CASES AGAINST THE DIOCESE OF MANCHESTER

Peter E. Hutchins, Esq.

Claims Brought Since November 1, 2003 (updated 3/3/09)

99 Cases brought before November 1, 2003

C#	Priests Involved	Year(s) Age of Child	Parish/ Location/ School Town	Types of Abuse	Freq.	Client D.O.B. (Referral) (claim made) Amount
1.	Joyal, Gerald	1976-77 13-14	St. Patrick's Bennington, NH	Sodomy	2	**Male**
2. ✓	Lamothe, Francis Boulanger, Maurice R.	1970-71 7 1978-79 14-15	Sacred Heart, Greenville, NH	Over clothes fonding Oral sex (mutual) Sodomy	2 6-7 1	**Male**
3. ✓	Marist Brother	1933 10-11	St. Mary's School, Manchester, NH	Under clothes fondling Use of pincher devise Digital penetration	10-15	Male
4	Lamothe, Francis	1968-69 12	Sacred Heart, Greenville, NH	Under clothes fondling (5 min.)	1	**Male**

✓	Joseph E. Memolo, Rocco C.	12-14	Parish, Exeter	occasions of oral sex on priest Memolo: 100 instances of oral sex and sodomy	100	
13. ✓	Stevens, Paul	1969-70 15	St. Catherine Sienna, Manchester, NH	Fondling, masturbation (mutual); oral sex (on victim); digital penetration (on victim); alcohol and pot	1	Male
14.	Maguire, Joseph Dowd, Karl	1974-5 13-14 1975 12 / 13	St. Joseph, Dover, NH Camp Fatima	Under the clothes mutual genital rubbing / masturbation with vibrating device; oral sex – victim on priest (24X) Under clothes fondling; oral sex, victim on priest; digital penetration(1X)	26-30 1	**Male**

15.	Lamothe, Harvey	1979-1984	Sacred Heart, Manchester; St. Mary's, Rollinsford	Masturbation (70), oral sex (35); alcohol, pornography, gay guest house, sexual devices, naked photographing of victim by priest	70	**Male**
16.	Fortier, Roger	Farmington	CONFIDENTIAL CASE			**Male**
17.	Gordon MacRae	1983 11-12	Sacred Heart School – Our Lady of Miraculous Medals – Hampton	One incident over the clothes fondling – Breach of Contract Claim (Case originally brought in 2003)	1	**Male**
18.	Edmond Lemire	1959 16	St. Louis deGonzagne Nashua	Two incidents of over the clothing genital fondling in the church sacristy	2	Male

19.	Donald Osgood	1957-59 11-13	St. Joseph Cathedral Manchester	2x genital fondling in church basement; 2x with a second man; 1x oral sex on victim and masturbation by priest – attempted to force oral sex on priest; other 4x genital fondling	5	Male
20.	Guy Beaulieu, SC	1978 or 1979	Camp Fatima	30 minute incident of under the clothing genital fondling in bed in cabin with other camper present	1	Male
21.	Aimee Boisselle	1962-63 12-13	St. Marie School and Parish Manchester	Instances of under the clothes genital fondling – various locations including trips, camping trips, Berlin home, in car	6-10	Male
22.	Francis Lamothe	1965-71 10-16	Sacred Heart Church Greenville	Over and under the clothing fondling – 5 minute periods – 30-40 over the clothes, remainder under – occurred in church and	30-40 over clothing 160+ under clothing total: 200+	**Male**

				priest's car		
23. ✓	Marcel Genereux (1/17/14)	1957-58 14-15 years old	Presentation of Mary Academy – Hudson, NH Student – high school sophomore Graduated: 1960 Abuse: Fall 1957 through Summer 1958	Oral sex, digital penetration, fondling Primarily in Chaplain's Office at PMA PMA: Boarding School – Client was boarding student – grade 3 through HS graduation in 1960	100+ (2x / wk.)	Female
24.	Leo Shea	1968-73	Holy Angels, Plaistow	With sister; french kissing; licking ears and neck; rubbing stomachs; feeling chest area; rubbing buttocks (under); alone in bed, kissing, holding body against his	30+	Female
25. ✓	Gerald Joyal, William Neiman	1969-78 8-17 y.o..	Our Lady of Perpetual Help, Manchester	Joyal (1969-74) – over clothing fondling of genitals and buttocks Neiman (1977-78) - fondling, over and under clothing – choir loft while playing organ	50-60x 40-50x	Male

26.	Donald Osgood	1956-57 12 y.o.	St. Joseph School, Sacred Heart Hospital, St. Joseph Cathedral, Manchester	Group masturbation with junior HS boys 1x mutual masturbation alone with priest	8x	**Male**
27. ✓	Edward Townsend Visiting at time	1975-77 6-8 y.o.	St. Peter Parish, Farmington (Chalifour also at parish)	Under clothes fondling Masturbation of self by priest (bicycle)	12x	**Male**
28.	Alfred Janetta	1967-72 10-15 y.o.	Blessed Sacrament Church and Elementary School	Showing Pornographic Movies; Providing drugs to child; Forced child to rub cream on back and buttocks	Multiple	**Male**
29.	Ed Richard	1975 13 y.o.	St. John Neumann, Merrimack	Masturbation of child by priest, one instance priest putting child's hand in priest's pants In RV on group trip to Disney World	2x	Male 7/31/09 ? 11/30/09 ?
30.	Ed Richard	1982-83 13-14 y.o.	St. John Neumann, Merrimack	Victim lived in rectory with Richard for 2-3 months	Total 8-10x	Male 8/29/08

				Woke up with Richard in room fondling his genitals 1x where he woke up to Richard masturbating and ejaculating on him 1x, family vacation, oral sex on victim, victim ejac.		
31.	Edward Duval	1964? 8 y.o.	St. Charles, Rochester	Under clothing fondling (at child's house)	1x	Male (pending)
32.	Paul Groleau	1979 20 y.o	St. A's, Groleau's camp, Northwood	Rape	1x	Female (pending)
33.	Paul Groleau	1967 12 y.o.	Boy Scout Camp. Temple NH?	Fondling	3x	Male (pending)
34. ✓	Albert Boulanger; Karl Dowd; Msgr. [redacted]	1968-71 7-10 y.o.	St. Joseph Parish, Nashua	Rape	Multiple	Female (pending)
35.	Raymond H. Laferriere	1971-72 11-12 y.o.	Sacred Heart / Lebanon Holy Redeemer / W. Lebanon	Fondling (over) Oral (child on priest) Mutual masturbation	1x 2x 1x (final)	Male (pending)

[redacted]

36.	Father M.	1978 11 y.o.	St. Martin Parish, Somersworth	Fondling Masturbation Oral Sex Sodomy	Multiple	Male (Suit Filed - 3/3/09 – as a class action)
135.						
136.						
137.						
138.						

