAPY AND SPIRITUAL DIRECTION.**

**\*October, 1992: (Father McCormack's typed notes)**

"Father Zazella...Diocese of Paterson, New Jersey, telephoned to say that the diocese would be open to receiving Father Picardi for priestly ministry. I reported that Cardinal Law has agreed to have him serve there for one year."

**\*October 26, 1992: (Letter, Cardinal Law to Father Picardi)**

"...permission to serve for a period of one year in the Diocese of Paterson, N.J....effective date...November 1, 1992."

**PICARDI, JOHN M.**

**1.0546**

\*February 22, 1993: (Memo, Father McCormack to Cardinal Law)

"I support John's request that he be allowed to continue an assignment at St. Margaret's in Morristown at least through June of 1994."

\*March 15, 1993: (Letter, Father McCormack to Father Picardi)

"... I Spoke with Cardinal Law about your desire to remain in St. Margaret's ... He concurs with your request."

\*July 30, 1993: Memo Father McCormack to Bishop Hughes regarding Father Picardi's assignment in New Jersey.

**NOTE: FATHER PICARDI IS NOW AT HOLY SPIRIT PARISH, PEQUANNOCK, N.J. (National Catholic Directory)**

\*June 6, 1994: (Letter, Cardinal Law to Bishop Rodimer, Paterson New Jersey)

"I am writing to indicate that I am extending my permission for his continued service and assignment in the Paterson Diocese provided you are in agreement."

\*January 26, 1995: (Memo, Father Deeley to Father Flatley)

- telephone call today from Monsignor Thomas Zazella
- became aware yesterday of an allegation made about Father John Picardi: touched a fifth grade girl at the parish school on the buttocks; girl herself did not know who did it, but her girlfriend claims that she saw Father Picardi touch her.
- mother of the girl became aware of this and reported it to the school principal.
- school principal and the pastor of the parish met with John;
- he denies that this incident occurred; they have found John believable.
- allegation had to be reported to the civil authorities of the State of New Jersey; at this point there is a preliminary investigation.
- The mother of the girl asked why a priest from Boston is working in New Jersey; whether there had been any allegation of sexual misconduct with a minor; the response was negative.

\*March 3, 1995: (Memo, Father Flatley to file)

- allegation surfaced in New Jersey that Father Picardi touched a young child in an improper way
- Father Picardi vehemently denies the allegation,
- case has to be reported to the District Attorney. For the present, Father Picardi is staying with friends.
- I told police there were no allegations in our files concerning Father Picardi and minors; on advice of the Archdiocesan Attorney I declined to answer whether there was anything else in file
- it seems that the prosecutor will not pursue the issue. The parents do not want Father Picardi punished - "defrocked".
- prosecutor does have to turn it over to an agency that deals with institutional abuse.
- Msgr. Zazella feels that it will probably not be pursued -  
will probably be some restriction of Father Picardi with regard to children,  
it would be best if he did not go back to Holy Spirit Parish.  
Father Picardi has already made the decision to move.
- The prosecutor mentioned that [REDACTED] might still file a civil suit. Neither Msgr. Zazella nor I are aware of how the prosecutor found out about [REDACTED]

**ACTION: AS A RESULT OF THE ABOVE REPORT AND AFTER CONSIDERABLE DIALOGUE, FATHER PICARDI WENT TO ST. LUKE INSTITUTE FOR AN ASSESSMENT IN OCTOBER, 1995.**

\*March 25, 1995: (Memo, Father Flatley to Cardinal Law)

- Father Picardi left the Archdiocese in March of 1992 after a homosexual experience with an adult,
- went to Father Groeschel's Retreat House from March to October of 1992,
- was given permission to minister in the Diocese of Paterson, New Jersey; has ministered there successfully since.
- [recap of January events]
- Investigator for DA in NJ called Bedford Police, Saint Michael's in Bedford, and here, looking for

**PICARDI, JOHN M.  
1.0547**



information. learned that "a couple" of anonymous calls made to Bedford Police regarding Father Picardi and children. I do not know where the information came from. no records at the Bedford Police Department. There has been "talk".

- Friday, March 10, 1995:
  - Child's parents agreed not to pursue case if the Diocese will not give Father Picardi another assignment.
  - Father Picardi told Bishop Rodimer that he cannot live under this cloud.
  - He intends to step away from ministry for five years.
  - He has already been assessed, but will go through another assessment if we require it.
- March 21, 1995:
  - Father Picardi's attitude is completely different. He has hired an attorney, and is going to fight this.
- March 25, 1995:
  - Cardinal Law asked if Father Picardi was aware of the anonymous calls. I did not know.
  - I informed Father Picardi of the reports.
    - He is angry and upset. He asked what his future was. I asked what he has in mind.
    - He says he wants out, but that he is not trained for anything.
    - I told him that we do not act on anonymous calls, but these calls take on new importance.
    - He responded. "I know that. I'm not stupid".

**\*April 1995, (undated letter from Father Picardi to Cardinal Law)**

- "your distress that I have been unjustly treated due to lack of due process gave me courage and hope."
- Advice of JMP's attorney: unless there are charges made, that there is nothing that I can do to change the present situation.
- Regarding the conclusions of DYFS "decision rendered by them is pro forma and not unusual." No way for me or anyone else to discover the basis for the request that I not work directly with children.
- "I agree with your assessment of the situation: that there is a prejudice toward Catholic priests; We are presumed guilty, and in my case, without due process; that the Florida situation greatly prejudiced the case, even though, as you yourself stated, has nothing to do with the present situation."
- no criminal charges against me at this time, nor will there be.
- I realize that this does not help me despite the fact that I am innocent and that both you and Bishop Rodimer believe me, trusts that mean a great deal to me.
- Since our meeting, I have been in contact with Brian Flatley a number of times. he is verbally supportive; his insistence upon an immediate psychological evaluation disturbs me. only been three years since my evaluation at The Center for Living in Hartford, Conn.
- In order to regain my self-image and sense of worth, I request to be released from active ministry in the Archdiocese on July 1, 1995 for a personal leave of absence for one year. I request that during this year, I not live in a rectory or other ecclesial environments. Tom Zazella and I have discussed the possibility of sharing an apartment for over a year. I would like you to consider this possibility.
- I will look into the possibility of getting a job, not connected with priestly ministry. There is a need for me to look at other career possibilities in order to fully ascertain and be assured of my vocation. I ask that you consider providing me with a living allowance to help cover the expenses I will incur until such time that I am able to fend for myself. I will do my best to keep these expenses at a minimum.

**\*April 21, 1995 : Leave of absence granted by Cardinal Law**

**\*May 12, 1995: State of New Jersey Department of Youth and Family Services:**

"An investigation was conducted. Sexual abuse was unsubstantiated with concerns, regarding the actions of Father John Picardi, in accordance with the child abuse/neglect statutes of the State of New Jersey. Genital contact occurred. The actions of Father Picardi were determined to be unjustified/inappropriate, placing [redacted] at some unnecessary and undue risk of harm. Specifically, the credible evidence indicates that Father Picardi placed his hands on [redacted] buttocks area over her skirt for one to two seconds and then lifted the child's skirt below the level of her buttocks."

**\*May 16, 1995: (Letter from Bishop Rodimer to Cardinal Law)**

"Father John B. McCormack of your Personnel Office has received a copy of a letter from Allison Black, Assistant Regional Supervisor of the New Jersey Department of Human Services, Division of Youth

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1.0548**

and Family Services regarding Father John Picardi. Fortunately, the finding was that there was no sexual abuse; unfortunately, Father Picardi was found to be guilty of unjustified and inappropriate actions. Note was made of the fact that he will not be assigned to parishes in the Diocese of Paterson now or in the future. I don't know what John will decide after his year's leave of absence, but I am sorry that he won't be coming back to Paterson. I feel badly about this because he has so many good qualities."

**\*August 8, 1995 - (Letter, Father Picardi to Father Flatley)**

- DYFS found me "not guilty," they are treating me as if I were.
- I went through two testings. Both concluded that I was not a danger to children; recommended my return to work with no stipulations.
- perplexed as to why I should have to go for further testing.
- While you have told me according to Boston's policy, any new accusation requires new testing, does this not presume some type of guilt found? I guess that my question is; what is the policy when no guilt has been found and no charges will ever come of the situation?
- I am also well aware of the fact that at present, I am unable to return to work as a priest. I need to work through the many emotions that this present situation has obviously touched upon so that if I were to return to active ministry that I will not carry with me any negative emotions that would adversely affect my ministry.
- I am very open to the both of you discussing what would be the best road for me to follow in order for me to one day find myself in a position to return to full and active ministry.
- Regarding the two anonymous accusations: I honestly feel that they come through Father Mark Sheehan. I do not make this statement lightly. I feel that an appropriate person from the Archdiocese could ascertain this information in a manner that would be far more appropriate and professional. Your help in this matter would be greatly appreciated. I also feel that this is a matter of justice.

**\*August 21, 1995 - (Letter, Father Flatley to Father Picardi)**

"When the Archdiocese of Boston learns of an allegation of sexual misconduct with a minor, its Policy requires that a psychological assessment be arranged. Even though you underwent assessments three years ago, our Review Board would ask for an independent assessment of your current psychological state. After that assessment, the matter would be presented to the Board for a recommendation to the Cardinal as to future ministry in the Archdiocese. In light of reports both from the Diocese of Paterson and the Division of Youth and Family Services of the State of New Jersey that no assignment of you will be made by the Diocese of Paterson in the future, I am quite certain that the Review Board will not be willing to recommend that you be assigned in the Archdiocese of Boston.

As to your request that there be an investigation of matters revealed to or by the Bedford Police Department, that investigation would have to come from a place other than here. Such an investigation would be outside the purview of this Office."

**\*September 18, 1995 - (Letter, Bishop Rodimer to Cardinal Law)**

"Father John Picardi sent you a copy of his letter of September 8, 1995, requesting that I conduct an internal Church investigation of the allegation of sexual abuse made by a parishioner of Holy Spirit Parish, Pequannock, New Jersey, where Father Picardi had been serving. I am willing to conduct such an investigation if I have your authorization inasmuch as he is a priest of the Archdiocese of Boston. My plan would be to appoint a three-person panel to conduct the process. I have warned John that this may stir up some problems since the mother of the alleged victim would have to be interrogated once again.

**\*October 11, 1995 - (Letter, response of Cardinal Law to Bishop Rodimer)**

"In your letter of September 18, 1995 you state that with my authorization you are willing to have the Diocese of Paterson conduct an internal Church investigation into the allegation of sexual abuse concerning Reverend John M. Picardi, Jr., a priest of the Archdiocese of Boston who was serving in the Diocese of Paterson at the time of the allegation.

Having consulted with advisors here in the Archdiocese, I have decided not to authorize this investigation. Please permit me to explain the reason for this decision. As a priest of the Archdiocese of Boston, Father Picardi is subject to the Sexual Misconduct Policy of this Archdiocese. That Policy calls for Father Picardi to undergo a medical and/or psychological assessment before any decisions may be made

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1.0549

regarding any future assignment in this Archdiocese or anywhere else. Therefore an internal Church investigation in Paterson would not be appropriate at this time, for it would not resolve the question of Father Picardi's return to ministry.

Father Picardi has been in conversation with Reverend Brian M. Flatley, my Delegate for these matters, who has made Father Picardi aware that if he wishes to pursue the option to return to priestly ministry, he must agree to a medical and/or psychological assessment."

\*October 2, 1995 - Father Flatley traveled to Larchmont, NY, to see Father Picardi's therapists.

Father Groeschel's conclusion was that Fathers Fulton and Groeschel should work with Father Picardi on coming to terms with the fact that he will not be able to minister within the Archdiocese of Boston again.

