



[42]

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

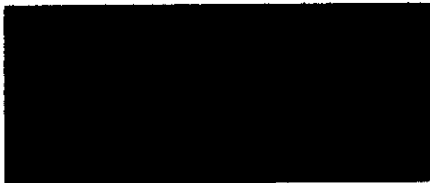
33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

PETER W. HEED
ATTORNEY GENERAL



KELLY A. AYOTTE
DEPUTY ATTORNEY GENERAL

February 23, 2004



Re: Allegation of Sexual Misconduct

Dear Chief [REDACTED]

Our office has received a report from the Diocese of Manchester involving a person from your community.

I spoke with Investigator [REDACTED] this AM and I understand he spoke with you regarding the [REDACTED]. This matter is being forwarded to your agency for whatever action deemed appropriate. I understand there is a protocol that has been established within [REDACTED] that addresses these matters.

Attorney Lamontagne is very cooperative with these matters and I am sure he will work with your agency in any way necessary. You will note in the email that Attorney Lamontagne would be interested in knowing if the report is creditable. Creditable reports are handled very quickly and the accused person will be removed from the capacity they function in with the Church.

Assuring you of our complete cooperation, I remain

Respectfully,

Paul E. Brodeur
Investigator
Criminal Justice Bureau
(603) 271-3671

cc: [REDACTED]
Atty. Lamontagne

000227

Brodeur, Paul

Subject: RE: New Report: [REDACTED] Complaint

I will review with others to see how best to check on this without harming anyone if [REDACTED] is not involved. This may be rather difficult in that mother and daughter do not believe nor know AG involved. Secondly there is no contact #. I presume end of report "date of contact" should read 2/17/04.

Also I presume you will be seeing another one from a [REDACTED]. He called here and advised that he had spoken with D. Quinlan. He was 18 at [REDACTED] room of Donald Osgood. [BA.org]'s only concern seemed to be to have an accurate # of the reported incidents across the country.

-----Original Message-----

From: Ovide Lamontagne [mailto:OLAMONTAGNE@devinemillimet.com]

Sent: Thursday, February 19, 2004 10:40 AM

To: Brodeur, Paul

Cc: jnaff@catholiccharitiesnh.org; bdonroe@RCBM.org; DQuinlan@RCBM.org; EArsenault@RCBM.org

Subject: New Report: [REDACTED] Complaint

Dear Paul,

Please find attached a new report about an allegation made by an 18 year old female [REDACTED]. [REDACTED] alleging through a report communicated to us through her mother that [REDACTED] r. [REDACTED], touched her inappropriately fairly recently and perhaps in the past when wrestling with her, etc.

Paul, as you will see from the attached report form, [REDACTED] was made, but we have been informed that because the complainant is 18, [REDACTED]

The accused is a very prominent and well-respected member of his community, and is a member of the [REDACTED]. Because he is a volunteer in the diocesan school, he is covered by the Diocese's Agreement with the AG. However, because he does not have direct contact with children in his position, the Diocese has not taken any steps to remove him from his position at this time.

As you will recall, the Agreement states that "[u]pon receipt of an allegation of sexual abuse, the Diocese will ensure that . . . the alleged abuser will be removed from any position in which there is the possibility for contact with minors." We do not believe the possibility of contact with minors through his school board position exists.

We understand that the complainant has had some issues in the past, and we are concerned about affecting the accused's reputation if it turns out that the allegations are determined not to be founded or credible.

We have not commenced our own investigation pending further discussions with you. We hope that any investigation can be completed quickly so that we can get a determination as to what happened, if anything, and then make a decision about whether to ask him to step down pending a completion of the full investigation.

The accused wife and the mother of the complainant who brought this matter to our attention is unaware that we are reporting this to you. We also understand that she believes that the complainant and the accused have addressed/resolved this issue between themselves. Obviously, we are concerned that this matter be handled carefully for all involved.

Please contact me after you have reviewed the report so we can discuss how best to proceed.

000228

236

Thank you,

Ovide

Ovide M. Lamontagne
Devine, Millimet & Branch, PA
111 Amherst St. - PO Box 719
Manchester, NH 03105-0719
603.695.8516 Fax 603.695.8610
olamontagne@devinemillimet.com

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2/23 CT [REDACTED] He will call Chief of
[REDACTED] to determine if any prior issues w/
[REDACTED]

CF [REDACTED]. Nothing on [REDACTED]

Apr. 1946

2/28 1140 hrs.

CF Lamontagne

- believes either from mother or church re: daughters.
- mother can be contacted but not expecting contact.

Brodeur, Paul

From: Ovide Lamontagne [OLAMONTAGNE@devinemillimet.com]
Sent: Thursday, February 19, 2004 10:40 AM
To: Brodeur, Paul
Cc: jnaiff@catholiccharitiesnh.org; bdonroe@RCBM.org; DQuinlan@RCBM.org;
 EArsenault@RCBM.org
Subject: New Report [REDACTED] Complaint

Dear Paul,

Please find attached a new report about an allegation made by an 18 year old female [REDACTED] alleging through a report communicated to us through her mother that [REDACTED] touched her inappropriately fairly recently and perhaps in the past when wrestling with her, etc.

Paul, as you will see from the attached report form, [REDACTED] but we have been informed that because the complainant is 18, [REDACTED]

The accused is a very prominent and well-respected member of his community, and is a member of [REDACTED] [REDACTED] Because he is a volunteer in the diocesan school, he is covered by the Diocese's Agreement with the AG. However, because he does not have direct contact with children in his position, the Diocese has not taken any steps to remove him from his position at this time.

As you will recall, the Agreement states that "[u]pon receipt of an allegation of sexual abuse, the Diocese will ensure that . . . the alleged abuser will be removed from any position in which there is the possibility for contact with minors." We do not believe the possibility of contact with minors through his school board position exists.

We understand that the complainant has had some issues in the past, and we are concerned about affecting the accused's reputation if it turns out that the allegations are determined not to be founded or credible.

We have not commenced our own investigation pending further discussions with you. We hope that any investigation can be completed quickly so that we can get a determination as to what happened, if anything, and then make a decision about whether to ask him to step down pending a completion of the full investigation.