From: Peter E. Hutchins [mailto:phutchins@wiggin-nourie.com]
Sent: Wednesday, March 04, 2009 4:47 PM
To: [redacted]
Subject: RE: Case List since November 1, 2003

Found the old list on my computer -

Here are the only ones that might not have been previously disclosed - and, I'm doing this from memory (all the others seem to all be the "usual suspects")

1- Fr. George Roulier, 1978-80, Immaculate Conception, Nashua - 13 y.o. altar boy - in incident oral sex

2- Sylvio Beaudet, 1960-61, St. Marie, Manchester, 12 y.o. boy, once incident of fondling and masturbation

3- Gregoire Dumont, 1978-83, St, Annes, Berlin, 14-18 year old girl, 300 instances, petting/kissing through oral sex - no intercourse

4- Thomas Crowe, 1949-50, Blessed Sacrament, Manchester, 13-14 year old boy, one incident of oral sex (many of kissing and grooming)

5- Frank McMullen, 1951-55, St. Patrick Church, Jaffrey, 10-14 year old boy, 100+ incidents of under clothing genital fondling

6- Paul E. Vadeboncoeur, 1955-57, Our Lady of Lourdes, Pittsfield, 15-17 year old girl, 200+ incidents including 15x oral, victim on priest, and 10x intercourse

--also with Father V. - 1950, 12-13 year old boy, St. Marie, Manchester, 1 incident of masturbating boy

Groleau, Shea and Vandeboncoeur are the 3 I remember that had allegations of abuse from both males and females - although I now have one female claimant (very young) against Dowd as well.

-----Original Message-----
From: [redacted]
Sent: Wednesday, March 04, 2009 4:20 PM
To: Peter E. Hutchins
Subject: RE: Case List since November 1, 2003

From best of your memory of those 99, any names not yet disclosed?

From: Peter E. Hutchins [mailto:phutchins@wiggin-nourie.com]
Sent: Wednesday, March 04, 2009 3:41 PM
To: [redacted]
Subject: Case List since November 1, 2003

[redacted]here is my list of cases where I brought the claims after November 1, 2003. I have removed identiftying information about the victim and the resolution of the case.

This is the best I can do with the date - no way to go back to my old list and really figure out what was brought between March and November of 2003. I did have 99 cases prior to that date, so with these 36, its a total of 135.

I have no way of knowing what claims were brought be other attys or pro se since then.

Hope this helps.

Peter

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Incomplete re: 3/3 release ACCUSED PRIESTS

Red: 13 new names, 7 living 3-5-09

	Diocesan		Order		Extern
1	Aube, Paul		Argencourt, Roger	d. 09/2002	Breton, Philip d.
2	Authier, Charles	d. 07/1980	Beaulieu, Guy		Landry, Leo
3	Beaudet, Sylvio	d. 01/1976	Genereux, Marcel	d. 08/1971	Lemire, Edmond
4	Boisselle, Aime		Labbe, Leo		
5	Bombadier, Wilfred	d. 02/2000	Lirette, Albert		
6	Boulanger, Albert	d. 06/2002	Morel, L		
7	Boulanger, Maurice	d. 04/2003	Voglio, John		
8	Bulger, Albion		Walsh, Patrick		
9	Chalifour, Gerard		Marist Brother - 1933	Victim, 10-11 years old, could not remember name	
10	Connors, Richard	d. 11/1999			
11	Constant, Msgr. Alfred	d. 09/1973			
12	Corriveau, Ronald				
13	Cote, Joseph				
14	Crowe, Thomas	d. 04/1958			
15	Densmore, Robert J.				
16	Dowd, Karl	d. 02/2002			
17	Dumont, Gregoire	d. 11/1984			
18	Duval, Eduard	d. 03/1992			
19	Fleming, Mark				
20	Fortier, Roger				
21	Fo(u)rnier, Roger	d. 11/1995	mentioned by misspelled last name in AG documents		
22	Gagne, Delphin	d. 01/1963	http://www.bishop-accountability.org/NH-Manchester/		
23	Gauthier, Mark	d. 09/1994	archives/Fornier-1.pdf		
24	Groleau, Paul				
25	Haller, James				
26	Hilary, A. M.				
27	Houle, Wilfred	d. 04/1987	add to site:		
28	Jannetta, Alfred	d. 12/2005	http://www.seacoastonline.com/apps/pbcs.dll/article?AID=		
29	Joyal, Gerald	d. 08/1998	/20080328/NEWS/803280440/-1/PUBLICRECORDS05		
30	Laferriere, Raymond				
31	LaForest, Conrad	d. 05/2003			
32	Lamothe, Francis	d. 04/1995			
33	Lamothe, Harvey	d. 01/1987			
34	Lapointe, Alfred				
35	Leclerc, Maurice	d. 12/1979			
36	[redacted]				
37	Lower, Richard	d. 12/2002			
38	MacRae, Gordon				
39	Maguire, Joseph T.	d. 02/2005			
40	Mann, Hubert	d. 06/1972			
41	[redacted]				
42	McMullen, Francis	d. 11/1966			
43	Meehan, Andrew				
44	Memolo, Rocco				
45	Morel, L				
46	Neiman, William	d. 12/1979			

Diocesan

47	Nolin, John	
48	Osgood, Donald	
49	Pelletier, Eugene	
50	Petit, Philip	
51	Poirier, John	
52	Richard, Edward	
53	Robichaud, George	
54	Roulier, George	
55	Scruton, Stephen	
56	Shea, Leo	d. 10/2008
57	Shields, Joseph	
58	Stevens, Paul	
59	Sullivan, John T.	
60	Talbot, Francis	
61	Tancrede, Roland	
62	Townsend, Edward	
63	Vadenboncoeur, Paul	d. 03/1971
64	Valliere, Romeo	
65	Vielette, Roland	d. 01/1983