\*October 11, 1995 - (Letter, Father Picardi to Father Flatley)

- Benedict and Gene have informed me that there is information in my file that causes concern because of the way that I supposedly interacted with children in my previous assignments in the Archdiocese.
- This information was never mentioned to me
- Msgr. Zazella asked Father John McCormack if there would be any problem assigning me to work that would put me into contact with children.
- Father McCormack stated that there was no such concern addressed in my record.
- I would like to know why none of this information was given to them or to me before this time.
- As a matter of justice and fairness in the review of the question of the possibility of returning to ministry, I request that you inform me of the specific questions and concerns. I also believe that I have the right to respond to these questions and concerns. I ask for this in light of the fact that the accusation raised at Holy Spirit in Pequannock was found to be unsubstantiated by DYFS of New Jersey and by the prosecutors office of Morris County.
- Since I do not know the specific concerns that you have, I find it difficult to defend myself against these concerns. However, it is with great confidence that I can state that I have never willfully acted in a way that would be considered inappropriate with children.
- I believe in a Church that is just and compassionate and that will make decisions based on fact and not on presumptions or anonymous accusations. I have always been honest and direct in my communication with the Archdiocese and I do not think it is too much to ask that I receive the same courtesy. I will cooperate with you in any way that will clarify the concerns you expressed to Benedict and Gene at your meeting on October 1, 1995.

\*October 17, 1995 - (Letter, Father Flatley to Father Picardi)

"This is to acknowledge your letter of October 11, 1995. As you are aware, I was not involved in this ministry at the time when you first went to Larchmont. It is only since the report in New Jersey that I have reviewed your situation in detail.

As I mentioned to you in my letter of August 21, 1995 the Policy of the Archdiocese of Boston requires that you undergo a psychological assessment in light of the allegation made in New Jersey. If you wish to pursue returning to ministry in the Archdiocese, this would be the required next step. A detailed discussion of your situation would be appropriate after that step is completed. If you intend to pursue this matter, please call me and I will arrange for an inpatient assessment for you at Saint Luke Institute."

\*October 27, 1995 - Father Picardi agreed to go to Saint Luke Institute - asked to meet with me.

\*November 16, 1995 - Father O'Flaherty and I met with Father Picardi and Msgr. Zazella at Chancery to review the situation.

\*November 24, 1995: (Letter, Father Picardi to Father Flatley clarifications)

- Monsignor Zazella spoke about the climate that exists in the Morris County Prosecutor's Office: the first Assistant Prosecutor in charge of the Sex Crimes Unit, Ms. Karin Kelly-Weisert, made a statement to a lawyer who was representing a priest of the Diocese of Paterson, that in her opinion, any priest who is accused of misconduct is guilty and her office conducts their investigation with that attitude. Msgr. Zazella's point in relating this other situation was to bring out the fact that in spite of this anti-Catholic priest bias which

present Vice Chancellor of the Diocese of Paterson, who resided at Our Lady of the Magnificat and had dealings with the Anderson family. Sister Marie Antonelli is the principal of Holy Spirit School, Pequannock where the alleged incident occurred. She could shed light on [REDACTED] family situation and more importantly on how the alleged incident has impacted her day to day living. It is a fact that when such incidents occur that there is usually behavior changes, grade problems, etc. Sister would be able to confirm if these realities are present in [REDACTED] life today or not. I was a bit perplexed by your indifferent response to my request that these contacts being made, in light of the fact that we are seeking after truth and that these people could shed some objective light into the situation. Once again I make the request that these people be contacted, especially in light of the fact that Msgr. Zazella recommends that these contacts be made as being prudent.

Finally, I must admit to being a bit confused by your recommendation and the Board's recommendation to the Cardinal that I not be returned to ministry. In our phone conversation on this issue I never received a full explanation as to how you came to this decision and how the Board concurred with the decision. I also do not understand what the Cardinal's decision means or the reason(s) for it. I also request that these questions be fully explained to me in writing. I believe that I have the right to know fully and to completely understand decisions which will have an effect on my life. I am sure that you understand these requests, which my advisors feel are reasonable to ask for."

\*February 6, 1996: (Letter, Father Picardi to Cardinal Law)

"Enclosed please find a copy of my latest letter to Father Brian Flatley. I must admit to you that I am a bit frustrated and feel that I am not being told everything that I should be being told. I ask for the possibility of my questions being answered in order that I can feel that I am being fully informed of all that is happening. Thanks for your assistance in the matter."

\*February 20, 1996: Memo from Sister Rita McCarthy to Father Flatley pointing out that the Anderson family is not willing to allow their daughter to be interviewed in this matter.

\*March 11, 1996: Letter from Father Picardi to Cardinal Law listing Canons 1453, 1506, 1520, 1734,1 and 1737,2 as having "legislated concrete time parameters for certain matters and procedures of both a judicial and administrative nature". Father Picardi was asking "that a decision be rendered by yourself as soon as reasonably possible".

\*May 24, 1996: Memo from Sister Rita McCarthy to Cardinal Law reporting that she had used all possible avenues to involve the [REDACTED] in either allowing an interview with their daughter or releasing the information from the State of New Jersey. Regarding Mrs. [REDACTED] Sr. Rita concluded that "it now seems that she has no intention of cooperating."

**ACTION: FAILING AN OPPORTUNITY TO INTERVIEW THE CHILD, THE EARLIER RECOMMENDATION OF THE REVIEW BOARD WAS ACCEPTED.**

\*May 31, 1996: Cardinal Law's decision based on the recommendation of the Delegate and the Review Board.

"The Board recommends that the priest not be returned to parish ministry or other ministry that involves minors. He should be encouraged to continue in his therapy and to continue to discuss whether he should seek laicization."

\*June 10, 1996: Letter to Father Picardi to inform him of the above decision.

\* June 13, 1996: Letter from Father Picardi to Cardinal Law stating that he had not received the above mentioned letter and that he would now "hereby formally invoke Canon 1734, paragraph 2, asking you to reverse this decision."

\*June 27, 1996: Letter from Father Flatley to Father Picardi clarifying that Cardinal Law accepted the recommendation that Father Picardi "not be returned to parish ministry or other ministry that involves minors." Father Picardi has asked in his letter that the decision that he "not be returned to any form of ministry in the Church" be reversed.

**PICARDI, JOHN M.  
1.0551**

is present in the Morris County Prosecutor's Office, no charges were brought against me. If there had been sufficient factual information, I would have had to be charged with a crime.

- Since January 25, 1995 I have been frustrated with the inability to be treated fairly and justly. A report is issued by DYFS which cannot be challenged because there are no criminal or civil charges filed against me. There was no credible evidence indicating that I acted in an intentional way. My actions were determined by DYFS to be unjustified and inappropriate. Their report is sealed and cannot be opened unless there are charges filed. I feel like I am caught in a Catch 22 situation.

- Anonymous reports are made against me which are given new importance because of the New Jersey allegation. I cannot respond to them because no one knows who made the reports or the specifics attached to the reports.

- In our meeting on November 16th, you stated that the Review Board had the responsibility to protect the people of God. I'm sure that I do not have to remind you that I also fall into that category and deserve to be treated fairly and not just put aside because anonymous reports, allegations that cannot be substantiated, and a situation that is represented as something that it was not.

- I am determined to clear up any doubts about my suitability for Ministry. I have been in contact with a Canon Lawyer and he is confident that if we take my case to the Congregation for Clergy, I will receive a fair and just hearing. He believes that the Congregation will be an advocate for the rights of a priest even when civil authorities deny those rights.

**RCAB REDACTION**

**ACTION: BASED ON THE INCIDENT REPORTED ON 1/26/95, AND FOLLOWING EXTENSIVE DISCUSSION, THE CASE WAS SENT TO THE REVIEW BOARD.**

\*January 4, 1996

Delegate and Review Board recommended to the Cardinal that Father Picardi not be returned to parish ministry or other ministry that involves minors. Recommendation based on the New Jersey incident. Cardinal Law asked that an attempt be made to interview the girl before he acts on the recommendation.

\* February 5, 1996

"Father Picardi called on February 5, granting permission for us to interview [REDACTED]. He again asked that we interview the other people involved. He followed up with a letter, with a number of questions. He sent a letter to the Cardinal as well." (See Father Flatley's "Memo to File" of 2-21-96)

\*February 6, 1996: (Letter, Father Picardi to Father Flatley)

"I am writing to you in order that you will have written confirmation of our phone call of Monday, February 5, 1996. In that phone call I expressed to you my openness to the Cardinal's request that [REDACTED] the alleged victim in my situation be contacted by you for an interview. My understanding of the purpose for this request is to ascertain her recollections of the alleged incident that occurred on January 23, 1995. It is also my understanding that the appropriate personnel in the Diocese of Paterson will be contacted before she is approached, so that they too will have input into this matter which could also have a direct effect on them. As I mentioned to you on the phone, I am a bit perplexed as to why this was not done over a year ago, as Archdiocesan policy recommends. I did not receive an answer to this query from you on the phone, and at this time would request an answer in writing at your earliest convenience.

It is also my understanding that at the suggestion of Msgr. Thomas Zazella, you have spoken with Msgr. John Carroll, the pastor of Our Lady of the Magnificat, Kinnelon. Msgr. is the pastor of the parish in which the [REDACTED] live. It is my understanding that there is a record in my file of this conversation. It is also my hope that this conversation will be shared with the Cardinal. Msgr. Zazella also suggested to you that you speak with Father Mark Condon and Sister Marie Antonelli, M.F.P. in order that you will possess a fuller understanding into the character and makeup of the [REDACTED] family. Father Mark Condon is the

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- \*July 9, 1996: Letter to Cardinal Law from Father Picardi stating that he is "utilizing the provisions of Canon 1737 and initiating recourse to the Congregation for the Clergy. . . I am enclosing a copy of my formal appeal, which I have sent directly to the Congregation for the Clergy in Rome."
- \*July 15, 1996: Father Flatley's letter to Father Picardi indicating Cardinal Law's receipt of his appeal to the Congregation for the Clergy.
- \*July 24, 1996: Letter from Father Picardi indicating that "any financial assistance at this time would be greatly appreciated."
- \*July 31, 1996: Letter from Father Flatley to Father Picardi requesting his present address.
- \*August 17, 1996: Letter from the Congregation for the Clergy to Cardinal Law requesting his "observations on the matter."
- ACTION: AUGUST 20, 1996 - LETTER FROM CARDINAL LAW TO THE CONGREGATION FOR THE CLERGY STATING THAT "IN NO WAY HAS ANY FINAL DECISION BEEN MADE REGARDING HIS FUTURE AS A PRIEST". THE CARDINAL CONTINUES THAT HE DOES "NOT UNDERSTAND HOW HIS CANONICAL RIGHTS HAVE BEEN VIOLATED."**
- \*August 29, 1996: Letter from Father Flatley to Father Picardi addressing the matter of financial support and indicating that he is recommending "to the Clergy Fund that you be provided with the monthly stipend of \$900.
- \*September 3, 1996: Letter from Cardinal Law to Father Picardi stating his concern and hope that the "appeal to the Congregation of the Clergy . . . be resolved quickly".

