

1 SECOND JUDICIAL DISTRICT COURT  
2 COUNTY OF BERNALILLO  
3 STATE OF NEW MEXICO

4 No. CV-92-10820

5 JOSEPH A. HAFERMANN, SCOTT M. BRUCE, MARK  
6 SANCHEZ, GARY SANCHEZ, ROBERT J. CURTIS,  
7 NOEL B. CLARK, EDWARD W. FRANCIS, GREG FRANCIS,  
8 ANDREW FRANCIS, MICHAEL A. LOWE, DAVID L. CARAWAY,  
9 SCOTT C. DUVA, MATTHEW A. STEVENS, RANDY MEADOWS,  
10 RICHARD MEADOWS and RICHARD UNDERWOOD,

11 Plaintiff,

12 vs.

13 ROMAN CATHOLIC CHURCH OF THE DIOCESE OF EL PASO,  
14 TEXAS, a corporation sole, ROMAN CATHOLIC DIOCESE  
15 OF WORCESTER, MASSACHUSETTS, a corporation sole,  
16 THE SERVANTS OF THE PARACLETE, INC., a New Mexico  
17 corporation, FATHER DAVID A. HOLLEY, LOVELACE  
18 HEALTH SYSTEMS, INC., a New Mexico corporation,  
19 and DONALD H. CUMMINGS.

20 Defendants.

21  
22 DEPOSITION OF FATHER WILFRID DIAMOND  
23 September 16, 1994  
24 9:00 AM  
25 The Holiday Inn  
1401 South White Sands Boulevard  
Alamogordo, NM 88310

PURSUANT TO THE NEW MEXICO RULES OF CIVIL  
PROCEDURE this deposition was:

TAKEN BY: BRUCE PASTERNAK, ESQ.  
ATTORNEY FOR PLAINTIFFS

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RUSSIN REPORTING  
317 COMMERCIAL, NE SUITE 200-GARDEN LEVEL  
ALBUQUERQUE, NEW MEXICO 87102  
(505) 843-7789

1 A. No.

2 Q. Did he continue to say Masses at the church?

3 A. Yes.

4 Q. Did he continue to say mass with altar boys?

5 A. Yes.

6 Q. Did he continue to be in the sacristy with altar  
7 boys changing for the ceremony?

8 A. Yes.

9 Q. Did you watch him while he was in the sacristy  
10 to keep him away from the altar boys?

11 A. No, it's a routine thing. You notice the pulpit  
12 did not have altar girls.

13 Q. During the time that were you a priest, Father,  
14 do you remember any other allegations against priests of  
15 the diocese of El Paso regarding alleged sexual abuse of  
16 children?

17 A. No.

18 Q. Was that something that was never discussed at  
19 deanery meetings?

20 A. I guess so. No.

21 Q. You guess it wasn't?

22 A. It wasn't, no.

23 Q. Were you ever residing at Servants of the  
24 Paraclete yourself?

25 A. Yes.

1 Q. Approximately when?

2 A. 15, 20 years, something like that.

3 Q. For what problem?

4 A. I don't have to answer that.

5 Q. So you're refusing to answer that?

6 A. Yes.

7 Q. Did the problem have anything to do with sexual  
8 misconduct, Father?

9 A. Not little boys.

10 Q. Women?

11 A. Yes.

12 Q. Girls?

13 A. Yes.

14 Q. Were you accused of having sex with girls under  
15 the age of 18?

16 A. No.

17 Q. Over the age of 18? Is that right?

18 A. It wasn't accused, but -- yes.

19 Q. You acknowledged that?

20 A. All right, yes.

21 Q. Were any of these girls under the age of 18?

22 A. No.

23 Q. During the time that Father Holley was in  
24 Alamogordo working with you, were you sexually involved  
25 with women?