The accused wife and the mother of the complainant who brought this matter to our attention is unaware that we are reporting this to you. We also understand that she believes that the complainant and the accused have addressed/resolved this issue between themselves. Obviously, we are concerned that this matter be handled carefully for all involved.

Please contact me after you have reviewed the report so we can discuss how best to proceed.

Thank you,

Ovide

Ovide M. Lamontagne
 Devine, Millimet & Branch, PA
 111 Amherst St. - PO Box 719
 Manchester, NH 03105-0719
 603.695.8516 Fax 603.695.8610
olamontagne@devinemillimet.com

000230

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**DIOCESE OF MANCHESTER
OFFICE OF THE DELEGATE OF THE BISHOP**

**ALLEGATIONS OF SEXUAL ABUSE OF A MINOR
REPORT SUMMARY ~ CIVIL AUTHORITIES**

Date of Contact: 2/17/04 **Time:**

Received by: D. O'Neil

Complainant Name: [REDACTED] (Maiden Name):

Address: [REDACTED]

Telephone: unknown

DOB: unknown (now 18 years old) **E-mail:**

Name of Reporter (if not Complainant): [REDACTED]

Relationship: [REDACTED]

Telephone:

Address: [REDACTED]

Name of Accused: [REDACTED]
[REDACTED] (School Board)

1. **Location (City/Town) of alleged abuse:** [REDACTED]

Place of alleged abuse: [REDACTED]

Date of alleged abuse: 1 ½ weeks ago (while age 18) and for several years prior

Nature of alleged abuse: fondling while wrestling/tickling

Age of Complainant at time of alleged abuse: teenager (?); she is currently 18

2. **Location (City/Town) of alleged abuse:**

Place of alleged abuse:

Date of alleged abuse:

Nature of alleged abuse:

Age of Complainant at time of alleged abuse:

Complainant has been informed that the Diocese of Manchester will report this allegation to law enforcement (Attorney General/ DCYF if applicable/local law enforcement) Yes ☐ No ☒
Specific Concerns: It is likely that if the reporter is told that the matter will be reported to law enforcement, she will inform the accused (her husband).

Report to DCYF (if complainant under age of 18) 800-894-5533

Date of Contact: 2/17/2004 **Time:** 10:00

Name of DCYF Intake Rep: Unknown; [REDACTED]

Report to Ovide Lamontagne (603-695-8516) for report to AG/law enforcement:

Date of Contact: 12/17/2004 **Time:** 3:30 pm

Copy Distribution:

Delegate X

Record Clerk X

Assistant to the Delegate X

Director for Healing and Pastoral Care ☒

Other: ☐

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[43]

*Paul - lets just keep
this on F. [redacted] b/c
Boyd is released, no criminal
investigation/prosecution is
possible.
-Jim*

Hayes, Sandy

From: Brodeur, Paul
Sent: Friday, March 05, 2004 4:28 PM
To: Hayes, Sandy
Subject: FW: "New" Report: [redacted]/Boyd Complaint

Sandy could you print this out and give a copy to Rosenberg. I do not seem to find that there is an attached report with this email. Also if you can make a copy for me and put it in the Diocese folder that is in the left bottom drawer of my desk. Just put it in the front and I will bring it up to date when I get in. You may want to look back on the list to see if this a re-report. Also before you cancel the email ask Rosenberg if he wants it so that he can respond to Lamontagne. Thanks.

-----Original Message-----

From: Ovide Lamontagne [mailto:OLAMONTAGNE@devinemillimet.com]

Sent: Thu 3/4/2004 3:49 PM

To: Brodeur, Paul

Cc: jnaiff@catholiccharitiesnh.org; bdonroe@RCBM.org; DQuinlan@RCBM.org; EArsenault@RCBM.org

Subject: "New" Report: [redacted] Boyd Complaint

Dear Paul:

Please find attached a report from the complainant, [redacted], regarding alleged misconduct by Fr. John Boyd (deceased, 1968). Although the Diocese had received a report from [redacted] prior to the Dec 10, 2002 Agreement, we treating this case as a "re-report" since a claim has recently been made by Atty Chuck Douglas on [redacted] behalf.

Please let me know if you have any questions or comments.

Thank you,

Ovide

Ovide M. Lamontagne
Devine, Millimet & Branch, PA
111 Amherst St. - PO Box 719
Manchester, NH 03105-0719
603.695.8516 Fax 603.695.8610
olamontagne@devinemillimet.com

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000234

3/8/2004

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**DIOCESE OF MANCHESTER
OFFICE OF THE DELEGATE OF THE BISHOP**

**ALLEGATIONS OF SEXUAL ABUSE OF A MINOR
REPORT SUMMARY ~ CIVIL AUTHORITIES**

Complainant Name: [REDACTED] (Maiden Name):
Address: [REDACTED] Laconia, NH 03246
Telephone: [REDACTED]
DOB: [REDACTED] E-mail:

Name of Reporter (if not Complainant): Charles Douglas, Esq. Relationship: Attorney
Telephone: 603-224-1988 Address:

Name of Accused: Rev. John Boyd (deceased since January 1968)

1. Location (City/Town) of alleged abuse: Laconia
Place of alleged abuse: St. Joseph Church
Date of alleged abuse: 1957
Nature of alleged abuse: fallatio
Age of Complainant at time of alleged abuse: 7

2. Location (City/Town) of alleged abuse:
Place of alleged abuse:
Date of alleged abuse:
Nature of alleged abuse:
Age of Complainant at time of alleged abuse:

Complainant has been informed that the Diocese of Manchester will report this allegation to law enforcement (Attorney General/ DCYF if applicable/local law enforcement) Yes ☒ No ☐
Specific Concerns:

Report to DCYF (if complainant under age of 18) 800-894-5533
Date of Contact: / /200 Time: :
Name of DCYF Intake Rep:

Report to Ovide Lamontagne (603-695-8516) for report to AG/law enforcement:
Date of Contact: 3/4/04 Time: 3:01 p.m.

