NATIONAL CATHOLIC REPORTER
Published on *National Catholic Reporter* (http://ncronline.org)

Twin Cities priest defends record on clergy sex abuse

Brian Roewe | Apr. 28, 2014

Through six hours of testimony, Fr. Kevin McDonough did a little bit of everything. He corrected perceived inaccuracies, provided spellings of names, asked for clarifications and questions of his own, exchanged barbs with attorney Jeff Anderson, and even offered a compliment or two.

But more than anything, he steadfastly defended the decisions he made and his record on clergy sexual abuse during his almost 17 years as vicar general and six years as the delegate for safe environments of the St. Paul-Minneapolis archdiocese.

"During the period -- and I know it personally only really from '87, I believe that we got better and better at [protecting children] all the time. ... I think this diocese was a real leader and worked very hard to -- to protect children," McDonough said.

The at-times-contentious deposition [1], taken April 16, related to the case of John Doe 1, the same litigation that brought Archbishop John Nienstedt for deposing 14 days earlier. Like Nienstedt's testimony [2], both Anderson and the archdiocese published the full transcript on their websites.

McDonough served as vicar general from 1991 until 2008, at which point he became delegate for safe environment. In addition, he oversaw the clergy monitoring program since its initiation in the mid-2000s through September. In its report [3], the independent task force reviewing archdiocesan abuse polices singled out McDonough, though not by name, as an example of too much power given to a single individual.

Amid wide-ranging questioning, McDonough stood by his determinations that Fr. Jonathan Shelley had not accessed online child pornography and that Fr. Curtis Wehmeyer gave no indication of child sexual abuse. McDonough also explained his aversion of lists and his reason for opting not to meet with the task force earlier this year.

"From the very beginning, I felt that there was a media frenzy about all of this, some of it stirred up by inaccurate statements from yourself [Anderson]. And so I decided very early on that it would be better that folks who were doing whatever studies they were doing would proceed and at some point I'd have an opportunity to offer my input," he said of the task force, noting that much of his involvement had been publicly documented or available in archdiocesan records, and as a result, he saw little need to defend his record.

McDonough disagreed with the characterization that he has refused to cooperate with law enforcement, though he said he has neither reached out to the St. Paul police nor responded to a letter from them he received before Christmas.

Several times in the testimony, McDonough and Anderson referenced past encounters they had -- both veterans of the clergy sex abuse arena. At one point, McDonough ended his response with a compliment of Anderson's tie and would later commend him for an accurate description of a canonical decree.

In explaining his process for producing records, McDonough said, "My tendency was to mentally invite Jeff Anderson into the office, presuming that I would be held accountable in the years ahead for my activity."

McDonough testified it was not his general practice to compile lists, but he did destroy notes after forming memos to eliminate clutter. He recalled that the archdiocese's first attempt to produce a list of all accused priests came in 2002 or 2003 in response to the John Jay study. Before then, he said he saw little reason to compile a list of accused priests since the files were "easily accessible" at the chancery to various staff.

"Lists just with names on them are notoriously difficult to -- to make accurate and they -- they imply clarity of information where clarity of information is nonexistent," he added.

Regarding Wehmeyer -- who pleaded guilty [4] in 2012 to criminal sexual conduct and possession of child pornography -- McDonough said he first learned of an allegation against him the night of June 20, 2012. The next day, he said Nienstedt ordered him to deliver to the priest a decree of removal. He took with him Deacon John Vomastek, a retired police officer, and had him call the police to ensure they were notified.

In the hour McDonough spent at Blessed Sacrament Parish, he said he told Wehmeyer that a report had been made to police, offered to take him to make a statement, asked him to turn over his gun, and took his personal computer. McDonough said he left both items at the archdiocese, believing they would be turned over to police.

"Did you order him to leave the parish?" Anderson asked.

"I suggested it would be better if he not stay around, yes," McDonough said.

In his deposition, Nienstedt noted that decision, in hindsight, was a mistake.

In 2004, McDonough said a friend at his home St. Peter Claver Parish expressed concerns about Wehmeyer being homosexual and chaperoning youth trips. In a letter, the parishioner asked about the archdiocese's plans in terms of disclosure, therapy and restrictions.

McDonough said he interpreted the concerns not about Wehmeyer as a danger to children, but more about conflicts between his sexual orientation and church teaching.

"I never believed that -- that Curtis Wehmeyer constituted a danger to kids. I'm sorry I didn't believe that, I wish I'd believed it, I wish I could have acted on that. I did not believe it," McDonough said.

Following the complaint, McDonough sent Wehmeyer for assessment and submitted him to a monitoring program but did not review his file.

Asked if he thought he blew it, McDonough said no: "Any time a kid is hurt, my heart's broken. Could I have acted differently based on the information I had? I don't think I had a right to do so. It angers me that I can't see more clearly, it angers me that I can't go back in a time machine and change it, Mr. Anderson, but I can't."

In the case of Shelley, McDonough expressed no regrets, sticking to his determination that none of the thousands of pornographic images found in 2004 on the priest's computer constituted child pornography. A subsequent investigation [4] by a county prosecutor in January found no images that qualified as child pornography.

But the debate back in 2012 revolved around whether the proper authorities had reviewed the images. The archdiocese hired a former police chief and FBI investigator to review the images, some of which they determined "could be considered borderline illegal, because of the youthful looking male image."

But McDonough said the "borderline" images he reviewed -- at the request of canonical chancellor Jennifer Haselberger -- "were not sexual images" and speculated they were "pop-up ads." He said he was unaware of search terms such as "free naked boy pictures" found on the computer.

While Haselberger pushed for the files to be reviewed by active police, McDonough believed the investigators' report sufficient. However, he could not recall if he ever read the full report or just received a verbal summary of it.

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