E

**Index of Documents from the File of  
Reverend John M. Picardi, Jr.  
Priest of the Archdiocese of Boston**

**prior to revelation of sexual misconduct with Mr. [REDACTED]**

1. 2/6/92 memo to Bernard Cardinal Law (BCL) from Reverend John B. McCormack (JBM)
2. 2/25/92 memo to BCL from JBM with handwritten addition from Most Reverend Alred C. Hughes, Vicar General (ACH)
3. 2/29/92 letter from BCL to Reverend John M. Picardi, Jr. (JMP) ending his assignment and placing him on sick leave

**after revelation of sexual misconduct with Mr. [REDACTED]**

4. 3/11/92 handwritten notes of ACH
5. undated (3/92?) memo to file of JMP summarizing recent events
6. 3/19/92 transcript of handwritten notes of ACH
7. 4/13/92 memo to ACH from JBM regarding treatment of JMP. JBM copy
8. " " " " ACH copy
9. undated note on ACH stationery
10. handwritten note to JBM from Reverend Thomas J. Daly (TJD)
11. handwritten letter to JBM from JMP 7/21/91 (must be 1992)
12. 8/15/92 psychological evaluation of JMP from Center of Family Learning
13. 8/25/92 letter from JBM to JMP regarding evaluation at the Institute for Living
14. 8/14/92 handwritten note of ACH regarding meeting with [REDACTED]
15. 9/10/92 memo to ACH from JBM regarding HIV test; letter from JMP;

**test results**

16. 9/10/92 report from The Institute of Living, Hartford, Connecticut
17. 9/18/92 memo to ACH from JBM: summary and recommendation to grant leave to minister in New York / New Jersey area
18. 10/16/92 handwritten note of ACH to JBM regarding rumors involving JMP
19. 10/92 memo to file regarding willingness of Diocese of Paterson, New Jersey to accept JMP with full knowledge
20. 10/26/92 letter from BCL assigning JMP to Diocese of Paterson for one year. Accompanying letter to Most Reverend Frank J. Rodimer, Bishop of Paterson. (FJR)
21. 11/92 exchange of letters between JBM and Reverend Thomas J. Zazella, Director of Clergy Personnel, Diocese of Paterson (TJZ)
22. 2/22/93 memo to BCL from JBM discussing extension of JMP's term in NJ
23. 3/15/93 letter to JMP from JBM regarding extension
24. 5-6/93 exchange of letters between JBM and TJZ indicating positive status of JMP
25. 7/30/93 memo to ACH from JBM indicating desire of BCL to care responsibly for men in similar situation to JMP
26. 6/6/94 letter of BCL to FJR giving permission for JMP to stay longer in Paterson
27. 3/4/94 memo to file from JBM regarding current status of JMP
28. 3/17/94 letter to JBM from JMP requesting permission to stay in Paterson with a view towards incardination
29. 4/6/94 memo to BCL from JBM recommending granting of request by JMP for long-term assignment with a view of incardinating in Paterson Diocese



30. 4/8/94 copy of letter from Reverend Benedict J. Groeschel, C.F.R. (BJG) to FJR summarizing psychological status of JMP

end of material pertaining to the [REDACTED] incident and its aftermath

beginning of material pertaining to New Jersey incident

31. 1/26/95 memo to Reverend Brian M. Flatley (BMF) from Reverend Kevin J. Deeley (KJD) regarding news of an allegation of sexual misconduct with a minor by JMP
32. 3/3/95 memo to the file from BMF indicating allegation and perception of TJZ in Paterson
33. undated chronology of events from 1/13/95-3/21/95 by JMP
34. 3/25/95 memo to BCL from BMF summarizing file. First mention of anonymous prior complaints involving minors
35. 4/6/95 memo to BMF from Reverend James J. McCarthy, Director of Clergy Personnel, Archdiocese of Boston (JJM) suggesting a course of action in keeping with policy.
36. 3-4/95 exchange of letters between BCL and FJR regarding a leave of absence and perceptions of the situation
37. undated letter to BCL from JMP requesting a one year leave of absence beginning 7/1/95
38. 4/20/95 letter to JMP from BCL responding to but not immediately granting leave of absence
39. 4/20/95 memo to BMF from BCL granting authority to act while BCL is in Rome
40. 4/21/95 letters to JMP from BMF and Reverend Monsignor William F. Murphy, Vicar General (WFM), granting JMP a leave of absence for one year
41. 4/21/96 letter to FJR from WFM to inform of leave of absence

42. 5/2/95 letter from Reverend Monsignor Herbert K. Tillyer, Chancellor of the Diocese of Paterson to Mr. Joseph Whelan, Division of Youth and Family Services, State of New Jersey indicating current status of JMP
43. 5/5/95 letter to JMP from BMF outlining items to be included in three month budget approved by BCL
44. 5/12/95 letter to JMP from State of New Jersey to inform JMP of conclusion of investigators
45. 5/95 exchange of letters between JMP and BCL
46. 6/6/95 letter to JMP from State of New Jersey regarding results of appeal by JMP
47. 6/95 exchange of letters between FJR and BCL regarding status of JMP
48. 6/95 letters between JMP and BMF regarding monetary support; memo to inform WFM of same
49. 6-7/95 exchange of letters between BMF and JMP; JMP mentions further appeal by him of decision of State of New Jersey
50. 7/6/95 letter to JMP from BCL noting cooperation by JMP
51. 7/11/95 letter to BMF from JMP
52. 7/31/95 letter to JMP from his attorney, Adolph J. Galluccio
53. 8/8/95 letter to FLR from JMP
54. 8/8/95 letter to BMF from JMP
55. 8/8/95 letter to BCL from JMP
56. 8/21/95 letter to JMP from BMF explaining need for another assesment
57. 8/22/95 letter to JMP from FJR discouraging a return to Paterson
58. 10/3/95 memo to file of JMP from BMF detailing meeting with therapists of JMP

59. 9-10/95 exchange of letters and memos regarding an internal investigation of the incident by the Diocese of Paterson
60. 10/95 letters to BMF from TJZ and his advisor in testimony to the good character of JMP
61. memo to file of JMP from BMF which reviews events
62. 10/11/95 letter to BMF from JMP
63. 10/17/95 letter to JMP to BMF requiring an assessment
64. 10/17/95 letter to BCL from FJR
65. 10/27/95 letter to BMF from JMP agreeing to assessment
66. 11/17/95 BMF summary to JMP of their conversation
67. 11/20/ 95 BMF letter to JMP detailing material to be provided to treatment center
68. 11/24,28/95 letters between BMF and JMP; JMP contests some of his file information
69. 12/12/95 evaluation of JMP from St. Luke Institute
70. undated additional notes, apparently from St. Luke.
71. 12/95 JMP requests Review Board action; BMF agrees
72. 1/96 TJZ endorses JMP's corrections (document 68); BMF replies
73. 2/6/96 letter to BCL from JMP
74. 2/21/96 memo to the file of JMP by BMF regarding possible interview of the child in New Jersey by Boston representatives
75. 3/11/96 letter to BCL from JMP asking haste, on canonical grounds
76. 3/19/96 memo from BMF to Reverend Monsignor Robert J. Deeley, Judicial Vicar (RJD)

77. 4-5/96 documents detailing unsuccessful efforts to contact mother of the complainant for the purpose of interviewing the child
78. 5/24/96 memo to BCL from BMF
79. 5/31/96 acceptance of Review Board recommendations by BCL
80. 6/8/96 memo to BCL from BMF regarding contact with JMP
81. 6/10/96 letter from BMF to JMP regarding decision; with invitation
82. 6/13/96 letter to BCL from JMP invoking canon 1734, paragraph 2
83. 6/27/96 letter to JMP from BMF clarifying decision; with invitation
84. 6/27/96 memo to BCL from BMF discussing options
85. 7/9/96 letter to Congregation for the Clergy from JMP
86. 7/9/96 letter to BCL from JMP
87. Explicatio, Rationes, Expositio from JMP- undated
88. 7/15/96 letter to JMP from BMF acknowledging receipt for BCL
89. 7/24/96 letter to BMF from JMP requesting clarity on status
90. 7/31/96 response to JMP from BMF
91. 8/6/96 memo from BCL to Reverend Paul E. Miceli, Secretary of Ministerial Personnel (PEM)
92. 8/20/96 letter from BCL to Most Reverend Dario Castrillon Hoyos, Congregation for the Clergy (CFC)
93. 8/20/96 letter to BMF from JMP protesting actions
94. 8/29/96 letter to JMP from BMF in response
95. 8/20/96 letter to BCL from JMP with reference to document #93
96. 8/29/96 memo to BCL from BMF regarding response

97. 9/3/96 response to JMP from BCL
98. 8/17/96 (rec'd 9/3/96) letter from CFC to BCL requesting further information
99. 9/16/96 memo to WFM from BMF regarding letter from CFC
100. 10/30/96 memo to WFM from RJD
101. 10/22/96 (rec'd 11/6/96) letter from CFC extending response time to 1/31/97



CONGREGATIO  
PRO CLERICIS

Vatican City, 28 January 1997.

Prot. N. 97000015

His Eminence  
Bernard Cardinal Law  
2101 Commonwealth Avenue  
Brighton, MA 02135-3192  
U.S.A.

Your Eminence,

This Congregation has recently received the materials you kindly forwarded us on 23 December 1996. We thank you for the information provided.

In order to study it properly it will again be necessary to extend the time frames for resolution of this recourse until 30 April 1997, by which time we should be able to have reached a decision in the matter.

Were Your Eminence to resolve the matter before this time with Father Picardi, we would be extremely happy to learn of this outcome.

I take this opportunity to renew my sentiments of esteem and with every best wish, I remain,

Sincerely yours in Christ,

+ Douc Castillon  
Pro. Inf.

PICARDI, JOHN M.  
1.0604

+ O. Pepe  
Pro. Inf.

4-3-97

**Re-examination of Case # 67**  
**April 3, 1997**

**Reason for Re-examination:**

Cardinal Law has continued to express discomfort with the recommendation that this priest be restricted to the extent that he is. He has asked that the case be re-examined. His opinion is reinforced by that of Bishop William Murphy and Fr. Richard Lennon (Vice-Chancellor for Canonical Affairs) This delegate believes that there is not enough evidence to make a sure determination in this matter.

**Points to consider:**

- \* there is nothing in the priest's psychological assessment to indicate he is a threat to minors
- \* the conclusion of the civil authorities was that the claim against the priest was "unsubstantiated with concerns"
- \* the above finding indicates that the civil authorities were unable to conclude that sexual misconduct occurred
- \* the decision of the Bishop not to reassign the priest was based on an agreement with the child's parents, in exchange for which the matter was not pursued beyond the finding of the civil authorities (the decision of the Bishop does not imply guilt)
- \* the nature of the incident does not suggest an action consistent with the ordinary profile of sexual misconduct. It was not preceded nor followed by any special relationship to the child. The incident took place within a large group in a public place.
- \* the child's parents allowed the child to be interviewed by the civil authorities and the church authorities outside of Boston, but they did not allow her to be interviewed by a representative of the Archdiocese.

**Recommendation of the Delegate:**

Relying on the findings of the civil authorities, it seems impossible to conclude that the priest engaged in activity which would warrant his being removed from parish ministry. I recommend that the finding of January 4, 1996 be nullified, that the priest be free to return to parish ministry, and that his direct superior in ministry be informed of the nature of this allegation.

**PICARDI, JOHN M.**  
**1.0646**

PICARDI

**CONFIDENTIAL  
MEMORANDUM**

To: Cardinal Law  
From: Reverend William F. Murphy *WFM*  
Date: April 8, 1997  
Re: Reverend John M. Picardi, Jr.

Your Eminence,

When the Review Board met on Thursday, it revisited the case of Father Picardi. After careful consideration, they voted to rescind the finding of January 1996.

Because the Review Board failed to find adequate evidence for sexual misconduct with a minor, the Archdiocesan Policy no longer applies to Father Picardi.

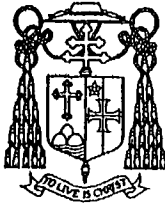
I spoke to him immediately after the meeting. His initial response is gratitude. Regarding his future, he feels that it would be too difficult to consider returning to active priesthood in Boston. He is interested in remaining in Phoenix, Arizona as a priest.

Fr. Picardi is coming to Boston on April 13, remaining until the 15th. I am having dinner with him and Msgr. Zazella. Would you like to meet with John while he is here?

*Bill I call me on  
~~that point~~ this sometime  
Sat, 4/12  
WFM*

**PICARDI, JOHN M.  
1.0649**





CARDINAL'S RESIDENCE  
2101 COMMONWEALTH AVENUE  
BRIGHTON, MASSACHUSETTS 02135-3192

April 24, 1997

Most Reverend Thomas D. O'Brien, D.D.  
400 East Monroe  
Phoenix, AZ 85004

Your Excellency,

I am writing regarding a priest of the Archdiocese of Boston who is interested in serving the Church of Phoenix.