Copy Distribution:

Delegate X Record Clerk X
Assistant to the Delegate X

Director for Healing and Pastoral Care ☒
Other: ☐

* Ms. Smith had made a report to the Diocese through Joseph Naff, Director of the Office for Healing and Pastoral Care, in early 2002 before the December 10, 2002 Agreement with the Attorney General's office.



[44]

MEMORANDUM

TO: FILE

FROM: Paul E. Brodeur

RE: DIOCESE AUDIT RECORDS [REDACTED]

DATE: July 9, 2004

04/13/04 I received an email from Atty. Lamontagne advising of a new priest abuse report. He also advised that there had been a previous report where [REDACTED] had accused a Fr. Rocco Memmolo and the letter from [REDACTED] to Joe Naff dated 02/17/04 made reference to a third incident with a teacher at [REDACTED]. Naff was going to meet with [REDACTED] regarding these allegations but received a call from [REDACTED] therapist indicating that [REDACTED] suffered from a multiple personality disorder and it would be unlikely that NAFF would be able to meet with [REDACTED] in the near future. The Diocese advised Atty. Lamontagne to forward the report.

The newly (second) accused priest is a Fr. Shields who is currently 93 yoa. NAFF made calls to [REDACTED] to determine whom the third accused would be. It was determined that the Theology Teacher at the time was a [REDACTED] Atty. Lamontagne advised that [REDACTED] had retained Atty. HUTCHINS and to contact him direct.

I made numerous attempts to reach Atty. Hutchins:

4/27 left voice message

5/3 1040 hrs. left voice message

1047 hrs. received a page to call Hutchins

1051 hrs. received email from Hutchins basically saying that he had not met with [REDACTED] at this time but was planning to flying to NJ to speak with [REDACTED]

1102 hrs. left voice message.

7/6 1558 hrs. left voice message

7/7 @ 1100 hrs. left voice message

7/8 1404 hrs. call from Hutchins

@1415 hrs. called cell phone & office and spoke with Secretary re: [REDACTED] and [REDACTED]

@1445 hrs. spoke with Richard Paul, Inv. For Hutchins re: [REDACTED]

7/9 @ 1100 hrs. called for Hutchins after speaking with Atty. Lamontagne re: [REDACTED]

During previous calls to HUTCHINS left voice message re: [REDACTED] On 7/8/04 when I spoke with Secretary she advised that they were not aware of a [REDACTED] therefore possibly there was an error in the reporting.

On 7/9/04 I called for Atty. LAMONTAGNE in an effort to determine if there was an error. LAMONTAGNE returned my call @1050 hrs. and advised that [REDACTED] had indicated an affair with a teacher at [REDACTED] NAFF called the school to determine who that person would have been and was advised [REDACTED] NAFF was advised that [REDACTED] is now married in the DC area. LAMONTAGNE advised that HUTCHINS needs to speak with his client to develop that issue further and possibly because of the multiple personality disorder that [REDACTED] had not told HUTCHINS about this person.

@ 1100 hrs. called and spoke with Secretary of HUTCHINS. Advised her of what had been determined. She reiterated that [REDACTED] had not mentioned [REDACTED] She also advised that HUTCHINS did not want me speaking with [REDACTED] until their case was completed so that nothing would interfere with their case. I suggested to her that [REDACTED] failure to tell them about [REDACTED] could potentially be a credibility issue on the part of [REDACTED]. Inquired how long that would be and she was not sure but did not think it would too long. Advised her I merely wanted to complete my information in anticipation of the audit. She inquired when the audit was going to take place and advised the issue had been in continuing discussion and it could be anytime.

They will advise when their case is done and [REDACTED] can be spoken to regarding the details.
PEB

**DIocese OF MANCHESTER
OFFICE OF THE DELEGATE OF THE BISHOP**

**ALLEGATIONS OF SEXUAL ABUSE OF A MINOR
REPORT SUMMARY ~ CIVIL AUTHORITIES**

[REDACTED]

Complainant Name:	[REDACTED]	(Maiden Name):	[REDACTED]
Address:	[REDACTED]		
Telephone:	[REDACTED]		
DOB:	[REDACTED]	E-mail:	[REDACTED]

Name of Reporter (if not Complainant):	Relationship:
Telephone:	Address:

Name of Accused: Rev. Joseph Shields (retired—93 years old)

1. Location (City/Town) of alleged abuse: Exeter, NH
Place of alleged abuse: golf course
Date of alleged abuse: around 1974 (?)
Nature of alleged abuse: unknown
Age of Complainant at time of alleged abuse: Junior High (?)

Name of Accused: Unknown (former teacher at [REDACTED])

2. Location (City/Town) of alleged abuse: [REDACTED] NH
Place of alleged abuse: Classroom
Date of alleged abuse: around 1977 (?)
Nature of alleged abuse: Unknown
Age of Complainant at time of alleged abuse: High School(?)

Complainant has been informed that the Diocese of Manchester will report this allegation to law enforcement (Attorney General/ DCYF if applicable/local law enforcement) Yes ☒ No ☐
Specific Concerns: Mr. [REDACTED] disclosed that he has been diagnosed with Chronic Depression with Suicidal Tendencies, bi-polar, and Dissociative Identify Disorder (multiple personality syndrome). He is treating with a counselor and psychiatrist.

Report to DCYF (if complainant under age of 18) 800-894-5533: NA

Date of Contact: / /200 Time: :

Name of DCYF Intake Rep:

Report to Ovide Lamontagne (603-695-8516) for report to AG/law enforcement:

Date of Contact: 4/12/04 Time:

Copy Distribution:

Delegate X Record Clerk X
Assistant to the Delegate X

Director for Healing and Pastoral Care ☒
Other: ☐

* Note that in January 2003, Mr. [REDACTED] contacted us and alleged abuse by Rev. Rocco Memolo. This allegation was reported to the Attorney General's office in January 2003 and investigated by Anthony Fowler.