DATE	TAB #	ACCUSED LAST	ACCUSED FIRST	VICTIM LAST	VICTIM FIRST	MEMO	City/Town	Location
12/13/02	1	VIETTE	ROLAND	[redacted]		Priest Deceased	Dover	St. Thomas Aquinas
12/27/02	2	LOWER	RICHARD			Priest Deceased	Littleton	
12/31/02	3?						Dover	St. Mary's Church
01/09/03	4	SULLIVAN	JOHN			Priest Deceased	Gilford	victims home
01/09/03	?	BEAUDET	GERARD			Priest Deceased	W. Stewartstown	St. Alberts
01/17/03	5	DOWD	KARL			Priest Deceased	Salem	St Joseph rectory
01/17/03	5	LEMIRE	EDMUND			Priest Deceased	Nashua	St. Aloysius
01/17/03	5	VIETTE	ROLAND			Priest Deceased	Troy	house
01/22/03	7	MANN	HUBERT			Priest Deceased	Plymouth	St. Matthew
01/22/03	8	MEMMOLO	ROCCO			Not in active ministry	Exeter	St. Michael
01/25/03	11	LEDOUX	MICHAEL			Franciscan Friar - Derry PD rev.	Derry	St. Thomas Aquinas
01/31/03	12	STEVENS	PAUL			Not in active ministry since 1987	Laconia	Margate Hotel
02/05/03	13	AUTHIER	CHARLES			Priest Deceased	Stark	personal camp
02/20/03	14	[redacted]				She is Prin. At [redacted]	[redacted]	
03/06/03	15	MEEHAN	ANDREW			Refered to Salem NH PD	Salem	unk
03/26/03	16	PETIT	PHILLIP				Northwood	unk
03/31/03	17A	JOYAL	GERALD			Priest Deceased	Manchester	St. Pius
04/30/03	18	JOYAL	GERALD			Priest Deceased	Bennington	St. Patricks
05/15/03	19	CHALIFOUR	GERALD			Priest Deceased	Hampton	Beach
07/14/03	20	AUBE	PAUL			Removed from ministry	Claremont	St. Mary's Church
07/14/03	20	VALLIERE	ROMEO			Removed from ministry	Claremont	St. Mary's Church
07/14/03	21	SCRUTON	STEVEN				unk	unk
07/28/03	22	[redacted]				[redacted]	[redacted]	
08/04/03	23	FORTIER	ROGER				unk	unk
08/04/03	24-1	DUMONT	GREGOIRE			Priest Deceased	Berlin	St. Anne Parish
08/04/03	24-10	BOULANGER	ALBERT			Priest Deceased	Ashland	St. Agnes
08/04/03	24-11	CONSTANT	ALFRED			Priest Deceased	Manchester	St. Anthony's
08/04/03	24-12	SANDS	J. JOSEPH			Priest Deceased	Keene	St. Bernard's
08/04/03	24-13	OSGOOD	DONALD .			Removed from ministry	Manchester	St. Joseph Cathedral
08/04/03	24-14	MAGUIRE	JOSEPH			Removed from ministry	Dover	St. Joseph Parish
08/04/03	24-15	MAGUIRE	JOSEPH			Removed from ministry	Dover	St. Joseph Parish
08/04/03	24-16	MACRAE	GORDON			Incarcerated	Chesterfield	Spofford Hall
08/04/03	24-17	VALLIERE	ROMEO			Removed from ministry	Claremont	St. Mary's Church
08/04/03	24-18	SULLIVAN	JOHN			Priest Deceased	Amaillo, TX	St. Mary Academy
08/04/03	24-19	HENRY	BRO.			Priest Deceased	Manchester	Bishop Bradley HS

2003 FORWARD

NEW REPORTS FOR
ONGOING AUDIT

2/18/2009

DATE	TAB #	ACCUSED LAST	ACCUSED FIRST	VICTIM LAST	VICTIM FIRST	MEMO	City/Town	Location
08/04/03	24-2	VEILLETTE	ROLAND	[redacted]		Priest Deceased	Peterborough	St. Peter
08/04/03	24-20	DOWD	KARL			Priest Deceased	Salem	St. Joseph Parish
08/04/03	24-21	AUBE	PAUL			Removed from ministry	Claremont	St. Mary's Church
08/04/03	24-21	VALLIERE	ROMEO			Removed from ministry	Claremont	St. Mary's Church
08/04/03	24-3	JOYAL	GERALD			Priest Deceased	Bennington	St. Patricks
08/04/03	24-4	JOYAL	GERALD			Priest Deceased	Bennington	St. Patricks
08/04/03	24-5	ROULIER	GEORGE			Priest Deceased	Nashua	Immaculate Conception
08/04/03	24-6	LAMOTHE	FRANCIS			Priest Deceased	Greenville	Sacred Heart
08/04/03	24-7	DENSMORE	ROBERT			Removed from ministry	New London	Our Lady of Fatima
08/04/03	24-8	OSGOOD	DONALD			Removed from ministry	Manchester	St. Joseph School
08/04/03	24-9	MACRAE	GORDON			Incarcerated	Hampton	Sacred Heart
08/19/03	[redacted]							
08/19/03								
09/02/03	26					groping, hugging, humping	Nashua	St. Christopher
09/29/03	27	GALE	ROBERT			unk	Gilford	Gale summer home
11/19/03	28	LAMOTHE	FRANCIS			Priest Deceased	Greenville	Sacred Heart Rectory
11/20/03	29	[redacted]						
11/24/03	39					Unk. Marist - masturbated	Manchester	room of Marist Br.
12/09/03	31	GAGNE	DELPHINE			Priest Deceased	unk	in car
12/09/03	32	LIRETTE				Oblate of Mary Immaculate	Manchester	home of Lirette
12/10/03	30	ALLYSON	LEO			Priest Deceased	Enfield	Camp Pius
12/18/03	33	OSGOOD	DONALD			Removed from ministry	Manchester	St. Joseph Cathedral
12/29/03	34	MACRAE	GORDON			Incarcerated	Hampton	Our Lady of Miraculous Medal
12/29/03	35	LAMOTHE	FRANCIS			Priest Deceased	Greenville	Sacred Heart Church
12/31/03	38	ST. JEAN	GEORGE			Priest Deceased	Dracut, MA	unk
01/08/04	36	NEIGHBOR	RUSSELL			Priest Deceased	Rollinsford	[redacted]
01/16/04	40	SULLIVAN	JOHN			Priest Deceased	Plaistow	car, rectory & church
01/16/04	41	SULLIVAN	JOHN			Priest Deceased	Plaistow	car, rectory & church
01/26/04	37	[redacted]						
02/17/04	42							
02/17/04	44	SHIELDS				Vic. Multi personality disorder	Dover	St. Thomas Aquinas
02/23/04	43	BOYD	JOHN			Priest Deceased	Laconia	St. Joseph's Church
04/14/04	45	[redacted]				CSC Order. Stat expired. Ref to CSC	[redacted]	
05/03/04	46	DUBREUIL	PATRICK			Left, now at Sch Dist. - letter sent	Manchester	St. Anthony's