His name is Reverend John M. Picardi, Jr. Father Picardi was ordained in 1983 and has served the Church of Boston well. There have been two incidents during his ministry which have caused concern, however, and I want to apprise you of them. The first was an incident of homosexual behavior with an adult who had accompanied Father Picardi on a trip to Florida. The behavior was reported by the man and Father Picardi has expressed deep regret over the incident. The Archdiocese of Boston arranged for Father Picardi to spend time in treatment as a result of this incident and the reports from the facility were positive regarding his ability to return fully to ministry.

Father Picardi did not return immediately to Boston, having sought permission to minister in the Diocese of Paterson, New Jersey. While he was there, a twelve year old girl reported that Father Picardi had touched her inappropriately at the parish school. Father Picardi maintains that his hand brushed up against the girl while they were both part of a moving crowd which had stopped abruptly. The matter was investigated by the civil authorities. They concluded that the girl had been touched but that it was impossible to say if the event constituted sexual abuse. Our own Archdiocesan Review Board has come to the same conclusion.

Father Picardi is free to minister within the Archdiocese without restriction. He would like to begin his ministry again in the Diocese of Phoenix because he has had some recent experience living there and sees the Church there as vibrant. He also feels it would be difficult to re-establish himself in Boston because of the difficult associations which have developed.

Father Picardi will be in Phoenix from May 17 through May 30. After that he will begin a renewal of several months at the Trinity Retreat Center in Larchmont, New York. If you are interested, would it be possible for you to meet with him at some point during his stay?

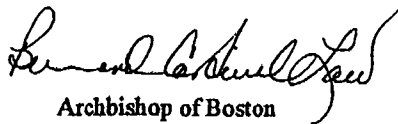
I would be willing to provide you with more information than a letter allows. The priest here who is most knowledgeable about Father Picardi is Reverend William F. Murphy. He is my delegate for matters pertaining to clergy sexual misconduct. You may wish to speak to him.

**PICARDI, JOHN M.**  
**1.0656**

Thank you for taking the time with this request. I honestly believe that Father Picardi has many gifts with which to serve the Church. If you are interested in meeting with him, would you please let me know?

Asking God's blessings on you and those you serve so well, I am,

Sincerely yours in Christ

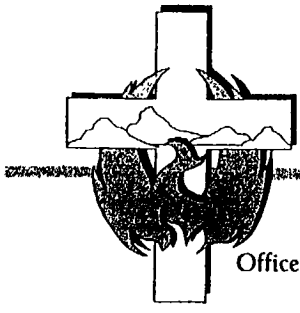


Samuel Cardinal Lee

Archbishop of Boston

PICARDI, JOHN M.  
1.0657

25078



THE ROMAN CATHOLIC  
**church of phoenix**

400 EAST MONROE, PHOENIX, ARIZONA 85004-2370  
TELEPHONE (602) 257-0030 • FAX (602) 257-5645  
Office of the Bishop June 11, 1997 OFFICE OF THE SECRETARY

His Eminence  
Bernard Cardinal Law  
Archdiocese of Boston  
2101 Commonwealth Avenue  
Boston, MA 02135

Your Eminence,

I am writing in reference to Father John Picardi whom you have indicated has an interest in serving in the Diocese of Phoenix. I had been in conversation with Father John Murphy, your delegate, about him. I have met Father Picardi personally and reviewed his situation. He was quite honest and open with me. He also was interviewed by some members of our Priests Personnel Committee and by the Vicar of Clergy who spoke with him on two occasions. I believe that Fr. Picardi showed no reluctance to discuss his background and his interest in serving here.

Fr. Picardi made a favorable impression upon all of us and, as a result, I am willing to provide an assignment for him here in the Diocese if you are still willing to give your permission. He has left Phoenix and has returned to Trinity Retreat Center for counseling for the next few months. He indicated he will be ready for an assignment some time in September or October of this year.

I hope this meets with your approval. I believe we have done our job with due diligence here as best we can in this situation.

With cordial good wishes, I am

Faithfully yours in Christ,  
*Thomas J. O'Brien*  
Most Rev. Thomas J. O'Brien  
Bishop of Phoenix

cc: Rev. Thomas Zurcher, C.S.C.  
Vicar for Clergy

PICARDI, JOHN M.  
1.0674



VICAR GENERAL  
MODERATOR OF THE CURIA

ARCHDIOCESE OF BOSTON  
2121 COMMONWEALTH AVENUE  
BRIGHTON, MASSACHUSETTS 02135-3193  
(617) 254-0100 FAX (617) 783-2947

**PERSONAL AND CONFIDENTIAL  
MEMORANDUM**

**TO: Reverend William F. Murphy  
ATTN: Toni**

**FROM: Father Richard Lennon**

**RE: Expenses Incurred by P-07  
C-19**

June 20, 1997

---

Reference your memorandum, subject as above, enclosed please find check in the amount of \$1,500 that you requested.

RGL:amk  
Enclosure

**PICARDI, JOHN M.  
1.0675**

Birmingham, Rev. Joseph Edward

208 1/1/89

DATE OF BIRTH: 2/30/34 PLACE OF BIRTH: Lynn, Massachusetts  
 DATE OF DEPARTURE: 2/27/60 PLACE OF DEPARTURE: Holy Cross Cathedral, Boston  
 OCCUPATION: 1311 Brighton Street, Massachusetts

ADDRESS: Lynn, Massachusetts  
 HOME TEL. NO. LY-2-6645

DATE DEPARTED	PLACE ASSIGNED	REMARKS
2/16/64	Our Lady of Fatima, Sudbury	
2/2/70	St. James, Salem	
6/7/77	St. Michael, Lowell	
9/10/85	St. Columbkille, Brighton	
2/18/86	Appointed Juvenile Court Chaplain, Brighton Municipal Court	
2/17/87	Administrator, St. Ann's, Gloucester	Sick Leave
2/1/89	Pastor - St. Ann's Gloucester	Sick Leave
	Parochial Vicar - St. Brigid, Lexington	

ASSIGNMENT RECORD

ARCHDIOCESE OF BOSTON

WHEELER FORM 700811-1

com. 2-18-86 with St. Ann's  
 cross

1 COMMONWEALTH OF MASSACHUSETTS  
2 SUFFOLK, ss SUPERIOR COURT DEPARTMENT  
CA 02-04628-T1  
3 (Consolidated with CA 02-1296)  
4 (Originally entered in  
Middlesex County as  
No. 02-0822)

5  
6 PAUL W. BUSA,  
Plaintiff,  
7 vs.  
8 BERNARD CARDINAL LAW, et al.,  
Defendants.

9  
10  
11 THE SECOND DAY OF THE VIDEOTAPED DEPOSITION  
12 OF CARDINAL BERNARD F. LAW, a witness called by  
13 the Plaintiffs, taken pursuant to the applicable  
14 provisions of the Massachusetts Rules of Civil  
15 Procedure, before Kathleen L. Good, (CSR  
16 #112593), Registered Professional Reporter and  
17 Notary Public in and for the Commonwealth of  
18 Massachusetts, at the offices of Greenberg  
19 Traurig, One International Place, Boston,  
20 Massachusetts 02110, on Monday, February 3,  
21 2003, commencing at 10:04 a.m.

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

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1 is something that can be done in the ongoing 10:27:57  
2 spiritual life and therapy of this person would 10:28:01  
3 be of assistance and he doesn't present a threat, 10:28:04  
4 then I would think that he could function. 10:28:07  
5 Q But you don't know, Cardinal, as you sit here 10:28:12  
6 today -- it's only a presumption that there was 10:28:15  
7 an assessment that was made about Father Picardi. 10:28:17  
8 You don't have any personal knowledge of what 10:28:19  
9 the -- whether there was one done or what the 10:28:21  
10 results were? 10:28:23  
11 A Well, I can tell you what my understanding would 10:28:24  
12 have been that would have occurred and I can -- 10:28:29  
13 Q Right. 10:28:32  
14 A -- refer to the records that you have put before 10:28:33  
15 me that would certainly imply that that was in 10:28:37  
16 fact done. But I can't point to you the result 10:28:39  
17 of that, no. 10:28:46  
18 Q Again, just to specifically focus, was Father 10:28:47  
19 Picardi, after he admitted to raping, according 10:28:49  
20 to Bishop Hughes, JT, was he free to serve in the 10:28:52  
21 Archdiocese of Boston or was he told that he had 10:28:56  
22 to serve in another diocese? 10:28:58  
23 A He would not have been told that he had to serve 10:29:00  
24 in another diocese if he could not have served 10:29:03

Page 23

1 here. 10:29:07  
2 Q Suggested? Could it have been suggested to him 10:29:07  
3 that he serve in an another diocese, Cardinal? 10:29:11  
4 MR. TODD: Could it have been? Is that 10:29:14  
5 the question? Object to the question. 10:29:16  
6 A That's a hypothetical. Could it have been? Yes. 10:29:17  
7 But I don't see anything here that would indicate 10:29:26  
8 that a decision was made that he shouldn't serve 10:29:28  
9 in Boston and, therefore, should serve somewhere 10:29:32  
10 else. 10:29:35  
11 Q We're going to go through some other documents. 10:29:35  
12 Let me ask you this question first, though, 10:29:38  
13 Cardinal. Was there an informal practice of any 10:29:40  
14 kind that you knew of that existed within the 10:29:42  
15 Archdiocese of Boston whereby priests who had 10:29:45  
16 accusations of sexual misconduct against them 10:29:48  
17 would be encouraged in any way to seek transfer 10:29:50  
18 to other dioceses in the United States? 10:29:53  
19 A No. I don't think that that was -- that that was 10:29:59  
20 a policy or a desire. 10:30:04  
21 Q Was it a practice? 10:30:06  
22 A First of all, I don't recall dealing with that 10:30:13  
23 many, and don't recall priests -- no, no, I don't 10:30:20  
24 recall that as a policy at all. 10:30:27

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1 Q Well, we've already gone through, you recall, 10:30:29  
2 Father O'Sullivan. We don't need to go through 10:30:32  
3 that again. He went down to New Jersey. 10:30:34  
4 A That's correct. 10:30:36  
5 Q Okay. We've also been through Father Burns. He 10:30:36  
6 was received from Ohio after allegations of 10:30:38  
7 abuse; is that correct? 10:30:41  
8 MR. TODD: He was what? 10:30:43  
9 Q He was received into the Archdiocese and 10:30:44  
10 allowed -- excuse me -- after allegations of 10:30:46  
11 abuse in Ohio. 10:30:49  
12 Do you recall that? 10:30:50  
13 A I recall the case of Father Burns. I don't know 10:30:51  
14 that it's accurate to say that he was received in 10:30:58  
15 order to function as a priest in the Diocese of 10:31:02  
16 Boston. 10:31:06  
17 Q He wasn't incardinated into the Boston 10:31:06  
18 Archdiocese? 10:31:09  
19 A No, he was not incardinated, but I don't believe 10:31:09  
20 that he was received in order to function as a 10:31:12  
21 priest. 10:31:15  
22 Q He ended up functioning as a priest? 10:31:15  
23 A He did, and that was a mistake. 10:31:18  
24 Q Now, if we can turn next to -- we can skip over 10:31:25

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1 Nos. 10 and 11 and we can go to No. 12. 10:31:31  
2 Do you recognize No. 12 of Exhibit 18 as 10:31:33  
3 your letter of October 26, 1992? 10:31:37  
4 A Again, yes, I have no doubt that this would be my 10:31:56  
5 record, my letter. 10:31:59  
6 Q Okay. Do you recognize No. 13 as your letter to 10:32:03  
7 Bishop Rodimer? Have I pronounced it correctly? 10:32:07  
8 Rodimer? 10:32:11  
9 A Yes. And if I may -- 10:32:14  
10 Q Sure. 10:32:15  
11 A -- on No. 12 point out: 10:32:15  
12 "It is my understanding that during this 10:32:19  
13 period of time, you will remain in your current 10:32:21  
14 program of psychotherapy and spiritual direction 10:32:24  
15 and as well remain in contact with Father 10:32:26  
16 McCormack" -- 10:32:29  
17 Q Yes. 10:32:29  
18 A -- "as you have been doing." 10:32:30  
19 Q Nothing about an assessment result in that 10:32:31  
20 letter, Cardinal? You understand the distinction 10:32:33  
21 between assessment and psychotherapy? 10:32:37  
22 A Yes. 10:32:40  
23 Q There's no reference in your letter of October 10:32:42  
24 26, 1992, to the results of any assessment of 10:32:44