DRAFT

**DIOCESE OF MANCHESTER
OFFICE OF THE DELEGATE OF THE BISHOP**

REPORT OF COMPLAINANT

Date of Intake: January 21, 2003

Received by: Joseph P. Naff, LICSW

Name of Complainant: [REDACTED]

Address: [REDACTED]

Telephone # [REDACTED]

DOB: [REDACTED] **E-mail:** _____

Identity of Accused: Fr. Rocco Memmolo

1. Location (City/Town) of Alleged Abuse: St. Michael Parish, Exeter, NH

Place of Alleged Abuse: in the church & rectory

Date of Alleged Abuse: 1976-1977 ("couple of years" duration)

Nature of Alleged Abuse: oral sex – probing – not full intercourse

2. Location (City/Town) of Alleged Abuse: _____

Place of Alleged Abuse: _____

Date of Alleged Abuse: _____

Nature of Alleged Abuse: _____

**Complainant has been informed that information will be sent to law enforcement
(Attorney General's Office and possibly local law enforcement) X Yes _____ No**

Specific Concerns: _____

Date/Time Reported to Ovide Lamontagne (603-695-8516): 01/22/03

Copy of Report to Fr. Arsenault: 01/22/03

Brodeur, Paul

From: Peter E. Hutchins [phutchins@wiggin-nourie.com]
To: Brodeur, Paul
Cc: [REDACTED]
Subject: [REDACTED]
Attachments:

Sent: Mon 5/3/2004 10:51 AM

Paul - haven't met with the client yet to get details - have to fly to NJ to meet with him, and plan to do so next week. Will follow up with you thereafter. If you do want to discuss in the meantime, call anytime. Thanks. peter

Peter E. Hutchins, Esq.
Wiggin & Nourie, PA
20 Market St.
PO Box 808
Manchester, NH 03105-0808
(603) 629-4566
Fax: (603) 623-8442
www.wiggin-nourie.com

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Brodeur, Paul

To: Ovide M. Lamontagne
Cc:
Bcc:
Subject: RE: Second [REDACTED] Report
Attachments:

Thank You for the update. I will call Atty. Hutchins in a few days in that I am at a conference until Thur and then out of the city for pre-trial interviews on Fri. Thank you.

-----Original Message-----

From: Ovide M. Lamontagne [mailto:olamontagne@devinemillimet.com]
Sent: Tue 4/27/2004 3:57 PM
To: Brodeur, Paul
Cc: Quinlan, Diane; Arsenault, Rev. Edward; bdonroe@rcbm.org
Subject: Second [REDACTED] Report

Dear Paul:

As I mentioned in my email to you of April 13 transmitting what appeared to be a second report from [REDACTED] that I would follow up with you to provide any supplemental information the Diocese received regarding his most recent allegations.

As you may recall, [REDACTED] referred to what appeared to be a "one year affair" with a theology teacher at [REDACTED] High School. The Diocese has learned that the theology teacher to whom [REDACTED] must have been referring is [REDACTED] the freshman theology teacher at the time of Mr. [REDACTED] attendance. The current guidance director indicated that she believes that [REDACTED] is now married and was last known to live in the DC/Maryland area. She has no idea about his profession, but we know that he is not employed in a Diocese of Manchester school or institution. We have also learned that [REDACTED] has retained Peter Hutchins to represent him. It is unlikely that we will speak with [REDACTED] again until we hear directly from Atty Hutchins. If you wish to obtain additional information about [REDACTED] allegations, it might be most helpful for you to contact Atty Hutchins at 689-2244.

Thank you,
 Ovide
 Ovide M. Lamontagne, Esq
 Devine, Millimet & Branch, PA
 111 Amherst St. - PO Box 719
 Manchester, NH 03105-0719

Office 603.695.8516 Fax 603.695.8610
 olamontagne@devinemillimet.com

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received this e-mail in error, please immediately notify Nancy Post at Devine, Millimet & Branch by telephone at 603-695-8549.

Feel free to contact me with any questions regarding this matter.

4/27 CT Hutchins + left voice mail
 5/3 CT Hutchins + left voice message 1040 hr
 1047 page from Hutchins
 1102 CT Hutchins - voice mail

7/6/04 1558 hr CT Hutchins.

7/7/04 @ 1100 CT " voice mail

7/9/04 CT sent. explaint [redacted] issue. They do not want to make chart available until case done. Exp audit issue. They not want properly then case. Sugg. his fly to tell them of [redacted] will be a credibility issue.

7/8/04 204 CT Hutchins

@ 215 CT Hutchins cell + office

@ 245 CT Rich Price - Inv. for Hutchins

Brodeur, Paul**To...** Ovide Lamontagne**Cc...****Bcc...****Subject:** RE: Possible New Report (Second [REDACTED] Report)**Attachments:**

Thanks for the update. I will wait to hear from you with the final particulars. More than likely because of the victim's condition and the age of the accused it will be filed. But will wait for your update to make the final call. Thank you.

-----Original Message-----

From: Ovide Lamontagne [mailto:OLAMONTAGNE@devinemillimet.com]**Sent:** Tue 4/13/2004 3:13 PM**To:** Brodeur, Paul**Cc:** jnaff@catholiccharitiesnh.org; bdonroe@RCBM.org; DQuinlan@RCBM.org; EArsenault@RCBM.org**Subject:** Possible New Report (Second [REDACTED] Report)

Dear Paul:

Please find attached a "new report" form containing some vague information which we received from a claimant who had notified the Diocese in the past of sexual abuse. My email to Tony Fowler about the claimant's earlier complaint is also attached.

By way of background information, in a letter dated February 17, 2004 and addressed to Joe Naff of Catholic Charities, [REDACTED] made some vague remarks about other sexual relationships he may have had when he was young with a priest and separately a teacher.

Joe Naff intended to meet with [REDACTED] to obtain more information regarding these remarks. [REDACTED] counselor called Joe and told him that unfortunately, because [REDACTED] suffers with multiple personality disorder, it is unlikely that we will have an opportunity to meet with him in the near future to inquire further into these additional matters.

As a result, the Diocese has concluded that I should file a report with you containing the limited information we do have about these possible new matters. This is what is contained in the attached report.

Paul, you should also know that Father Shields is now 93 years old and is retired. He currently is living in Florida but will be returning to Bishop Peterson House in several weeks. He does not do any public ministry. We are not aware of any prior allegations of sexual abuse of a minor against Fr. Shields.