DATE	TAB #	ACCUSED LAST	ACCUSED FIRST	VICTIM LAST	VICTIM FIRST	MEMO	City/Town	Location
05/18/04	47	[redacted]				Alter Server - abuse 2 little girls	[redacted]	home of girls
06/30/04	48	OSGOOD	DONALD			Removed from ministry	Albuquerque, NM	Our Lady of Assumption
06/30/04	49	WALSH	PETER			Franciscan	Derry	St. Thomas Aquinas
07/19/04	50	MAGUIRE	JOSEPH			Removed from ministry. Stat exp.	Dover	St. Joseph Rectory
08/27/04	52	VALLIERE	ROMEO			Priest Deceased	W. Stewartstown	St. Alberts
08/27/04	53	ROULIER	GEORGE			Priest Deceased	Nashua	Immaculate Conception
09/13/04	54	BEAUDET	GERARD			Priest Deceased	W. Stewartstown	St. Alberts
09/18/04	55					Unknown priests (2)	Manchester	[redacted]
09/28/04	56	DUPRE	THOMAS			2 adopted foreign born unk. Locations	NH	unk
10/19/04	57	[redacted]				[redacted]		Unfounded
10/20/04	58	TALBOT	FRANCIS			Misdemeanor - SOL expried	Manchester	Aunt's home
10/28/04	58A	TIVNAN	PAUL			Referred to Merrimack Cnty SO	NH	unk
11/03/04	59	DOWD	KARL			Priest Deceased	Gilmington Iron Works	Camp Fatima
11/03/04	59	MAGUIRE	JOSEPH			Priest Incarcerated	Dover	St. Joseph Parish
11/22/04	60	SULLIVAN	JOHN			Priest Deceased	Manchester	Aunt's home
12/21/04	61	[redacted]				Unfounded	[redacted]	
01/06/05	62	SULLIVAN	EUGENE			newspaper art. - no further reports	NH	enrte to Camp Fatima
01/07/05	63	NOLIN	BERNARD			Marist Bros. Refreshed mem. Need rpts	Effingham	Marist summer camp.
01/18/05	64	LAMOTHE	HARVEY			Priest Deceased	Rollinsford	St. Mary Parish
01/22/05	65	[redacted]				[redacted]		victims home
02/17/05	66	[redacted]				**ANNULED**	**ANNULED**	**ANNULED**
03/03/05	68	OSGOOD	DONALD			SOL expired priest defrocked	Manchester	St. Jospeh basement
03/04/05	67	TURCOTTE	EUGENE			Priest Deceased and SOL expired	Nashua	relative's home
04/05/05	69	DOWNEY	DENIS			Priest Deceased	unk	unk
04/05/05	70	BOULANGER	ALBERT			Priest Deceased	unk	unk
04/28/05	71					Believes Priest Deceased	Manchester	catholic elementary school
06/15/05	72	LNU	AL			[redacted] refused to ID vic.	NH	unk
06/25/05	73	GENEREUX	MARCEL			OMI Priest referred to OMI Washington	Hudson	Presentation of Mary Academy
06/30/05	74	[redacted]				Adult homosexual images on comp.	[redacted]	

DATE	TAB #	ACCUSED LAST	ACCUSED FIRST	VICTIM LAST	VICTIM FIRST	MEMO	City/Town	Location
07/26/05	75	BEAULIEU	GUY	[redacted]		SOL expired	Gilmington Iron Works	Camp Fatima
07/28/05	76	BEAUDET	GERARD			Priest Deceased	W. Stewartstown	St. Alberts
08/10/05	77	LNU	AL			SEE # 72	NH	unk
08/10/05	78	TURGEON	ARMAND			Priest infirmed	Rochester	home and convent
08/25/05	79	GENEREUX	MARCEL			ANON LETTER FROM FEMALE	Hudson	Presentation of Mary Academy
10/21/05	80	UNK				Camp Fatima	Gilmington Iron Works	Camp Fatima
10/31/05	81	[redacted]				Unsubstantiated	[redacted]	home
12/19/05	82	ROULIER	GEORGE			Priest Deceased	Merrimack	victims home
12/27/05	83	LEMIRE	EDMUND			Priest Deceased	Nashua	St. Aloysius
01/18/06	84	OSGOOD	DONALD			Removed from Ministry Jan 1968	Manchester	St. Joseph Cathedral
01/23/06	85	UNK				Nun reported not victim	Suncook	St. John Baptist school
03/02/06	86	BOISSELLE	AIMEE			Removed from ministry May 2002	Manchester	victims home
03/08/06	87	[redacted]				Diocese do not believe inappropriate	[redacted]	
03/31/06	88	BISHOP	BRADEY			Accused teachers of sexual harassment	Concord	Bishop Brady HS
04/03/06	89	DOWNEY	DENIS			Priest Deceased	Merrimack	unk
04/16/06	90	LAMOTHE	FRANCIS			Priest Deceased	Greenville	Sacred Heart Church
05/08/06	91	[redacted]				Sister of #92	[redacted]	victims home
05/08/06	92	[redacted]				Sister of #91	[redacted]	victims home
06/02/06	93	[redacted]				Vic adult needs to report to [redacted] PD	[redacted]	home of sister of vic
07/21/06	94	BUCKLEY	PAUL			TOOK PLACE IN MA.	Salisbury MA	hotel
08/01/06	95	VALLIERE	ROMEO			Priest restricted ministry	W. Stewartstown	private camp
09/28/06	96	GILBERT	LEO			Priest deceased 8/13/68	Greenville	Sacred Heart Church
11/14/06	97	NOELLE	MARY SR.			Nun deceased 2001	Rochester	Holy Rosary School
11/21/06	98	MAGUIRE	ROBERT			Priest deceased	Pelham	St. Patricks
12/29/06	99	SHEA	LEO			Priest restricted ministry	Plaistow	Holy Rosary Church
01/26/07	100	[redacted]				In NJ 15 yrs prior	NJ	
02/22/07	101	PETIT	PHILLIP			Priest restricted ministry	Manchester	St. John Baptist church
03/06/07	102	[redacted]				Priest order in NY	[redacted]	
03/12/07	103	MAGUIRE	ROBERT			Priest deceased	Barrington	Chapel of Nativity
03/28/07	104	[redacted]				Confirmation sponsor	[redacted]	
04/10/07	105	OSGOOD	DONALD			Priest out of ministry since 1968	Manchester	apartment