Page 26

1 Father Picardi in terms of his fitness to serve 10:32:47  
2 as a priest? 10:32:50  
3 A You're speaking of my letter of October 26 -- 10:32:51  
4 Q Yes. 10:32:54  
5 A -- to Father Picardi? 10:32:54  
6 Q Yes. 10:32:55  
7 A I'm speaking not of assessment. I'm speaking 10:32:56  
8 about the ongoing care of this person, not -- you 10:32:59  
9 know, an assessment is something that's done 10:33:02  
10 initially and then it's done. 10:33:05  
11 Ongoing therapy is something that is quite 10:33:08  
12 different. 10:33:13  
13 Q Right. No. 13, do you recognize that as your 10:33:16  
14 letter to Bishop Rodimer? 10:33:20  
15 A I have no doubt that it is. And I would point 10:33:22  
16 out to you that, for the record, if I may -- 10:33:26  
17 Q Certainly. 10:33:30  
18 A -- that the second paragraph is: 10:33:31  
19 "This decision was made in light of 10:33:35  
20 conversations which have taken place between 10:33:38  
21 Father Thomas Zazzella, your Director of Clergy 10:33:40  
22 Personnel, and Father John B. McCormack, our 10:33:44  
23 Secretary for Ministerial Personnel." 10:33:48  
24 Q Okay. You were not a participant in that 10:33:50

Page 27

1 conversation; is that correct? 10:33:51  
2 A I was not a participant. 10:33:52  
3 My presumption is, and my desire would have 10:33:56  
4 been, that there would have been nothing about 10:33:59  
5 this case that would have not been communicated 10:34:03  
6 to the bishop. 10:34:06  
7 Q But you don't know either way, do you, Cardinal, 10:34:06  
8 for sure? Of your own personal knowledge? 10:34:10  
9 A Having not been a participant in that 10:34:10  
10 conversation, I cannot confirm that, right. 10:34:13  
11 Q The next letter is No. 14. We can skip over 10:34:17  
12 that. 10:34:20  
13 We can go to No. 15. 10:34:23  
14 Is this a memo to you from Father McCormack 10:34:25  
15 concerning John Picardi, dated February 22, 1993? 10:34:27  
16 A It is. I presume it is. I mean, that's -- 10:34:33  
17 Q Why don't you take a moment and read it so we can 10:34:37  
18 be sure. 10:34:40  
19 (Pause.) 10:34:41  
20 A It's the same -- it's twice the same, right? 10:34:49  
21 Q Right. It's the same thing except there's 10:34:53  
22 handwritten notes on No. 16. 10:34:55  
23 Do you see on No. 16? 10:34:57  
24 A I do, yes. 10:34:58

Page 28

1 MR. TODD: There's some on 15 too. 10:35:00  
2 Q Yes, there's some on 15. And then there's -- 10:35:02  
3 does any of your handwriting appear on either 15 10:35:04  
4 or 16? 10:35:07  
5 A On 16. 10:35:08  
6 Q What does it say, Cardinal? 10:35:09  
7 A "Okay. Have we been in touch with the bishop in 10:35:11  
8 New Jersey?" 10:35:14  
9 Q Okay. 10:35:14  
10 Then you'll see No. 17 is a transcript. 10:35:16  
11 A Can I just read this one? 10:35:20  
12 Q Sure. Absolutely. 10:35:22  
13 (Pause.) 10:35:23  
14 A I -- I -- 10:35:55  
15 MR. TODD: There's no question. 10:35:57  
16 MR. ROGERS: There's no question. 10:35:58  
17 Q If you could please turn to No. 20. If you could 10:35:59  
18 look at 21 as well. 10:36:36  
19 (Pause.) 10:36:38  
20 A Yes. 10:37:11  
21 Q Do you recall in 1994 extending permission that 10:37:11  
22 you'd given Father Picardi to serve in the 10:37:15  
23 Paterson diocese for another year? 10:37:17  
24 A Yeah. I don't recall the details of this, but I 10:37:20

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1 have no doubt that this is what occurred. 10:37:24  
2 Q Could you turn to No. 24, please. If you'll look 10:37:26  
3 at 25 as well. 10:37:58  
4 (Pause.) 10:37:59  
5 A Yes. 10:38:46  
6 Q Do you recall learning in 1995, Cardinal, that 10:38:47  
7 Father Picardi had been accused of some form of 10:38:54  
8 sexual misconduct with a girl at a school? 10:38:54  
9 A I do recall that, and I recall, as Bishop 10:39:00  
10 Rodimer's letter indicates on page -- in document 10:39:05  
11 25, that he was -- 10:39:11  
12 Q 24, I think. 10:39:14  
13 A 24, yes. 10:39:15  
14 "Fortunately, the finding was that there was 10:39:16  
15 no sexual abuse. Unfortunately, Father Picardi 10:39:18  
16 was found to be guilty of unjustified and 10:39:20  
17 inappropriate actions." 10:39:23  
18 Q Okay. And that involved sexual misconduct with a 10:39:24  
19 minor, the unjustified and inappropriate actions; 10:39:26  
20 is that correct?  
21 MR. TODD: Objection. 10:39:32  
22 A Yes. 10:39:33  
23 Q You were aware that Father Picardi, in 1995, was 10:39:33  
24 found, as Bishop Rodimer states it, guilty of 10:39:37



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1 unjustified and inappropriate actions; is that 10:39:42  
2 correct? 10:39:45  
3 A That's correct. 10:39:45  
4 Q And you understood in 1995 that those unjustified 10:39:46  
5 and inappropriate actions concerned some form of 10:39:50  
6 sexual misconduct that is described on No. 25 10:39:53  
7 with a girl; is that correct? 10:39:56  
8 MR. TODD: Objection. 10:39:58  
9 A I was -- yes, in a general way, I'm -- I was 10:40:00  
10 aware of that. 10:40:03  
11 Q And No. 25 is the letter from the State of New 10:40:04  
12 Jersey Department of Human Services in which it's 10:40:08  
13 stated that Father Picardi had placed his hand on 10:40:11  
14 a female child's buttocks area over her skirt and 10:40:15  
15 then lifted the child's skirt below the level of 10:40:18  
16 her buttocks. 10:40:21  
17 Do you see that -- 10:40:22  
18 MR. TODD: Objection. 10:40:23  
19 Q -- Cardinal? 10:40:24  
20 A I see this letter, yes. 10:40:25  
21 Q Did you see that, understand that to be the 10:40:27  
22 nature of the allegations in 1995? 10:40:28  
23 A I don't know that I had the details of the 10:40:31  
24 allegation at that time. 10:40:35

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1 Q Do you recall learning that, as stated in No. 25, 10:40:36  
2 from the New Jersey Department of Human Services 10:40:39  
3 that the actions of Father Picardi, quote, placed 10:40:41  
4 the child at some unnecessary and undue risk of 10:40:45  
5 harm since they were deemed to be nonaccidental 10:40:48  
6 in nature? 10:40:51  
7 Do you recall learning about that in 1995? 10:40:52  
8 A I do not recall the details of the report of the 10:40:54  
9 State of New Jersey. 10:40:58  
10 Q All right. But in any event, you did know, as is 10:40:59  
11 reflected in Exhibit 24, Father Picardi had to 10:41:03  
12 leave Paterson, New Jersey. 10:41:06  
13 Do you see that? 10:41:07  
14 A I did see that, yes. 10:41:08  
15 Q So Father Picardi, at that point, returns to 10:41:10  
16 Boston; is that correct? 10:41:15  
17 A I'm not certain of that. 10:41:16  
18 Q So this is a man just, as of 1995, you knew that 10:41:19  
19 this man had admitted to being involved in some 10:41:23  
20 form of sexual misconduct with an adult in 1992 10:41:26  
21 and some form of sexual misconduct with a minor 10:41:30  
22 in 1995? 10:41:34  
23 MR. TODD: Objection. 10:41:34  
24 Q That was the state of your general understanding 10:41:35

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1 in 1995; is that correct? 10:41:36  
2 MR. TODD: Objection. 10:41:37  
3 That question implies that Father Picardi 10:41:38  
4 had admitted that he was involved in some sexual 10:41:41  
5 misconduct with a minor. 10:41:43  
6 So I object to the form. 10:41:46  
7 Q Okay. You understood in 1995 there was an 10:41:47  
8 allegation that Father Picardi had engaged in 10:41:50  
9 some form of sexual misconduct including rape of 10:41:52  
10 an adult in 1992, and some form of sexual 10:41:55  
11 misconduct, alleged sexual misconduct, in 1995; 10:41:58  
12 is that correct? 10:42:02  
13 A I'm aware of the fact that there was a charge in 10:42:02  
14 1995, yes. 10:42:05  
15 Q And you were aware in 1995 of what had happened 10:42:06  
16 in 1992; is that correct? Did you have a general 10:42:09  
17 awareness of that? 10:42:12  
18 A Yes, yes. 10:42:13  
19 Q All right. Let's move on, Cardinal, and if you 10:42:15  
20 could look at No. 30, please. 10:42:20  
21 A Excuse me. Which one, please? 10:42:37  
22 Q No. 30, please. 10:42:41  
23 MR. TODD: 30. 10:42:42  
24 A 30? 10:42:44

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1 Q Yes. 10:42:50  
2 (Pause.) 10:42:51  
3 A Yes. 10:43:07  
4 Q You can look at, if you want to as well, in the 10:43:07  
5 same context, 31, 32 and 33. 10:43:09  
6 (Pause.) 10:43:13  
7 A I see. 10:44:08  
8 Q So you recall that there was a letter that was 10:44:09  
9 sent to you by Bishop Rodimer in September of 10:44:11  
10 1995 asking whether you wanted there to be an 10:44:14  
11 internal investigation conducted by the Diocese 10:44:19  
12 of Paterson, New Jersey, into this allegation of 10:44:21  
13 sexual misconduct with this young girl? 10:44:24  
14 MR. TODD: Objection. 10:44:26  
15 A Well, I don't think it was a question of my 10:44:27  
16 wanting it to be done. 10:44:29  
17 Q Right. 10:44:31  
18 A It's a question of Father Picardi requesting that 10:44:31  
19 it be done. 10:44:33  
20 Q That's correct. 10:44:34  
21 A And then the judgment of the diocese, the 10:44:36  
22 Archdiocese, was being asked. 10:44:40  
23 Q Right. And -- but Bishop Rodimer states: 10:44:41  
24 "I am willing to conduct such an 10:44:45

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1 investigation." 10:44:46  
 2 A That's correct. 10:44:46  
 3 Q Okay. So in 1995, you knew that the Diocese of 10:44:48  
 4 Paterson was willing to conduct some form of 10:44:50  
 5 internal investigation into this allegation of 10:44:54  
 6 sexual misconduct with a minor -- 10:44:55  
 7 A That's correct. 10:44:56  
 8 Q -- is that correct? 10:44:57  
 9 And you'll see 31, I'd like to read a 10:44:58  
 10 paragraph and ask you a question. This is a memo 10:45:02  
 11 from Father Richard Lennon to Father Brian 10:45:04  
 12 Flatley. Paragraph 2, he states: 10:45:07  
 13 "It is my considered opinion that the 10:45:10  
 14 Cardinal not grant the authorization requested by 10:45:12  
 15 Bishop Rodimer for him to open the 10:45:15  
 16 investigation." 10:45:18  
 17 And then it goes on to state: 10:45:18  
 18 "The reason for this opinion is that I see 10:45:19  
 19 no benefit to such an investigation for either 10:45:21  
 20 Father Picardi to work in New Jersey nor for the 10:45:27  
 21 Church. In fact, opening such an investigation 10:45:27  
 22 runs the real risk of negative fall-out for both 10:45:29  
 23 Father Picardi and for the Church." 10:45:35  
 24 Do you see that? 10:45:36