The Catholic Schools are closed for the beginning of this week due to a convention. We should know by the end of the week if we can identify the teacher to whom [REDACTED] refers, but we know from [REDACTED] report that the teacher left [REDACTED] school in the 1970s.

Feel free to contact me with any questions. I will be back in touch with you if we learn any additional information about these allegations in the future.

Ovide

Ovide M. Lamontagne

Devine, Millimet & Branch, PA
111 Amherst St. - PO Box 719
Manchester, NH 03105-0719
603.695.8516 Fax 603.695.8610
olamontagne@devinemillimet.com

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received this e-mail in error, please immediately notify Devine, Millimet & Branch by telephone at 603-695-8516.

Hayes, Sandy

From: Brodeur, Paul
Sent: Tuesday, April 13, 2004 3:48 PM
To: Hayes, Sandy
Subject: FW: Possible New Report (Second [REDACTED] Report)

Sandy as usual I can't open the attachments. Can you print and put in the priest folder in my left hand drawer. It appears there may be a tab from when he previously wrote to Tony as mentioned in his message. Hopefully I will be back next week just in time for Ovide to send in any updated info. Thanks. Just tell Jim Rosenberg we have this and we are monitoring it. I will advise him of the final outcome when Lamontagne gets back to us. Thanks.

-----Original Message-----

From: Ovide Lamontagne [mailto:OLAMONTAGNE@devinemillimet.com]
Sent: Tue 4/13/2004 3:13 PM
To: Brodeur, Paul
Cc: jnaff@catholiccharitiesnh.org; bdonroe@RCBM.org; DQuinlan@RCBM.org; EArsenault@RCBM.org
Subject: Possible New Report (Second [REDACTED] Report)

Dear Paul:

Please find attached a "new report" form containing some vague information which we received from a claimant who had notified the Diocese in the past of sexual abuse. My email to Tony Fowler about the claimant's earlier complaint is also attached.

By way of background information, in a letter dated February 17, 2004 and addressed to Joe Naff of Catholic Charities, [REDACTED] made some vague remarks about other sexual relationships he may have had when he was young with a priest and separately a teacher.

Joe Naff intended to meet with [REDACTED] to obtain more information regarding these remarks. [REDACTED] counselor called Joe and told him that unfortunately, because [REDACTED] suffers with multiple personality disorder, it is unlikely that we will have an opportunity to meet with him in the near future to inquire further into these additional matters.

As a result, the Diocese has concluded that I should file a report with you containing the limited information we do have about these possible new matters. This is what is contained in the attached report.

Paul, you should also know that Father Shields is now 93 years old and is retired. He currently is living in Florida but will be returning to Bishop Peterson House in several weeks. He does not do any public ministry. We are not aware of any prior allegations of sexual abuse of a minor against Fr. Shields.

The Catholic Schools are closed for the beginning of this week due to a convention. We should know by the end of the week if we can identify the teacher to whom [REDACTED] refers, but we know from [REDACTED] report that the teacher left [REDACTED] school in the 1970s.

Feel free to contact me with any questions. I will be back in touch with you if we learn any additional information about these allegations in the future.

Ovide

000246

252

4/13/2004

Ovide M. Lamontagne
Devine, Millimet & Branch, PA
111 Amherst St. - PO Box 719
Manchester, NH 03105-0719
603.695.8516 Fax 603.695.8610
olamontagne@devinemillimet.com

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[45]

-----Original Message-----

From: Brodeur, Paul
Sent: Monday, July 18, 2005 2:05 PM
To: Delker, Will; Huntress, Karen
Cc: Brodeur, Paul
Subject: Priest - Fr. [REDACTED]

Just received a call from Atty. Brian Quirk. Background: 4/14/04 we received notification from Atty. Lamontagne that a complaint had been received from C.S.C.. NH Diocese notified by Cong. of Holy Cross (CSC) because the act supposedly took place in [REDACTED] NH. At the time all they had was the name of [REDACTED] and the accused was a Rev. [REDACTED] I found tel. and address for [REDACTED] in MA. Acts supposedly took place in home owned by [REDACTED] NH. [REDACTED] had retired from MA and had been in NH for past 10+ years. 4/28/04 a letter was sent to [REDACTED] advising that the SOL had expired and to work with CSC for further counseling etc. Quirk advised that CSC hired James LUNT to review the complaint. LUNT determined that the allegations as presented could not have taken place. C.S.C. has re-instated [REDACTED] right to say Mass. [REDACTED] is currently 79 yrs. old and not assigned to a parish. Quirk believes he maybe used to say mass etc. but only as a fill in. Quirk advised that LUNT is available to be spoken with if we wished. Advised Quirk seeing the SOL had expired I did not see the need for OAG to have further involvement. Do you have a different opinion?

Paul E. Brodeur Sr. Investigator
Department of Justice
33 Capitol Street
Concord, NH 03301
(603)271-1253
fax 603-223-6245

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Brodeur, Paul

From: Brodeur, Paul
Sent: Monday, July 18, 2005 2:05 PM
To: Delker, Will; Huntress, Karen
Cc: Brodeur, Paul
Subject: Priest - Fr. [REDACTED]

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**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

83 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

PETER W. HEED
ATTORNEY GENERAL



KELLY A. AYOTTE
DEPUTY ATTORNEY GENERAL

28 April 2004

Dear [REDACTED]

RE: Complaint Involving Fr. [REDACTED] C.S.C.

Thank you for speaking with me yesterday regarding this very sensitive and troublesome experience.

I submitted a memorandum to the Attorneys at my office and requested they review the particulars regarding the NH law on the statute of limitations.

I have been advised that in 1979 the acts in question would have been a felony with a six (6) year statute of limitations. The other factor is if an accused leaves the State of New Hampshire the statute tolls until their return. Everyone including yourself seem to be in agreement that Fr. [REDACTED] retired and returned to New Hampshire approximately ten years ago. Therefore the six (6) would now be expired. Moreover, even under the current law, the statute of limitations expired when you turned 40 years old.

I am sorry to advise you that that law enforcement cannot go forward with your complaint. I would suggest again as I did yesterday that you continue discussions with the Holy Cross Fathers in an effort to resolve your current concerns.

