



[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]

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] C.S.C. I found tel. and address for [REDACTED] in MA. Acts supposedly took place in home owned by [REDACTED] in [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?

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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

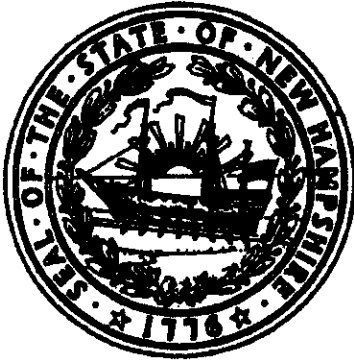
Respectfully yours

*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 yo) 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 9<sup>th</sup> 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 17<sup>th</sup> 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]

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[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?

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

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

**Name of Accused:** Rev. [REDACTED] C.S.C. [REDACTED]  
**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

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

**Copy Distribution:**

**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 - <sup>Shum</sup> 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]

Born early 80s - mid 90s.

1415 75-76  
Fr. [redacted] born [redacted] D.S. In 9th grade married  
& HS for play with Sue Story. He was Dancer 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 to 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](mailto: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](mailto: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?"

AIRS!



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**Background Check for** [REDACTED]

**Assisted Search for**

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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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