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1 A That's correct. 10:45:37  
 2 Q Were you aware that Bishop Lennon had stated this 10:45:37  
 3 as a reason as to why there should be no internal 10:45:40  
 4 investigation conducted by the Diocese of 10:45:46  
 5 Paterson? 10:45:48  
 6 A I don't recall this. I think that document 32 -- 10:45:54  
 7 Q Yeah. 10:46:01  
 8 A -- may throw a little bit more light on what the 10:46:03  
 9 underlying thinking is here, where it says that 10:46:07  
 10 "If Bishop Rodimer allows the investigation" -- 10:46:10  
 11 and it is clear that Father Picardi -- "and it 10:46:13  
 12 clears Father Picardi" -- if that were to 10:46:16  
 13 happen -- "we may have to allow him to return to 10:46:18  
 14 ministry. I am more and more convinced that this 10:46:21  
 15 would be a mistake, and I'm sure that the review 10:46:24  
 16 board would agree." 10:46:27  
 17 Q That's Father Flatley's memo to you. We're now 10:46:29  
 18 talking about Bishop Lennon's memo to Father 10:46:32  
 19 Flatley. Okay. We're going to get to that one. 10:46:35  
 20 It's an important document. 10:46:38  
 21 But let's look at 31 first. Did you know in 10:46:39  
 22 1995 that Bishop Lennon had recommended that 10:46:41  
 23 there be no internal investigation into this 10:46:43  
 24 matter of sexual misconduct with this girl 10:46:46

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1 because Bishop Lennon believed that the opening 10:46:50  
 2 of such an investigation runs the real risk of 10:46:53  
 3 negative fall-out for Father Picardi and for the 10:46:56  
 4 Church? 10:46:59  
 5 Did you know of that in 1995, Cardinal? 10:46:59  
 6 MR. ROGERS: I object to the form of 10:47:02  
 7 the question. 10:47:03  
 8 MR. TODD: Objection.  
 9 MR. ROGERS: That's an incorrect 10:47:04  
 10 characterization of then Father Lennon's 10:47:06  
 11 recommendation. It was not to allow the 10:47:09  
 12 investigation by Bishop Rodimer; it was not that 10:47:12  
 13 there be no investigation. 10:47:15  
 14 Q Okay. Have I read -- you understood -- 10:47:16  
 15 MR. MacLEISH: Are you finished? 10:47:20  
 16 MR. ROGERS: Well -- 10:47:21  
 17 MR. MacLEISH: You can really just say 10:47:22  
 18 "objection" is what you're supposed to do but -- 10:47:24  
 19 MR. ROGERS: Well, I appreciate that, 10:47:25  
 20 but, quite frankly, if I'm going to get advice on 10:47:27  
 21 the rules, I don't think I'd come to someone who 10:47:29  
 22 is -- 10:47:32  
 23 MR. MacLEISH: Probably not.  
 24 MR. ROGERS: -- a Rule 11 violator 10:47:33

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1 recidivist. I think what I'd do is I'd choose 10:47:35  
 2 more carefully. 10:47:37  
 3 MR. MacLEISH: We've got a lot of 10:47:38  
 4 offenders in the room. But that's good point. I 10:47:40  
 5 appreciate you bringing that up. 10:47:42  
 6 Q Did you understand in 1995, Cardinal Law, that 10:47:45  
 7 Bishop Lennon had recommended against authorizing 10:47:48  
 8 this internal investigation of the Diocese of 10:47:52  
 9 Paterson, New Jersey? 10:47:54  
 10 A First of all, I don't recall seeing this 10:47:56  
 11 memorandum. I don't have any reason to doubt 10:47:58  
 12 this memorandum. 10:48:06  
 13 Q Right. 10:48:06  
 14 A I do believe, however, that the underlying reason 10:48:06  
 15 is reflected in 32, and I would say that that 10:48:17  
 16 comes from Father Flatley's conversation with 10:48:21  
 17 Father Lennon. 10:48:27  
 18 As you -- 10:48:30  
 19 MR. TODD: Cardinal, the narrow 10:48:31  
 20 question is whether you remember -- 10:48:32  
 21 A No, no. But I do not recall. 10:48:33  
 22 Q Okay. 10:48:35  
 23 A I do not recall seeing this and seeing -- now, 10:48:35  
 24 was I informed of it? I could have been, but I 10:48:41

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1	don't recall that.	10:48:44	1	A	I would want to refer you, for the record, on 10:50:24
2	Q Okay. All right. Will you turn to No. 32 then.	10:48:45	2		32 -- I suppose this is in the record, though, is 10:50:29
3	A Yes.	10:48:50	3		it not? 10:50:31
4	Q And you see this is a memo to you from Brian Flatley.	10:48:50	4	Q	Yes. 10:50:31
5		10:48:53	5	A	This whole thing is in the record. Fine.
6	Do you see that?	10:48:54	6	Q	Everything is that you state is in the record. 10:50:32
7	A Yes, yes.	10:48:54	7	A	Fine. No, no, I mean this whole document? 10:50:35
8	Q Okay. And you see in this file, in this memo to you, it states:	10:48:55	8	Q	Absolutely, it's part of the record. 10:50:39
9		10:48:59	9	A	Because I think that's very important because 10:50:39
10	"Our files indicate that Father Picardi raped" -- do you see that, underlined -- "raped the 27-year-old man and admitted that fact."	10:49:00	10		this whole document, I think, explains -- 10:50:42
11		10:49:02	11	Q	Sure. 10:50:44
12	Do you see that?	10:49:06	12	A	-- better the rationale for not having that 10:50:44
13		10:49:09	13		investigation. 10:50:47
14	A Yes, I see that.	10:49:09	14	Q	So as of 1995, with the memo from Father Flatley 10:50:48
15	Q So is it fair to state that in your understanding in 1995, was that Father Picardi had admitted to raping a 27-year-old man?	10:49:11	15		indicating that this man had admitted to raping 10:50:52
16		10:49:13	16		another human being, it was certainly your view 10:50:56
17		10:49:16	17		that Father Picardi should not be allowed to 10:51:00
18	A This is a memo to me. I have no reason to suspect that I did not see it so I would have known that, yes.	10:49:19	18		return to ministry; is that correct? 10:51:03
19		10:49:24	19	A	Well, the issue -- you're speaking of '95? 10:51:04
20		10:49:26	20	Q	Yes. 10:51:09
21	Q This is the type of memo, as we've gone through with some other files like the Father Foley case, that stands out, does it not? Remember we discussed some of the Father Foley material as	10:49:27	21	A	The allegation was that that had occurred 10:51:09
22		10:49:29	22		earlier. '92, was it? 10:51:12
23		10:49:32	23	Q	'92. 10:51:14
24		10:49:36	24	A	And in the intervening time, there has been the 10:51:16
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1	standing out in your mind?	10:49:39	1		assessment at the Institute of the Living, there 10:51:19
2	A Yeah.	10:49:40	2		has been ongoing psychotherapy, ongoing spiritual 10:51:22
3	Q When you learned that this priest had admitted to raping a 27-year-old man from Father Flatley --	10:49:40	3		direction. 10:51:26
4		10:49:44	4		So with regard to that one act -- and it was 10:51:26
5	A Right.	10:49:46	5		the only act involving an adult up to that time 10:51:30
6	Q -- in 1995, did this type of information stand out for you?	10:49:47	6		that was known to us. It appeared that that was 10:51:35
7		10:49:50	7		something that had been dealt with in terms of 10:51:40
8	A Yeah. It was a shock.	10:49:50	8		psychological counseling and help; that he had 10:51:47
9	Q It was a shock. Okay. And so Father Flatley, as you correctly noted, stated that it would be a mistake, as is reflected in No. 32, for this man to return to ministry.	10:49:51	9		ongoing spiritual direction with the knowledge of 10:51:49
10		10:49:55	10		what had occurred, and appeared to be doing good 10:51:54
11		10:49:59	11		work. 10:51:57
12	Do you see that?	10:50:02	12		So that there was -- the ability for him to 10:51:58
13		10:50:03	13		serve after that act was not counterindicated. 10:52:04
14	A Yes.	10:50:04	14	Q	You don't know what the results of the 10:52:11
15	Q And he states that he's sure that the review board would agree.	10:50:04	15		assessment, any type of assessment were, do you, 10:52:13
16		10:50:06	16		Cardinal Law, in terms of his fitness to be a 10:52:16
17	Do you see that?	10:50:07	17		priest? 10:52:22
18	A That's right, yes.	10:50:07	18	A	No. I don't have that assessment in front of me. 10:52:22
19	Q All right. And then No. 33 is your letter back to Bishop Rodimer telling him that there's no need -- you do not wish him to conduct any sort of internal investigation?	10:50:10	19	Q	In fact, if you look at No. 32, it states, from 10:52:24
20		10:50:15	20		Father Flatley, in the memo to you, Cardinal, 10:52:28
21		10:50:18	21		after it states, "Our files indicated that Father 10:52:30
22		10:50:20	22		Picardi raped the 27-year-old man and admitted 10:52:32
23	A That's right.	10:50:22	23		that fact," it states, farther down, it says: 10:52:36
24	Q Is that correct? All right.	10:50:23	24		"In light of the new allegation and the 10:52:39

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1 Thursday, it revisited the case of Father 11:33:44  
2 Picardi. After careful consideration, they voted 11:33:46  
3 to rescind the finding of January 1996." 11:33:49  
4 Just for your reference, that was the 11:33:52  
5 finding that you approved on May 31, 1996. 11:33:53  
6 A Yes. 11:33:57  
7 Q And then it states: 11:33:58  
8 "Because the review board failed to find 11:34:00  
9 adequate evidence for sexual misconduct with a 11:34:02  
10 minor, the Archdiocesan policy no longer applies 11:34:04  
11 to Father Picardi." 11:34:07  
12 Then it says: 11:34:09  
13 "I spoke to him after the meeting. His 11:34:10  
14 initial response is gratitude. Regarding his 11:34:12  
15 future, he feels it would be too difficult to 11:34:14  
16 consider returning to active priesthood in 11:34:17  
17 Boston. He is interested in remaining in 11:34:19  
18 Phoenix, Arizona, as a priest." 11:34:21  
19 Do you see that? 11:34:23  
20 A I do. 11:34:23  
21 Q Now, the review board has rescinded its prior 11:34:23  
22 finding so there's no restrictions on Father 11:34:28  
23 Picardi's ministry; is that correct? 11:34:30  
24 A That's correct. 11:34:31

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1 Q And you approved, did you not, that 11:34:32  
2 recommendation of the review board that its prior 11:34:34  
3 ruling, that you had approved less than a year 11:34:36  
4 earlier, be rescinded; is that correct? 11:34:39  
5 A Well, they rescinded it. 11:34:42  
6 Q Right. They rescinded it? 11:34:43  
7 A Yeah. 11:34:45  
8 Q You have to approve the rescission, I assume? 11:34:45  
9 A Yes. 11:34:48  
10 Q Did you approve the rescission? 11:34:49  
11 A I, implicitly, I did. I don't see a written 11:34:51  
12 record of that, but, implicitly, I did. 11:34:54  
13 Q I would give you the record if I had one. I 11:34:56  
14 didn't have something similar to No. 34 in which 11:34:58  
15 you -- I'm sorry -- 37, in which you indicated 11:35:02  
16 your approval. I just don't have that so I'm 11:35:05  
17 asking you whether you recall less than a year 11:35:07  
18 after you had approved No. 34 -- I'm sorry, 11:35:10  
19 No. -- it's in No. 37, your approval of the 11:35:15  
20 review board. Review board recommendation is 11:35:21  
21 No. 36. 11:35:27  
22 So do you recall approving the rescission of 11:35:32  
23 the review board's recommendation that it made to 11:35:34  
24 you on January 4, 1996, which you approved on May 11:35:36