DATE	TAB #	ACCUSED LAST	ACCUSED FIRST	VICTIM LAST	VICTIM FIRST	MEMO	City/Town	Location
04/30/07	106	DOWNEY		[redacted]		Priest deceased	Merrimack	unknown
05/13/07	107	ZALEWSKI	EDWARD			Priest deceased	Lincoln	St. Joseph Church
06/13/07	108	[redacted]				Youth Minister - dismissed	[redacted]	
07/09/07	109	FORTIER	ROGER			Priest Incarcerated	Manchester	rectory office
07/09/07	109	PETIT	PHILLIP			Priest out of ministry	Northwood	lakeside
10/16/07	110	[redacted]				Accused sex assault boy scouts		[redacted]
11/27/07	111	DUVAL	EDOUARD			Priest deceased	Dover	BA 's home
12/03/07	112	JOYAL	GERALD			Priest deceased	Manchester	OLPH
12/03/07	113	NEIMAN	WILLIAM			Priest deceased	Manchester	OLPH
12/03/07	114	JANETTA	ALFRED			Priest deceased	Manchester	Blessed Sacrament hall
01/04/08	115	[redacted]				Supposedly goes to Asia to engage in sex. Passport records only left US 4 times and went to Canada.	ASIA	
01/10/08	116	HOULE	WILFRED			From Canada possibly deceased. He would visit Rev Chalifour on weekends.	Farmington	parking lot
01/30/08	117	TOWNSEND	EDWARD			BA in prison for murder. Priest retired	[redacted]	
03/04/08	118	[redacted]				Oblate priest - deceased	Colebrook	
03/07/08	119	ST. JEAN	GEORGE			SOL Expired	Conway	ski trip
03/13/08	120	[redacted]				& [redacted] Parents refused to coop.	[redacted]	
04/09/08	121	[redacted]				4 victms 2002 inv. Laisized 1989	unk	in car
04/18/08	122	GROLEAU	PAUL			Long was Nun [redacted] child at in Concord, NH. Long now Minister in CT	Concord	Long would babysit Concord homes and [redacted] there
04/29/08	123	LONG	PATRICIA			Mauer from MA, Conf. sponsor for [redacted] (16) and groped her.	Manchester	MPD and Dio of Worcester notified. Mauer was priest candidate.
05/12/08	124	MAUER	ERIC			Anon call that [redacted] abusing children [redacted] Concord PD notified. She no longer a teacher there	Concord	[redacted] Regional School
05/19/08	125	[redacted]						

DATE	TAB #	ACCUSED LAST	ACCUSED FIRST	VICTIM LAST	VICTIM FIRST	MEMO	City/Town	Location
08/04/08	126	RICHARD	EDWARD	[redacted]		Fr. Richard took group to Disney World. Referred to Sgt. Rick Mankewich Orange Cnty SO	Orlando, FL	Disney World
08/04/08	127	RICHARD	EDWARD			82-83 Fr. Richard abused [redacted] age 13-14	Merrimack	St. John Neumann Rectory
10/02/08	128	CHENEY	GEORGE			Cheney was a volunteer. [redacted] 14-18 yrs in 1974-78	unk	unknown
12/19/08	129	UNK				Unk. Councilor at Camp Fatima summer 1995. Vic rpts anal sex and copulation	Gilmanton Iron Works	unknown
12/22/08	130	[redacted]				[redacted] is teacher at [redacted] Sch	[redacted]	School - MPD inv. UNFOUNDED
12/22/08	130					[redacted] is teacher at [redacted] Sch	[redacted]	School - MPD inv. UNFOUNDED
12/30/08	131	UNK				Early to mid 1970s Holy Redeemer Church Vic 11-12 yoa.	West Lebanon	unknown
38746-001					1/5/2009	Diocese Audit Records		

January 26, 2009

The Honorable Kelly A. Ayotte, Esq.
Attorney General
Department of Justice
33 Capitol Street
Concord, NH 03301-6397

Dear General Ayotte:

Thank you for your letter of January 23, 2009, and the copy of the December 11, 2008 Assessment Report from KPMG. I first want to express my appreciation to you, your staff, and the auditors from KPMG for all that you have done to contribute to the success of our safe environment program. Your work has contributed greatly to the effort and success of all those in the Church who make and sustain this as a priority in the life of our parishes, schools, and diocesan institutions.

Sexual abuse of a minor is a terrible crime, and we are sorry, sad, and ashamed that this crime occurred in the Church. As a Church, we remain firm in our commitment to assist anyone who has been harmed or affected by the painful reality of sexual abuse of a minor and to ensure that a safe environment for children and young people remains a permanent priority in the life of our Church.

I am pleased to respond to the following specific issues you raised in your letter.

1. Following the interviews with diocesan staff by the KPMG auditors in November 2008, the Delegates for Ministerial Conduct have revised the administrative protocols to ensure that Mary Ellen D'Intino, who now is the Compliance Officer and Director of Safe Environment Programs, is included in all aspects of ongoing investigations. As you may know, she has been aware of the details of such matters through her participation in the Diocesan Review Board; however, she is now included in the group of individuals first notified of a report and in the ongoing investigation of reports.

2. I have instructed the Delegates for Ministerial Conduct to review the current administrative protocol for accountability of pastors, school principals, and diocesan institutional leaders regarding compliance with diocesan policy. I have also asked the Delegates for Ministerial Conduct to implement a plan to ensure that all Safe Environment Coordinators have reviewed the Screening and Training Protocol and the Code and Policy in a timely manner. A revised protocol will be reviewed with the Diocesan Review Board on or before June 30, 2009. We remain committed to the ongoing enhancement of this aspect of our program and to the further development of a culture of accountability and safety in the Church.

3. Immediately following the interview of diocesan staff with the KPMG auditors in November 2008, an administrative policy was initiated that provides for the immediate notation that a person is not eligible for ministry, and this control cannot be changed except by the Delegates for Ministerial Conduct, the Compliance Officer, or the Safe Environment Assistant.

   I have instructed the Delegates for Ministerial Conduct and the Compliance Officer to continue to work with experts to enhance the safe environment database so as to ensure that "restricted" names cannot be entered into the database.

   The Delegates for Ministerial Conduct are studying ways in which the safe environment recordkeeping system can be further enhanced. A proposal for doing so will be reviewed with the Diocesan Review Board on or before June 30, 2009.

4. I am pleased to accept your and the KPMG auditors' recommendation that the Diocesan Review Board review its current plan for ongoing oversight and audit of the diocesan safe environment program. I have instructed the Compliance Officer to work with the Diocesan Review Board to develop a plan for my review and approval on or before June 30, 2009.

In accordance with your request, I have asked Brian Quirk to provide your Office with a fourth Action Plan by February 9, 2009, in response to your letter and the KPMG Assessment Report. As has been the case with our first three Action Plans, I am confident that this Action Plan will meet with your approval and will enable us to bring this matter to a close in accordance with our Agreement and the Court's orders.

In closing, I reiterate my thanks to you and your staff and for your expression of confidence in our work. The positive developments over the last several years are a tribute to your dedication to public safety and, I believe, our intent as a Church to cooperate in a genuine way with you and others who are responsible for the safety of the people of New Hampshire.

