

[42]

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

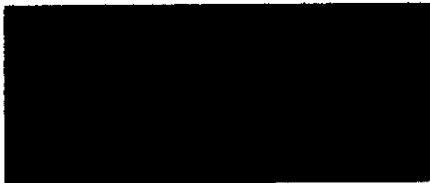
33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

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

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Thank you,

Ovide

Ovide M. Lamontagne
Devine, Millimet & Branch, PA
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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

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

Brodeur, Paul

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Cc: jnaiff@catholiccharitiesnh.org; bdonroe@RCBM.org; DQuinlan@RCBM.org;
 EArsenault@RCBM.org
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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
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 Manchester, NH 03105-0719
 603.695.8516 Fax 603.695.8610
olamontagne@devinemillimet.com

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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]
School Board: [REDACTED]

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

Place of alleged abuse: [REDACTED]

Date of alleged abuse: 1 1/2 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]

[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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