Assuring you of our complete cooperation, I remain

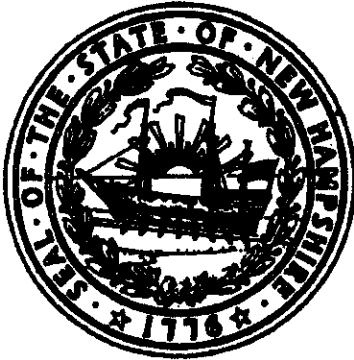
Respectfully yours

Paul E. Brodeur / s

Paul E. Brodeur
Sr. Investigator
Criminal Division
603-271-3671

peb

000251



Fax Cover Sheet

New Hampshire Office of the Attorney General

33 Capitol Street
Concord, New Hampshire
(603) 271-3671

DATE:	18 JUN 04	TIME:	1242 HRS
TO:	ATTY COSTELLO	PHONE:	
		FAX:	518-463-7489
FROM:	PAUL BRODEUR	PHONE:	603-271-1253
		FAX:	
RE:	[REDACTED]		

Number of pages including cover sheet:

Message:

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000252

Brodeur, Paul

To: Delker, Will

Cc:

Bcc:

Subject: RE: [REDACTED]

Attachments:

Thank you, I will get back to [REDACTED] and advise him of same. Will recommend that he continue his report with Holy Cross Fathers. Not in the report but he went on about problems with personal relationship etc. I presume they would assist with counseling etc.

-----Original Message-----

From: Delker, Will
Sent: Mon 4/26/2004 3:17 PM
To: Rosenberg, James; Brodeur, Paul
Cc:
Subject: FW: [REDACTED]

The statute of limitations has expired.

If this conduct was a felony AFSA (attempted forceable anal penetration), the statute of limitations would be 6 years in 1979. The statute of limitations would have expired in 1985. The statute of limitations was extended on Jan. 1, 1987. So, ordinarily it would have expired before it was extended. However, if the prep. did not move to NH until early 1990s then the statute of limitations would be tolled until he moved to the state. In 1990, the statute of limitations was extended to 22 years past the victim's 18 birthday (in other words the crime must be charged before the victim turns 40). The victim turned 40 in 2002, so even if you could take advantage of the current statute of limitations, it has expired.

Will

-----Original Message-----

From: Rosenberg, James
Sent: Monday, April 26, 2004 2:13 PM
To: Delker, Will
Subject: FW: [REDACTED]

Will - Paul sent me this email report today, with a question at the end regarding statute of limitations.

-----Original Message-----

From: Brodeur, Paul
Sent: Monday, April 26, 2004 12:11 PM
To: Rosenberg, James
Subject: Andrew [REDACTED]

Hi Jim: I had left a message with [REDACTED] on 4/21 but he had not called back. 1107 hrs. this date called and he answered the phone. Advised had not made prior reports. Briefly spoke with Essex DAs office 1 yr ago but had not given details.

[REDACTED] advised was in 9th grade 14 - 15 yrs. of age and was recruited to participate in a play, West Side Story, at the high school. [REDACTED] was in charge of the Drama Dept. [REDACTED] had a tough family life and [REDACTED] played the supporting role if he needed anything etc. [REDACTED] advised he ran away from home Thanksgiving day 1978 (16 yoa) and [REDACTED] took him in at the [REDACTED]

The residence in NH belonged to the brother of [REDACTED]. The brother died and Fr. [REDACTED] took over the residence at [REDACTED]. [REDACTED] believes the incidents in NH took place early 1979 prior to his 17th birthday. Acts had taken place in MA prior but in NH Fr. [REDACTED] would massage [REDACTED] below the belt, pull down his pants, [REDACTED] would then pull down his pants and would get on top of [REDACTED] in an attempt to penetrate him annally.

██████████ advised had been able to prevent the penetration. ██████████ would then masturbate himself until he came off. Would then get up off the floor and come back as if nothing had happened.

██████████ advised he came to NH in 1999-2000 and confronted ██████████ ██████████ said he was sorry but blamed the happenings on ██████████ saying that is what he wanted. ██████████ advised that ██████████ risked him to make sure he wasn't wearing a wire. As ██████████ was leaving ██████████ said "please be kind". ██████████ advised that ██████████ did not masturbate ██████████ and ██████████ did not require ██████████ to masturbate ██████████ as well as Atty. Costello for the order that ██████████ belongs to indicate that ██████████ moved to NH well over 10 yrs. ago and remains a resident of ██████████

So question is 1979 age 16 and a report only being made for the sake of discussion one year ago and the perpetrator residing in NH for past 10 yrs. - what applies re: the statute of limitations?

PERSON INTERVIEWED: [REDACTED]

INTERVIEWED BY:

PAUL E. BRODEUR, INV.

PLACE OF INTERVIEW:

Manchester, NH - [REDACTED] MA (telephonically)

RE:

ALLEGED SEXUAL ABUSE BY FR. [REDACTED]

DATE:

26 APR 04

04/16/04 received email from Atty. Lamontagne advising of the reported abuse.

04/21/04 I had been directed by Atty. Lamontagne to contact Atty. Costello who represents the Holy Cross Fathers. Spoke with Atty. Costello this date. He had limited information at this time. Through West Law etc. I was able to obtain the phone # for [REDACTED]. Called and left a message.

04/26/04 1107 hrs. spoke with: [REDACTED]

Advised [REDACTED] that I was calling regarding the letter he had sent to the Holy Cross Fathers and the reported incident in NH.

[REDACTED] advised that he had a rather difficult time as a youth. His father was a policeman but was out of the house. He attended school in [REDACTED] MA. He advised when he was in the 9th grade at the age of 14 - 15 he was recruited to be part of a play, West Side Story, at the high school. Fr. [REDACTED] was the Drama Department Head at the time and recruited him. [REDACTED] advised during this time he would keep to himself and [REDACTED] approached him and advised if he needed anything that he would assist. [REDACTED] would speak with him, take to the movies, out to eat etc.

[REDACTED] advised on Thanksgiving Day 1978 (he was 16 yoa) he ran away from home. Fr. [REDACTED] took him in and he resided with [REDACTED] MA until he was 18. [REDACTED] then went to college and would return to the residence of [REDACTED] through vacations in college.