With prayers for our common goal to ensure a safe community for all people, I remain

Sincerely,

Bishop of Manchester

Diocese of Manchester
Reverend Edward J. Arsenault
Moderator of the Curia
Secretary for Administration

153 Ash Street – Box 310
Manchester, N.H. 03105-0310
(603) 669-3100
Fax: (603) 669-0377

February 6, 2009

The Honorable Kelly Ayotte
Office of the Attorney General
33 Capitol Street
Concord, New Hampshire 03301-6397

Dear General Ayotte,

Bishop McCormack asked me to follow up on his letter to you dated January 26, 2009, regarding our Action Plan in response to your most recent review of our safe environment program.

Please find enclosed with this letter both our response ("Diocese of Manchester Response to KPMG Recommendations - February 6, 2009") and our "Action Plan IV." The Response provides a detailed response to all of the recommendations made by KPMG in its December 11, 2008, report, some of which have been addressed since the 2008 site visit by KPMG and the remaining of which are addressed in Action Plan IV.

Action Plan IV, like the plans for 2005, 2006 and 2007, is a comprehensive written plan that sets forth our goals and objectives in response to the KPMG review and your letter of January 23, 2009. You will note that the Action Plan contemplates the fulsome use of the Diocesan Review Board as a responder to work product from the Office for Ministerial Conduct. Likewise, the Compliance Officer and Director of Safe Environment Programs provide input to Bishop McCormack in addition to the work of the Delegates for Ministerial Conduct.

In closing, as we contemplate the conclusion of this aspect of the relationship between your Office and mine, both Diane Murphy Quinlan and I want to state our own gratitude to you, your staff, and the KPMG auditors for your work in helping us to improve the quality and sustainability of our safe environment program. We are proud of the work that has been done by countless people engaged in the pastoral work of the Church and grateful for your contributions as well.

Sincerely yours,

Edward J. Arsenault

Delegate for Ministerial Conduct

enclosures
cc: Diane Murphy Quinlan
Mary Ellen D'Intino
Diocesan Review Board

pastor's, principal's, or camp director's failure to ensure compliance with the requirements of the Program, up to and including separation from employment, for example. To further enhance the effectiveness and comprehensiveness of the Disciplinary Policy, the Diocese should consider the inclusion of specific, illustrative examples that might result in disciplinary measures."

Diocese of Manchester Response: See Action Plan IV, item 3.

Recommendation IV(A)(5)(a)(4) (page 15)

"To avoid confusion, forms created and distributed going forward should have unique names, instead of being called "verification forms," so that they are easily identifiable."

Diocese of Manchester Response: See Action Plan IV, item 4.

Recommendation IV(A)(5)(b)(5) (page 15)

"Ongoing self-evaluation of the Program and all of its elements is critical to its future effectiveness and sustainability. The Diocese should develop a formalized policy and procedure around the annual evaluation of its Program and subsequent development of action plans to implement enhancements."

Diocese of Manchester Response: See Action Plan IV, item 5.

Recommendation IV(A)(5)(b)(6) (page 15)

"KPMG commends the Diocese for developing a Site Revisit Summary Report and accompanying Site Revisit Summary Report guidance. The Diocese should continue its efforts and continuously work to evaluate and refine its risk assessment protocol and accompanying forms and instructions. In July 2009, when the matrix is next scheduled to be reviewed and updated, instructions should be further refined so that reviewers are provided with even more explicit rating guidelines. This will help standardize revisit results and provide a baseline that will enable the OMC to more reliably compare site revisit results from year to year and across entities. The Diocese should also reevaluate its rating system to determine whether it is effective as adopted. KPMG suggests defining uniform rating categories based, in part, on numerical findings (e.g. X% of Acknowledgements Outstanding =a2). The revised matrix and instructions for use should be structured such that the arbitrary use of undefined ratings is eliminated. The proper structuring of a successful tool will ensure that its implementation is approached and executed consistently over a sustainable period."

Diocese of Manchester Response: See Action Plan IV, item 6.

Recommendation IV(A)(5)(b)(7) (page 16)

"The Diocese should ensure the Compliance Coordinator is fully briefed on a regular basis with regard to violations and reporting matters by conducting regularly scheduled, confidential meetings during which the identities of both individuals and entities involved in these matters are

Coordinator. The Diocese will continue its strong and constant efforts to inform Church personnel of the mandatory reporting requirements. See also Action Plan IV, item 8.

Recommendation IV(B)(2)(e)(1) (page 20)

"KPMG recommends that the Bishop approve the Delegate's suggested policy of maintaining documentation that supports the basis for reassigned ministry to prevent the appearance of any improper retaliatory actions or relocations that may be perceived responsive to the identification, reporting, or enforcement of the Program's requirements. The implementation of the procedures noted above regarding the memorandum from the Delegate and associate Delegate to the Bishop would fulfill this recommendation."

Diocese of Manchester Response: Bishop McCormack has approved the Delegate's suggested policy of maintaining documentation that supports the basis for ministerial reassignments. The policy change will become effective on March 1, 2009.

Recommendation IV(B)(2)(e)(2) (page 21)

"KPMG continues to recommend that the investigative protocols be updated to require a determination as to whether other individuals had knowledge of, or should have been aware of, the alleged abuse or policy violation, but failed to report such abuse or violations in accordance with the Code and Policy."

Diocese of Manchester Response: See Action Plan IV, item 9.

Recommendation IV(B)(2)(e)(3) (page 21)

"KPMG recommends that the Diocese establish controls to prevent multiple entries for a single individual in the SE Database."

Diocese of Manchester Response: In November of 2008, KPMG brought to the attention of the Office for Ministerial Conduct a concern that duplicate names could be entered into the Database. In December 2008, the Diocesan Database Manager created two reports which can be run internally. The reports are able to capture duplicate and similar names in the database. These names can be compared and data can be reviewed, investigated, and corrected, as necessary. The Safe Environment Report and Reconciliation Log was revised to reflect that these reports will be run and reviewed on a quarterly basis beginning in January 2009. See also Action Plan IV, item 10.

Recommendation IV(B)(2)(e)(4) (page 21)

"The purpose of the restriction note should be to alert all other entities to an individual in the event that they attempt to work or volunteer with minors pending the outcome of an investigation or after an individual is deemed ineligible to work with minors. As such, a protocol should be in place for the appropriate and systematic application of this tool.

The Diocese should develop a written protocol to ensure that: 1) all accused individuals and individuals removed from ministry are included in the SE Database; and that 2) all accused individuals and individuals removed from ministry have a restriction note applied to their SE Database entry ***immediately*** upon initiation of an investigation into alleged misconduct or upon the determination that an individual should be removed from ministry due to misconduct or receipt of a problematic criminal records check."