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1 31, 1996, that the priest not be returned to 11:35:40  
2 parish ministry or other ministry that involves 11:35:44  
3 minors? 11:35:45  
4 A I don't recall that, but I would presume I did. 11:35:46  
5 Q All right. Cardinal Law, did it ever go through 11:35:48  
6 your mind after you received the memo from Father 11:35:51  
7 Flatley where there was an admission of a rape in 11:35:54  
8 1992 that law enforcement should be contacted? 11:35:57  
9 A No. 11:36:05  
10 Q Okay. Even though there was, going back to 32, 11:36:05  
11 an admission, as far as the records showed, of a 11:36:09  
12 rape by Father Picardi? 11:36:13  
13 A No, it did not enter my mind. 11:36:20  
14 Q Okay. All right. Then, if we could, Cardinal, 11:36:22  
15 just moving forward, do you remember Father 11:36:27  
16 Picardi seeking to be incardinated into another 11:36:33  
17 diocese? 11:36:43  
18 A I remember, you know, as we talk about this 11:36:43  
19 today -- 11:36:50  
20 Q Yeah. 11:36:50  
21 A -- I can recall that Father Picardi did -- was 11:36:51  
22 not pleased and felt that he had not been dealt 11:36:56  
23 with fairly by the Archdiocese of Boston in this 11:37:02  
24 matter from the very beginning. 11:37:06

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1 Q Right. 11:37:08  
2 A And felt that he could not comfortably function 11:37:09  
3 as a priest in this Archdiocese because of that. 11:37:14  
4 And that was why he was -- he had asked to go to 11:37:22  
5 New Jersey, and I presume the same reason why he 11:37:26  
6 asked to be a priest in Phoenix, where he was 11:37:31  
7 after he left New Jersey, and not functioning as 11:37:34  
8 a priest. He was living in Phoenix. 11:37:40  
9 Q Well, do you know right now whether Father 11:37:42  
10 Picardi has been incardinated into the Diocese of 11:37:45  
11 Phoenix? 11:37:47  
12 A I cannot say that. 11:37:49  
13 Q Okay. 11:37:51  
14 A I do not know that. 11:37:51  
15 Q Let's go to 58, if we could. 11:37:52  
16 A I don't recall that. 11:37:55  
17 Q Okay. Let's go to 58, which is your letter to 11:37:56  
18 Bishop O'Brien from the Diocese of Phoenix. 11:38:01  
19 A Yes. 11:38:05  
20 Q And this isn't the same bishop who is the 11:38:07  
21 military Archbishop O'Brien; this is a different 11:38:10  
22 Bishop O'Brien; is that correct? 11:38:14  
23 A That's correct. It's different. 11:38:14  
24 Q Is he still alive, Cardinal? 11:38:15

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1 incident. And to put that before him. And then 11:47:41  
2 to indicate who it would be that could give 11:47:44  
3 further information, details on both of these 11:47:50  
4 issues. 11:47:53  
5 Was I purposely avoiding the use of the term 11:47:59  
6 "rape" in that second paragraph? Or was I 11:48:03  
7 influenced by the fact that I have two adults, 11:48:07  
8 albeit at different times, the alleged 11:48:14  
9 perpetrator having -- being reported as saying 11:48:17  
10 one thing -- 11:48:21  
11 Q Admitting. 11:48:21  
12 A -- and then -- being reported as admitting -- and 11:48:22  
13 then later being incensed by the fact that this 11:48:26  
14 was called that and denying it? The fact of the 11:48:29  
15 matter is something happened and something 11:48:35  
16 happened that was inappropriate. And the -- it 11:48:38  
17 was alleged to be a rape by the person aggrieved 11:48:44  
18 and it was denied as that. 11:48:52  
19 Q Not initially, Cardinal Law, according to the 11:48:54  
20 records that you had before you. 11:48:57  
21 A According to the report initially, it indicates 11:48:58  
22 that he admitted that, that's correct. 11:49:00  
23 Q And you know, understanding that even putting 11:49:04  
24 this in the circumstances where it's an 11:49:07

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1 allegation that was denied, did you not consider 11:49:09  
2 it important, in light of the contemporaneous 11:49:11  
3 admission that was in your records, to point out 11:49:14  
4 to the Bishop of Phoenix, who was thinking of 11:49:15  
5 accepting this man, incardinating him into the 11:49:18  
6 Diocese of Phoenix, that there was an allegation 11:49:21  
7 that had been admitted, not of a homosexual 11:49:23  
8 encounter, but of the rape of another human 11:49:27  
9 being? 11:49:30  
10 A Yes. Well, you know, I felt at the time that I 11:49:30  
11 wrote this letter, obviously, that I was setting 11:49:35  
12 forth the situation in an appropriate way and 11:49:42  
13 indicating who it was that could fill in the 11:49:46  
14 details of both of these situations. 11:49:49  
15 Q With the benefit of hindsight, Cardinal Law, 11:49:52  
16 would it have been better to have mentioned the 11:49:56  
17 allegation of the rape? 11:49:58  
18 MR. TODD: Objection. 11:49:59  
19 A Well, the incident was mentioned. Would it have 11:50:00  
20 been better to have called it a rape, given the 11:50:03  
21 conflicting position of the alleged perpetrator 11:50:10  
22 here? I don't know. Perhaps it would have been 11:50:14  
23 wise to say he was accused of. 11:50:18  
24 Q But you just chose the words "homosexual 11:50:23

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1 encounter," which -- 11:50:26  
2 A I did not use homosexual encounter. I said this 11:50:27  
3 was an incident of homosexual behavior with an 11:50:30  
4 adult. 11:50:33  
5 Q Behavior, I'm sorry. All right. Okay. 11:50:34  
6 Cardinal -- 11:50:44  
7 A And I would say, if I may, that granted, it isn't 11:50:44  
8 in the direct form that you perhaps would find 11:50:50  
9 more acceptable. I say the first was an incident 11:50:52  
10 of homosexual behavior with an adult who had 11:50:56  
11 accompanied Father Picardi on a trip to Florida. 11:50:59  
12 The behavior was reported by the man. And that, 11:51:02  
13 certainly, would imply that there was an 11:51:04  
14 aggrieved person here. And Father Picardi has 11:51:08  
15 expressed regret over the incident. 11:51:11  
16 Q Does the term "homosexual behavior," as you 11:51:13  
17 include it in your letter of April 24, 1997, to 11:51:15  
18 the Bishop of Phoenix, encompass nonconsensual 11:51:18  
19 rape of another person? 11:51:23  
20 A In this instance, it's a generic term which 11:51:27  
21 becomes more specific with the second sentence. 11:51:33  
22 Q All right. So does "homosexual behavior" 11:51:36  
23 encompass rape, Cardinal Law, as you understood 11:51:39  
24 that term in 1997, used it? 11:51:42

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1 A You know, that's a question that I've never 11:51:45  
2 really thought of before and I don't know that I 11:51:47  
3 have a -- 11:51:49  
4 Q Can't answer it? 11:51:50  
5 A Yeah. 11:51:52  
6 Q All right. 11:51:52  
7 And you understand, as Mr. Todd pointed out, 11:51:55  
8 that even when confronted with the allegation of 11:51:58  
9 rape, which was denied, that Father Picardi 11:52:01  
10 admitted to being the aggressor. You understood 11:52:04  
11 that, is that correct, in 1997? 11:52:06  
12 A I'd have to go back and see the record there. 11:52:09  
13 Q All right. 11:52:11  
14 MR. TODD: It's 34. 11:52:12  
15 MR. MacLEISH: 34, right. 11:52:14  
16 Q Okay. The next sentence: 11:52:15  
17 "Father Picardi did not return immediately 11:52:17  
18 to Boston having sought" -- 11:52:18  
19 A Excuse me. Where is this? 11:52:19  
20 Q Sure. The third paragraph on 58. 11:52:21  
21 A All right. Fine. 11:52:23  
22 Q You describe the second allegation and you state: 11:52:24  
23 "While he was there, a 12-year-old girl 11:52:27  
24 reported that Father Picardi had touched her 11:52:29

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Exhibits: 1 - 14

COMMONWEALTH OF MASSACHUSETTS

Suffolk County

Superior Court

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GREGORY FORD, et al.

Plaintiffs

Civil Action

vs.

Docket No. 02-04551-T1

BERNARD CARDINAL LAW, et al.

Defendants  
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DEPOSITION OF EDWIN CASSEM

Tuesday, May 20, 2003, 10:00 a.m.

Greenberg Traurig

One International Place

Boston, Massachusetts

-----Reporter: Kathleen L. Good, CSR, RPR-----

K. L. GOOD & ASSOCIATES

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<p style="text-align: right;">Page 2</p> <p>APPEARANCES:</p> <p>Greenberg Traurig Roderick MacLeish, Jr., Attorney One International Place Boston, Massachusetts 02110 for the Plaintiffs</p> <p>The Rogers Law Firm Wilson D. Rogers, III, Attorney One Union Street Boston, Massachusetts 02108 for the Archdiocese of Boston</p> <p>Joseph L. Doherty, Jr., and Associates Eileen M. Quill, Attorney 225 Franklin Street Boston, Massachusetts for Bishop John McCormack</p> <p>Hanify &amp; King Randall E. Ravitz, Attorney One Beacon Street Boston, Massachusetts 02108 for Bishop Thomas Daily</p>	<p style="text-align: right;">Page 4</p> <p>1 PROCEEDINGS 2 MR. MacLEISH: Everybody ready? For the 3 people who represent parties here, same 4 stipulations as we've had in the past. All 5 objections except as to form and motions to 6 strike reserved until the time of trial. 7 Dr. Cassem, you have 30 days to read and 8 sign the deposition. If you would like to take 9 the opportunity to do that, you may. 10 And is that something you're interested 11 in, Frank? 12 MR. REARDON: Yes. 13 MR. MacLEISH: 30 days to read and sign, 14 waive the notary. 15 EDWIN CASSEM, sworn 16 EXAMINATION 17 BY MR. MacLEISH: 18 Q. Dr. Cassem, my name is Eric MacLeish and I 19 represent the plaintiffs, Gregory Ford, Paula 20 Ford and Rodney Ford, as well as Paul Busa. And 21 your deposition is being taken in those cases. 22 First of all, I'd like to thank you for coming 23 in here today and making yourself available. 24 I just want to go over a few ground</p>
<p style="text-align: right;">Page 3</p> <p>Todd &amp; Weld J. Owen Todd, Attorney Raymond P. Ausrotas, Attorney 28 State Street Boston, Massachusetts 02108 for Cardinal Bernard F. Law</p> <p>Hassan &amp; Reardon Frank E. Reardon, Attorney John Reardon, Attorney 800 Boylston Street Boston, Massachusetts 02199 for the Deponent</p> <p>Partners HealthCare System, Inc. Paul Cushing, Attorney 50 Staniford Street Boston, Massachusetts for the Mass General Hospital</p> <p>Also Present: Elizabeth Rossman Katie Enscoe</p> <p>Thomas F. Maffei, Attorney</p>	<p style="text-align: right;">Page 5</p> <p>1 rules in depositions. The first is that if at 2 any time you want to take a break, I want you to 3 tell me that and we'll accommodate that. 4 If at any time you want to go back over 5 any portion of your testimony and revisit it, 6 change it or modify it in any way, you just tell 7 me and I'll be happy to accommodate that as 8 well. 9 There's also a tendency that's very 10 common, and maybe it won't be one that you'll 11 do, but you might not wait until the end of the 12 question before answering. It's important that 13 you try to do that so our court reporter can get 14 everything down accurately. 15 Do you understand those instructions? 16 A. I do. 17 Q. Could you please state your name for the record. 18 A. My name is Ned Cassem, sir. 19 Q. You're a physician; is that correct? 20 A. Yes, sir. 21 Q. And are you also -- maybe it's my confusion -- 22 is your first name also Edwin or is that just my 23 mistake? 24 A. You're correct, sir.</p>

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1 Q. So your real name is Edwin, your true name is  
2 Edwin Cassem; is that correct?  
3 A. Yes, sir.  
4 Q. And you're referred to as Ned?  
5 A. Yes, sir.  
6 Q. Dr. Cassem. And you reside at the Campion  
7 Center; is that correct?  
8 A. Yes, sir.  
9 Q. And how long have you been licensed as a  
10 physician in Massachusetts?  
11 A. Since 19 -- let's see -- 1966.  
12 Q. Where did you attend medical school?  
13 A. Harvard Medical School.  
14 Q. And following your graduation from medical  
15 school, you went through residency; is that  
16 correct?  
17 A. I went through one year of medical internship in  
18 the Bronx.  
19 Q. After you left the Bronx, where did you go to  
20 practice medicine?  
21 A. I went back to Mass. General in Boston.  
22 Q. And you have remained at Mass. General since you  
23 left the Bronx in the department of psychiatry;  
24 is that correct?