[REDACTED] advised that the brother of Fr. [REDACTED] who lived in CA bought a property in [REDACTED] NH at [REDACTED]. He believes in early to mid 1970s. The brother past away and Fr. [REDACTED] became the owner.

[REDACTED] advised it was not uncommon for [REDACTED] to take boys on ski trips. He had his suspicions about others but he was dealing with his issues and never attempted to inquire of others regarding any sexual abuse by [REDACTED].

██████████ advised while at the Peabody, MA home there was beer and alcohol available. ██████████ began giving massages that would end up below the belt. ██████████ advised in early 1979 prior to his 17th birthday he came to NH with ██████████. He advised that they would drink Manhattans and beer was available. ██████████ would message ██████████ and pull down his pants. ██████████ would then pull down his own pants and would lay on ██████████ attempting to penetrate him anally. ██████████ would squeeze his buttocks together and this prevented ██████████ from penetrating him. ██████████ would then masturbate himself and ejaculate. He would then get off the floor, go in the other room and come back like nothing had taken place. ██████████ advised that ██████████ did not masturbate him nor did ██████████ masturbate ██████████.

██████████ advised that ██████████ retired from ██████████ HS and to the best of his knowledge moved to NH. Atty. Costello had indicated that ██████████ has been in NH for at least ten years and ██████████ feels that is correct.

██████████ advised that he had spoken with the Essex Das office about 1 year ago but did not discuss the particulars. ██████████ advised the letter to the Holy Cross Fathers is the first he has advised anyone of the abuse.

██████████ advised in 1999 or 2000 he came to NH and confronted ██████████. ██████████ advised that ██████████ frisked him to determine if he was wearing a wire. ██████████ told ██████████ he was sorry but he blamed ██████████ saying that he wanted it. As ██████████ was leaving ██████████ stated "please be kind".

I advised ██████████ that I would refer these particulars to the Attorneys to determine whether the statute of limitation had been exhausted and notify him of the outcome.

Brodeur, Paul

To: RoseJ@doj.nh.gov

Cc:

Bcc:

Subject: [REDACTED]

Attachments:

Hi Jim: I had left a message with [REDACTED] on 4/21 but he had not called back. 1107 hrs. this date called and he answered the phone. Advised had not made prior reports. Briefly spoke with Essex DAs office 1 yr ago but had not given details. [REDACTED] advised was in 9th grade 14 - 15 yrs. of age and was recruited to participate in a play, West Side Story, at the high school. [REDACTED] was in charge of the Drama Dept. [REDACTED] had a tough family life and [REDACTED] played the supporting role if he needed anything etc. [REDACTED] advised he ran away from home Thanksgiving day 1978 (16 yoa) and [REDACTED] took him in at the [REDACTED]

The residence in NH belonged to the brother of [REDACTED]. The brother died and Fr. [REDACTED] took over the residence at [REDACTED]. [REDACTED] believes the incidents in NH took place early 1979 prior to his 17th birthday. Acts had taken place in MA prior but in NH Fr. [REDACTED] would massage [REDACTED] below the belt, pull down his pants, [REDACTED] would then pull down his pants and would get on top of [REDACTED] in an attempt to penetrate him annally. [REDACTED] advised had been able to prevent the penetration. [REDACTED] would then masturbate himself until he came off. Would then get up off the floor and come back as if nothing had happened.

[REDACTED] advised he came to NH in 1999-2000 and confronted [REDACTED] said he was sorry but blamed the happenings on [REDACTED] saying that is what he wanted. [REDACTED] advised that [REDACTED] frisked him to make sure he wasn't wearing a wire. As [REDACTED] was leaving [REDACTED] said "please be kind". [REDACTED] advised that [REDACTED] did not masturbate [REDACTED] and [REDACTED] did not require [REDACTED] to masturbate [REDACTED] as well as Atty. Costello for the order that [REDACTED] belongs to indicate that [REDACTED] moved to NH well over 10 yrs. ago and remains a resident of [REDACTED]

So question is 1979 age 16 and a report only being made for the sake of discussion one year ago and the perpetrator residing in NH for past 10 yrs. - what applies re: the statute of limitations?

**DIOCESE OF MANCHESTER
OFFICE OF THE DELEGATE OF THE BISHOP**

**ALLEGATIONS OF SEXUAL ABUSE OF A MINOR
REPORT SUMMARY ~ CIVIL AUTHORITIES**

Date of Contact: April 14, 2004 **Time:** 1 PM **Received by:** Rev. Edward J. Arsenault

Complainant Name: [REDACTED] **(Maiden Name):** [REDACTED]
Address: [REDACTED] **ington, MA 01887**
Telephone: [REDACTED]
DOB: [REDACTED] **E-mail:** [REDACTED]

Name of Reporter (if not Complainant): Rev. Arthur J. Colgan, C.S.C.
Relationship: Provincial Superior, Congregation of the Holy Cross, Eastern Province
Telephone: (203) 367-7252 **Address:** 835 Clinton Avenue; Bridgeport, CT 06604

Name of Accused: Rev. [REDACTED] C.S.C. n/a B m v
1. Location (City/Town) of alleged abuse: [REDACTED]
Place of alleged abuse: Fr. [REDACTED] brother's home?
Date of alleged abuse: late 1970s
Nature of alleged abuse: unknown
Age of Complainant at time of alleged abuse: unknown

2. Location (City/Town) of alleged abuse: [REDACTED]
Place of alleged abuse: Fr. [REDACTED] home
Date of alleged abuse: late 1970s
Nature of alleged abuse: unknown
Age of Complainant at time of alleged abuse: unknown

Complainant has been informed that the Diocese of Manchester will report this allegation to law enforcement (Attorney General/ DCYF if applicable/local law enforcement) Yes ☐ No ☐
Specific Concerns:

Report to DCYF (if complainant under age of 18) 800-894-5533: NA
Date of Contact: / /200 **Time:** :
Name of DCYF Intake Rep:

Report to Ovide Lamontagne (603-695-8516) for report to AG/law enforcement:
Date of Contact: 4/16/04 **Time:**

Copy Distribution:

Delegate X **Record Clerk X**
Assistant to the Delegate X

Director for Healing and Pastoral Care ☒
Other: ☐

7/19 1125 send email to Atty Costello
7/21 1012 CT Atty. Costello. Atty out of town. Sent
with req he respond

1125 CF Mike - ^{Shum} Tamparone
Mike Costello's office

1130 CT Atty. Costello

1135 CF Atty. Costello

He will attempt to obtain DOB etc.