Diocese of Manchester Response: See Action Plan IV, item 11.

Recommendation IV(B)(2)(e)(5) (page 21)

The Diocese should finalize a written protocol to ensure the SE Database is regularly searched for duplicate entries of individuals as new people are entered. Such a protocol should further include an exercise whereby it searches the SE Database for all individuals who have been removed or restricted from ministry to ensure that 1) their entries are appropriately noted; and 2)that any duplicate entries are identified, flagged, and eventually deleted from the database.

Diocese of Manchester Response: See responses to Recommendations IV(B)(2)(e)(3) (page 21) and IV(B)(2)(e)(4) (page 21) (above). See also Action Plan IV, item 12.

Programs to Prevent the Sexual Abuse of a Minor

Recommendation IV(C)(1)(e)(1) (page 34)

"The SE Database has evolved to become a powerful tool but still requires enhancement of some important controls. For instance, the Diocese should institute controls surrounding the restriction of individuals to ensure that multiple database entries are flagged and that any reasonable name variation entered by an SE Coordinator will trigger the appropriate restriction message, requiring proactive clearance from the OMC.

Also, the ability to change an individual's status to pending or active should be restricted to OMC personnel. This will prevent an individual SE Coordinator from inappropriately altering the status of an employee or volunteer to manipulate the individual's "pending date" and, ultimately, the state of that individual's compliance. Before instituting such a control, the Diocese should consider running a report to assess whether or not it appears any entities had previously been taking advantage of this lax control."

Diocese of Manchester Response: See response to Recommendation IV (B)(2)(e)(3) (page 21) (above). See also Action Plan IV, items 12 and 13 (a).

Recommendation IV(C)(1)(e)(2) (page 35)

"The Diocese should define parameters in the SE Database to track both the date an individual is added to the SE Database (i.e., add date) *and* the date an individual actually begins working with

minors (i.e., start date) in order to accurately measure compliance. Further, it should track the initial dates of compliance with all SE requirements, as well as any subsequent updates, as appropriate (e.g., updated NSOPR checks) in order to measure the ongoing effectiveness of the Program."

Diocese of Manchester Response: The Safe Environment Database includes a tracking mechanism that automatically identifies the names of any person who is overdue in meeting the requirements. See also Action Plan IV, items 13 (b) and 13 (c).

Recommendation IV(C)(1)(e)(3) (page 35)

"The Diocese should continue its effort to regularly and thoroughly reconcile the SE Database against the personnel files of each Diocesan entity, taking special care to ensure that all those currently working with minors are included in the database, are listed with the appropriate designation, and have completed all Program requirements. Further, the Diocese should continue to regularly test the validity of data in the database and should develop procedures and a schedule for doing so in a timely manner. This includes reconciling multiple fields intended to capture similar information to ensure that the information in the secondary fields are accurately reflected in the master field.

The Diocese should also ensure that, in scrubbing its database, it is doing so in a way that all control modifications are applied on both an ongoing and a retroactive basis. Individuals with missing requirements should not continue to be classified as active because they were input into the database before controls took effect.

Finally, the Diocese should continuously evaluate whether third-party services upon which it relies, such as SE Database software developer, are providing those services effectively and accurately. The database is designed to be a primary tool in monitoring compliance, so it is imperative that its underlying data be accurate and thus reliable. As such, each of these measures is critical in ensuring the effectiveness of this valuable tool."

Diocese of Manchester Response: The files and personnel lists of Diocesan entities continue to be reconciled against the Safe Environment Database during site reviews, which have been ongoing since 2006. The Office for Ministerial Conduct follows an internal report and reconciliation schedule designed to identify any data inaccuracies and correct them in a timely manner. In addition, in November of 2008, the Diocese entered into a contract with a local accounting firm. The firm began conducting database validity testing for the Office for Ministerial Conduct in November 2008 and will continue to do so on a regular basis. The Office for Ministerial Conduct will continuously evaluate whether the third-party Safe Environment Database developer is providing services effectively and accurately.

Recommendation IV(C)(1)(e)(4) (page 35)

"The Diocese should continue giving consideration for the enhancement of the camp screening and training procedures. Similarly, the system for conducting site visits to the camps should be enhanced to include, for instance, a review on the first day of the preseason special needs camp

to verify that those employees and volunteers are in compliance with the screening and training *before* the special needs session takes place.

Further, the Diocese should consider enhancing the Screening and Training Protocol for all camp season employees and volunteers to require completion of at least a criminal records check and an NSOPR check *before* the first day they begin to work with minors. This measure would seek to mitigate the risk that an individual unfit to work with minors is actually doing so and would take into account the two to three week period required to complete a criminal record check. The Diocese and Camp Directors can achieve this goal by encouraging applicants to download CRR forms from the camp Web site and submitting them in the weeks prior to the start of the camp season."

Diocese of Manchester Response: A paid staff member who is an experienced safe environment coordinator has been hired to serve as Safe Environment Coordinator for the diocesan camps, including special needs week, which will enhance the camp screening and training procedures. See also Action Plan IV, item 13 (d).

Recommendation IV(C)(1)(e)(5) (page 35)

"The Delegate and Compliance Coordinator should continue their work with leaders of organizations, such as the Daniel Webster Council, the CYO Office and Religious Education, to solicit their committed cooperation in the process of ensuring that all active volunteers and employees are in the SE Database and have completed all Program requirements. The cooperation of these entities is crucial in ensuring the continued success of the Program and compliance with its requirements.

KPMG recommends that the Compliance Coordinator continue to work with the Diocese to formally implement her suggestions that each ministry head (i.e., leaders of the CYO, scout, and religious education programs) be required to submit a full listing of current volunteers and employees who regularly work with minors to the SE Coordinator annually and be required to regularly report any status changes and the names of new personnel to the SE Coordinators on an ongoing basis."

Diocese of Manchester Response: See Action Plan IV, item 14.

Recommendation IV(C)(1)(e)(6) (page 36)

"If an inactive individual returns to volunteering or is rehired, the Diocese should require that the SE Coordinator review that person's file and communicate the results to the Diocese *before* the individual's status is changed back to active in the SE Database by the OMC."

Diocese of Manchester Response: See Action Plan IV, item 15.

Recommendation IV(C)(1)(e)(7) (page 36)

"The Compliance Coordinator should consider taking certain measures to enhance the site visit review process. For instance, to ensure an adequate and appropriate level of testing at each site, the sample size should be proportionate to the entity's employee and volunteer population, and be adopted in accordance with the particular risks of that entity. In other words, higher-risk entities should require a larger test population. Also, the Diocese should eliminate any maximum number of files reviewed from its protocol that would limit the scope of review and the potential for identifying compliance issues, such as the current maximum of 25 files.