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1 A. Yes, sir.  
2 Q. Dr. Cassem, do you have any particular specialty  
3 in your practice in psychiatry?  
4 A. It's called consultation psychiatry.  
5 Q. Consultation psychiatry.  
6 What is consultation psychiatry?  
7 A. It's seeing patients who are medically and  
8 surgically ill.  
9 Q. You've read, as I understand it -- we're just  
10 getting your curriculum, have it copied we'll  
11 have it in a moment -- you specialized in  
12 providing -- I don't know the best way to put  
13 it -- assistance and therapy to people who are  
14 critically ill?  
15 A. Yes, sir.  
16 Q. You've written a number of articles on that  
17 subject; is that correct?  
18 A. Yes, sir.  
19 Q. You've been profiled in magazines about that  
20 subject; is that correct?  
21 A. Yes, sir, some.  
22 Q. And do you have any other specialties in the  
23 field of psychiatry apart from consultation with  
24 individuals who are critically ill?

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1 A. I think that in the twilight of my career, you  
2 could also say I've a specialty in palliative  
3 medicine.  
4 Q. What does that mean?  
5 A. Seeing patients who either have an illness that  
6 will kill them or has already crippled them and  
7 eventually will result in their death.  
8 Q. What positions have you held at Mass. General in  
9 the department of psychiatry?  
10 A. I was the chief of the consultation service.  
11 Before that, I was residency training  
12 director.  
13 Then I was chairman of the department  
14 for 12 years.  
15 Q. What were the dates when you were chairman of  
16 the department?  
17 A. 1988 to 2000.  
18 Q. Do you presently hold any position at Mass.  
19 General Hospital?  
20 A. No, sir. I'm a psychiatrist.  
21 Q. Where is your office located?  
22 A. In Mass. General.  
23 Q. You hold an appointment at Mass. General  
24 Hospital?

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1 A. Yes, sir.  
2 Q. What is that present appointment?  
3 A. Well, the name of it is psychiatrist.  
4 Q. Are you staff psychiatrist?  
5 A. Yes, sir.  
6 Q. Attending psychiatrist?  
7 A. Yes, sir. All of the above.  
8 Q. But you're no longer chief?  
9 A. No, sir.  
10 Q. Are you a chief emeritus?  
11 A. No, sir.  
12 Q. Dr. Cassem, you've also published some articles,  
13 have you not, about the impact of firearms on  
14 public health. Is that correct?  
15 A. One.  
16 Q. Have you attended conferences on that subject?  
17 A. Yes, sir.  
18 Q. How many such conferences have you attended?  
19 A. It would have to be a guess. Maybe 20 to 30.  
20 Q. 20 to 30. Are these conferences that are  
21 typically sponsored by individuals who have a  
22 particular view over the use of firearms?  
23 A. I think the major thrust of all of them have to  
24 do with the safe use and competent use of



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1 of these during the deposition -- records such  
2 as assessments -- when I say "assessments," do  
3 you know what I mean?  
4 I'm talking about facilities that  
5 reviewed priests who had been accused of sexual  
6 misconduct.  
7 You do generally recall that some of  
8 those assessments were sent to you by the  
9 Archdiocese; is that not correct?  
10 A. I do not recall. There's one assessment on  
11 Father Ford. I had an exchange of letters with  
12 Bishop Murphy.  
13 Q. On which Father was this?  
14 A. I think it was Gregory Ford. I'm not sure.  
15 Q. He's not a priest. I'm talking about records  
16 that were prepared either by the Institute of  
17 Living, Southdown or St. Luke's that were sent  
18 to you by the Archdiocese of Boston.  
19 Do you remember receiving any  
20 evaluations of priests at any time from any of  
21 those three institutions?  
22 A. I don't, sir.  
23 Q. Did you maintain all of the records that you had  
24 with the Archdiocese of Boston concerning

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1 priests who had been accused of sexual  
2 misconduct? Did you retain them all?  
3 A. I believe that I did. I can continue to look  
4 for those, but I did not throw any records away.  
5 Q. Okay. All right.  
6 And what you're testifying to, as I  
7 understand it, is that the general records  
8 department of Mass. General Hospital Partners  
9 would not have any of these records?  
10 A. No, sir.  
11 Q. These records were maintained by you exclusively  
12 at your office; is that correct?  
13 A. Yes, sir.  
14 Q. And everything that was sent to you by the  
15 Archdiocese, you believe that you retained; is  
16 that correct?  
17 A. Yes, sir.  
18 Q. And you've conducted a due and diligent search  
19 for those records that were identified in the  
20 subpoena; is that correct?  
21 A. Yes, sir.  
22 Q. Do you have any records of the Campion Center  
23 that you maintain?  
24 A. No, sir.

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1 Q. You were, as I understand it, consulted by the  
2 Archdiocese of Boston in the late 1980s and then  
3 throughout the 1990s concerning various priests  
4 who were accused of sexual misconduct with  
5 minors; is that correct?  
6 A. Yes, sir.  
7 Q. Did you charge a fee for any of this work that  
8 you did, Dr. Cassem?  
9 A. No, sir.  
10 Q. Was this work performed in your capacity as a  
11 psychiatrist at the Massachusetts General  
12 Hospital?  
13 A. Yes, sir.  
14 Q. But there was no fee associated with the work  
15 that you were doing for the Archdiocese of  
16 Boston; is that correct?  
17 A. That's correct, sir.  
18 Q. Why was that, Doctor?  
19 A. I've never charged for work done seeing priests  
20 or women religious.  
21 Q. Is there a reason why you've never charged for  
22 that?  
23 A. I'm not sure what to say.  
24 Q. That's okay.

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1 A. I think that it's sort of a sense of loyalty.  
2 I'm not sure how to word it.  
3 Q. Okay. You felt some loyalty to the Archdiocese  
4 of Boston?  
5 A. To the Archdiocese of Boston, to the religious  
6 orders, to anyone who asked for my help.  
7 Q. Some of your colleagues at the Massachusetts  
8 General Hospital have also been involved in this  
9 work of assessing priests who have been accused  
10 of sexual misconduct; is that correct?  
11 A. Yes, sir.  
12 Q. That would include Dr. Kathy Sanders; is that  
13 correct?  
14 A. Yes, sir.  
15 Q. And was she brought into this work at your  
16 suggestion?  
17 A. She was -- I asked her to join a committee.  
18 Q. Okay.  
19 A. I'm not sure that she was brought into the work  
20 at my suggestion.  
21 Q. Well, did you in any way recommend her to  
22 individuals of the Archdiocese of Boston?  
23 A. Yes, sir.  
24 Q. And then Dr. Murray; is that correct?

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1 THE WITNESS: I'm out of line. I have a  
2 counselor to ask questions for me.  
3 MR. MacLEISH: If you want to take time,  
4 Dr. Cassem, to consult with your lawyer, feel  
5 free to do that. I'll give you that opportunity  
6 without me being present and within earshot.  
7 Q. If you take a look at the first page of the  
8 chronology on page 12, Doctor, you'll see  
9 there's reference to March 19, 1992, "Bishop  
10 handwritten notes." It states:  
11 "Notes on conversation" -- we'll just  
12 use initials -- "JT, trip to Florida, drank  
13 heavily, Jacuzzi, awakened by JP" -- that would  
14 be John Picardi -- "removing his pants. Second  
15 time, he performed oral sex. Third time, he had  
16 removed his pants and attempted anal sex. He  
17 ejaculated. Went to Fort Lauderdale. JP  
18 admitted he had raped JT."  
19 That would be John Picardi admitted he  
20 had raped JT. You see that?  
21 A. Yes, sir.  
22 Q. Here you see a document, which is Exhibit  
23 No. 13. Do you want to take a look at that?  
24 These are, again, a transcript prepared by the

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1 Archdiocese of Boston of handwritten notes of  
2 Bishop Hughes.  
3 And you'll see in the statement there:  
4 "John raped JT in Florida."  
5 Then we have another note also, yeah,  
6 then we have Exhibit --  
7 MR. MacLEISH: Let's mark this as  
8 Exhibit 14.  
9 (Marked, Exhibit No. 14, Transcript of  
10 Handwritten Notes of Bishop Hughes.)  
11 Q. Exhibit 14 is a transcript of handwritten notes  
12 of ACH, that's Bishop Hughes, 3/19/1992, and  
13 you'll see down at the bottom, "JP" -- John  
14 Picardi -- "admitted he raped JT."  
15 Do you see that?  
16 A. Yes.  
17 Q. Now, again, is this the type of information that  
18 would stand out to you, Dr. Cassem?  
19 A. Yes.  
20 Q. And can you state, in connection with your  
21 consultation with the Archdiocese or Father  
22 McCormack concerning Father Picardi, whether you  
23 were ever informed that Father Picardi had  
24 admitted raping [REDACTED]

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1 A. No, sir.  
2 Q. Are you fairly certain of that, Dr. Cassem?  
3 That's something you would have made note of in  
4 some way or remembered there had been an  
5 admission of a rape?  
6 A. Yes, sir.  
7 Q. So you're quite sure that information was not  
8 provided to you?  
9 A. I am.  
10 Q. This is the first time today that you've seen  
11 these documents about Father Picardi; is that  
12 correct?  
13 A. Yes, it is.  
14 Q. And you'll also see from the chronology that was  
15 prepared by the Archdiocese, that Father Picardi  
16 was transferred down to New Jersey for a period  
17 of time where there was an allegation that he  
18 acted inappropriately with a young girl.  
19 You saw that when you read the  
20 chronology?  
21 A. I did.  
22 Q. That's the first time you've seen that today; is  
23 that correct?  
24 A. Yes.

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1 Q. The date of that allegation was, I believe, in  
2 1995. Yes. March 3, 1995.  
3 Do you see that?  
4 A. Yes.  
5 Q. And were you ever informed, Dr. Cassem, that  
6 there had been another allegation about Father  
7 Picardi after his transfer down to New Jersey  
8 and following your receipt of the Institute of  
9 Living report?  
10 MR. ROGERS: Objection.  
11 A. No, sir.  
12 Q. Do you now have a further basis to believe that  
13 the Archdiocese of Boston did not provide you  
14 with the full details prior to asking for your  
15 opinion concerning another priest, namely Father  
16 Picardi?  
17 MR. AUSROTAS: Objection.  
18 MS. QUILL: Objection.  
19 A. Yes.  
20 Q. That is, on the basis of the documents I've just  
21 shown you?  
22 A. It is.  
23 Q. Now, as you sit here today, Dr. Cassem, let me  
24 ask you this. You were the chief of psychiatry