2020 CT [redacted] left message
voice mail of Nicki.

22 CF Mike MA DMV [redacted]

1/26 1107 hr CT [redacted]
Bro. bought investment prop. in
passed away. single family
Fr. [redacted]

Bought early 80s & mid 90s.

1415 75-76
Fr. [redacted] tourist [redacted] A.S. In 9th grade mounted
& HS for play with Sue Story. He was Drama Dept.
Head.

Thanksgiving Day, 1978 (16 yrs) ran away from home. [redacted]
took him in. Resided in a home [redacted]
Resided there until went to Vilanova Cal. at age 18.
Returned on summer & age 22.

Brodeur, Paul

From: Ovide Lamontagne [OLAMONTAGNE@devinemillimet.com] **Sent:** Fri 4/16/2004 2:26 PM
To: Brodeur, Paul
Cc: jnaiff@catholiccharitiesnh.org; bdonroe@RCBM.org; DQuinlan@RCBM.org; EArsenault@RCBM.org;
mcostello@tobindempf.com
Subject: [REDACTED]
Attachments: [REDACTED] civil authorities report 04.16.04_1.doc(39KB)

Dear Paul:

Attached is a new civil authorities report form. This allegation involves a Holy Cross Father, Fr. [REDACTED] who lives in [REDACTED]

This matter was reported to us through the Provincial Superior of the Eastern Province of the Congregation of Holy Cross. The Province has placed him on administrative leave and is aware that we will be making a report to the Attorney General's office. We have had no contact with the complainant.

In addition to what we have learned from his Superior about his ability to minister, we have also notified Father [REDACTED] that as far as Bishop McCormack is concerned, his faculties to minister here in New Hampshire have likewise been removed. We have similarly notified the pastor of the parish and the priest who serves as the dean in the area in which Father [REDACTED] lives.

If you wish to contact the Provincial, Fr. Arthur Colgan, I would suggest that you contact him through the Province's Albany, NY attorney, Michael Costello, who I have copied on this email. He can be reached by phone at (518) 463-1177 or by email at mcostello@tobindempf.com

Feel free to contact me if you have any questions.

Ovide

Ovide M. Lamontagne
Devine, Millimet & Branch, PA
111 Amherst St. - PO Box 719
Manchester, NH 03105-0719
603.695.8516 Fax 603.695.8610
olamontagne@devinemillimet.com

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[REDACTED]

[REDACTED] would take boy away to go skiing.
1979 early prior to Apr.

Prior to 1978 would offer massages below belt.
1979 early massage, have alcohol, marijuana,
beer accessible. Massage pull pants down
pull his down + try to penetrate anal.
Masturbate himself. He did not masturbate
him nor he [REDACTED] when penetrated.

Returned [REDACTED] H.S.

Resided in N.H. an # of years.

Has not reported prior.

Has spoken w Essex DA's office @ 1 yr. ago.

Confronted [REDACTED] in N.H. 1999-2000 confronted him -
Said he was sorry but blamed on him. Finished him
& see if wearing a wire, as leaving "plan to kill?"



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SITE MAP

Search: [REDACTED]

Listings: 1 (

[REDACTED] in Our Database - [CLICK HERE](#)
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More Address/Phone Info for [REDACTED]



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Try Advanced People Search
Get Instant Results

[REDACTED]

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[Background Check for \[REDACTED\]](#)

[Assisted Search for \[REDACTED\]](#)

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Brodeur, Paul

From: Brown, Simon
Sent: Wednesday, January 19, 2005 11:05 AM
To: Brodeur, Paul; Delker, Will
Cc: Huntress, Karen
Subject: RE:

I agree with Will's analysis. Given Paul's timeline of events, it looks like we should treat it as part of the ongoing audit issue.

-----Original Message-----

From: Brodeur, Paul
Sent: Wednesday, January 19, 2005 10:32 AM
To: Delker, Will; Brown, Simon
Cc: Huntress, Karen
Subject: RE:

Sounds good to me. Sequence of events. While home recovering I was checking emails etc. It appears a letter was sent from [REDACTED] to the Holy Cross order. Holy Cross order notified Fr. Ed Arsenault on 4/14/04. He notified Lamontagne who then sent me an email with the attached report. 4/16/04 I retrieved the email and noted limited info of the name and DOB but no DOB or tel. #. Holy Cross order had an Atty. Costello in CT. I emailed him and called (played tel. tag). 4/21/04 I did some Internet searches and found [REDACTED] and a tel. #. Called that night and left the message. 4/26/04 1107 hrs. I called again and this time [REDACTED] answered. [REDACTED] at that time explained the particulars. (see report) Once completed I emailed Jim Rosenberg and gave him the particulars inquiring about SOL. Jim forwarded it to Will and Will responded to myself on 4/26/04 with full explanation and SOL expired. 4/28/04 I sent a letter to [REDACTED] after speaking with him on 4/27/04. Advised him SOL expired and to continue discussions with Holy Cross Fathers in that they would assist him. I don't have a specific note but from fax cover sheet appears I faxed something to Atty. Costello on 6/10/04.

So long answer short - appears this came through Dio. of Manchester

of various acts in NH. Will this is the priest that moved into a house in [REDACTED] and has been a resident of NH in excess of 10 yrs. It was determined the statute of limitations had expired. The letter I sent to [REDACTED] explained that and suggested he continue to speak with the Holy Cross Father who are willing to assist. Evidently he did not do that in that Lunt is now calling asking to obtain copies of the reports. **Ques. are these reports under a 91A request?** Either way told Lunt to send the letter to Simon as a 91-A request and we would determine it's availability.

Paul E. Brodeur Sr. Investigator
Department of Justice
33 Capitol Street
Concord, NH 03301
(603)271-1253
fax 603-223-6245

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