1 A. A woman.

2 Q. Who was that?

3 A. A girlfriend. I'm not going to tell you any  
4 more about that.

5 Q. Did your activities with this woman distract  
6 your attention from your priestly duties?

7 A. Yes. And I went to Via Coeli for a few weeks,  
8 just to get straightened out.

9 Q. Were you involved with this woman before Holley  
10 got to Alamogordo?

11 A. Yes.

12 Q. And did you continue to be involved with her  
13 after Holley left Alamogordo?

14 A. Yes.

15 Q. How long after Holley left Alamogordo did you  
16 check into Via Coeli?

17 A. This was before, couple of years before.

18 Q. So before Holley got to Alamogordo, you yourself  
19 had been treated at Via Coeli?

20 A. Yes.

21 Q. And you knew people at Via Coeli, didn't you?

22 A. Oh, yes.

23 Q. And you knew that some of the people, some of  
24 the priests that were there for treatment, were there  
25 because they were sex offenders?

1 A. Yes. That's why the order was established and  
2 so on, to take care of, yes.

3 Q. But even after your treatment at Paraclete, you  
4 continued to be involved with this woman; is that right?

5 A. No.

6 Q. You stopped it then?

7 A. It just faded away.

8 MR. RIVERA: Pardon me for a moment.

9 [A discussion was held off the record.]

10 A. Yes, I was in New York at that time. I think I  
11 was in New York at that time.

12 Q. Is that how you got to New Mexico; you came out  
13 here for treatment at Paraclete?

14 A. For a couple of weeks, and then I went back to  
15 New York. They said, you know, "Nothing to it."

16 Q. What archdiocese or diocese were you in in New  
17 York?

18 A. Just New York, I guess. There's only one.

19 Q. And did the archbishop of the New York  
20 archdiocese send you to New Mexico for treatment at  
21 Paraclete?

22 A. Yes.

23 Q. And the treatment he sent you for was treatment  
24 regarding sexual allegations; is that right?

25 [The witness conferred with his attorney.]

1 A. No, not kids.

2 Q. But sex with a woman; is that right?

3 A. Yes, but not -- no perversion or anything like  
4 that.

5 Q. Is that why you decided to come back and stay in  
6 New Mexico, that after having been introduced to New  
7 Mexico via Paraclete, you liked it and decided you want to  
8 live here?

9 A. I don't know why I did it, except --

10 Q. Was the first time you ever came to New Mexico  
11 coming for treatment at Paraclete?

12 A. Yes. Then I went back to New York for a couple  
13 of years, and, I don't know, I just said, "I don't like  
14 New York anymore. Get the hell out of here."

15 Q. In your discussions with Holley, did you ever  
16 tell him that you yourself had been sexually active?

17 A. No, I don't think so. Maybe. I don't know.

18 Q. Did you feel guilty about being sexually active  
19 yourself?

20 A. Yes.

21 Q. You had broken your vows, hadn't you?

22 A. Yes.

23 Q. And did you feel guilty about that?

24 A. Yes.

25 Q. Did it make you feel bad when you were saying

1 Mass that you had broken your vows?

2 A. Yes.

3 Q. Did you feel kind of hypocritical?

4 A. Yes, that's right.

5 Q. And did that guilt and hypocrisy that you felt  
6 cause you to be less rigorous with Father Holley when you  
7 found out that he had a similar problem?

8 A. I didn't consider the problem similar between a  
9 woman and kids. They're two different problems. I could  
10 see no connection between the two.

11 Q. Both breaking vows, isn't it?

12 A. Well, yes.

13 Q. Did you feel that you lacked the moral authority  
14 to reprimand him when you yourself had broken your vows?

15 A. No, I just -- I don't know.

16 Q. Did you break your vows with any women in  
17 Alamogordo?

18 A. Alamogordo? Alamogordo, no.

19 [The witness conferred with his attorney.]

20 A. No, not in Alamogordo.

21 Q. Did you break your vows with any woman in  
22 El Paso?

23 A. In El Paso. The place is of no significance.  
24 Yes.

25 [The witness conferred with his attorney.]