In addition to these enhancements, the Compliance Coordinator should expand upon the existing site visit protocol of performing additional testing when an exception rate of greater than 10 percent is found. Rather than being limited to additional testing for only the one element with high exception rates, the reviewer should conduct additional tests for *all* requirements. High exception rates in one area can be indicative of problems in other areas. Here, too, the number of files tested should be based on the population and the risks of that entity rather than being a set number of five files."

Diocese of Manchester Response: See Action Plan IV, item 16.

Recommendation IV(C)(1)(e)(8) (page 36)

"Through discussions with KPMG, it is apparent that SE Representatives continued to experience some misunderstanding of key SE timetables, policies and protocols. Also, several SE Coordinators admit to not having read either the Screening and Training Protocol or the Code and Policy. While the Diocese is limited in its authority over part-time volunteer SE Coordinators, these individuals remain central to the effective screening and training of Diocesan personnel. Their commitment to and knowledge of the Screening and Training Protocol and Code and Policy requirements is vital to the overall success of the Program and compliance with its requirements.

As such, the Diocese should consider developing a reliable system of accountability of the Program's SE Coordinators. An example of such system would be development of a Coordinator-specific acknowledgement form, which would include a statement confirming the Coordinator *has read and understood* the Screening and Training Protocol and the Code and Policy. To further confirm this, the form would have Protocol and/or Code and Policy related questions, the answers to which would confirm that the Coordinator has actually read the documents."

Diocese of Manchester Response: See Action Plan IV, item 17.

Recommendation IV(C)(1)(e)(9) (page 36)

"The Diocese should consider developing a written protocol detailing the Diocese's responsibilities in response to SE Coordinator turnover and the circumstances in which SE Coordinators may not be available to perform their duties for extended periods due to personal or

professional responsibilities outside the Diocese. As part of this protocol, the Diocese should consider including a provision holding SE Coordinators responsible for notifying the Diocese of any planned absence exceeding, for example, 30 days, which would allow the Compliance Coordinator to coordinate supplemental coverage in a timely manner. This protocol would support the Diocese in its responsibility to ensure that each Diocesan entity has an SE Coordinator assigned to it and that if a gap in coverage occurs it can be promptly addressed."

Diocese of Manchester Response: See Action Plan IV, item 13 (e).

Recommendation IV(C)(1)(e)(10) (page 36)

"While KPMG commends the Diocese for requiring National Criminal Records checks (or CORI checks for MA residents) for individuals with out-of-state residences, the current procedure should be improved so that it does not rely on individuals to self-report their past states of residence. One of the traits of child predators is their proclivity to deceive. By intentionally omitting any past states in which offenses could have occurred, the sex offender could avoid further screening. The Diocese should eliminate the risk of self-reporting by running national criminal record checks on all potential employees and volunteers."

Diocese of Manchester Response: See Action Plan IV, item 13 (f).

Recommendation IV(C)(1)(e)(11) (page 37)

"The Diocese should continue running exception reports and following up with SE Coordinators to ensure that all individuals working with minors have been properly screened and are in compliance with the Diocese Program mandates. The protocol for CRR exception reports should specify that personnel who are identified as having exceeded their requirement deadlines should be removed from their positions working with minors ***immediately***."

Diocese of Manchester Response: The Safe Environment Assistant runs exception reports on a monthly basis according to an established Report and Reconciliation Log. She and the Compliance Officer routinely follow up with parishes and schools to address any identified issues. In addition, as of January 10, 2009, automatic notifications are sent to Safe Environment Coordinators listing the names of any individuals noted as overdue and informing the coordinators that the individuals are not eligible to work with minors until the requirements are completed. The Office for Ministerial Conduct will continue these efforts. See Also Action Plan IV, item 18.

Recommendation IV(C)(1)(e)(12) (page 37)

"Unless the Diocese begins conducting national criminal record checks for all personnel (per the recommendation above), the Diocesan Employment Applications should be amended to specifically request the states the individual resided in for the past five years. Work history is not an adequate determination of residence. Many people work in one state and live in a bordering state. Also, employees may not list all past employment if such listings are too numerous or potentially irrelevant to the job being applied for.

Further, the Diocese should consider maintaining applications at the OMC or formalizing a procedure for identifying employees and volunteers with out-of-state residence histories. If the OMC is unaware of an individual's residential history, appropriate record checks, per the Screening and Training Protocol, will not be run and the Diocese will be at risk of allowing a potentially ineligible individual to work with minors.

Finally, the Diocese should consider augmenting both its employee and its volunteer applications so that they plainly require the individual's date of birth, which is often required as an identifier to determine when potential CRR and NSOPR hits actually relate to the individual at hand."

Diocese of Manchester Response: The Diocese of Manchester Screening & Training Protocol clearly states the procedure that each entity is to follow regarding obtaining an out-of-state criminal records check for any employee or volunteer who has resided out-of-state during 5 years preceding his/her application. The Volunteer Application requires that applicants include a date of birth, but the Employment Application does not because state law prohibits employers from including dates of birth on employment applications. All employees and volunteers provide a date of birth when they complete the NH Criminal Records Release Authorization Form. See Action Plan IV, item 19.

Recommendation IV(C)(1)(e)(13) (page 37)

"The Diocese should document the process of conducting reference checks to verify their completion. In addition, if portions of the application form refer to other documents, those documents, or copies of those documents should be maintained with the application in order to ensure completeness."

Diocese of Manchester Response: Employees are required to provide 3 references and parishes/schools have been instructed to document the reference checks. See Action Plan IV, item 20.

Recommendation IV(C)(1)(e)(14) (page 37)

"NSOPR checks should include all states in order to properly mitigate the risk of failing to detect and identify child-sex offenders. The Diocese should amend its instructions to reflect the need to check *all* states for National Sex Offenders. Currently, the Diocese seems to be operating under the assumption that it is unlikely for a sex offender to move to NH from a state outside of New England. However, we currently live in a highly mobile society and this type of assumption is

unfounded and can leave children at risk. The Diocese should also augment its policy to reflect appropriate follow up procedures when temps identify an issue requiring additional due diligence (e.g., what procedures should the OMC follow if a state inside New England is currently unavailable at the time of the NSOPR check?)."

Diocese of Manchester Response: The Office for Ministerial Conduct has established clear, written procedures for conducting National Sex Offender Registry Checks. Sex offender registry checks are completed at the parish/school level and repeated at the diocesan level regularly. In addition, every active employee and volunteer is rechecked on the sex offender registry every 3 years. More than 7,000 national sex offender registry checks are completed by the Office for Ministerial Conduct annually. See Action Plan IV, item 13 (g).

Recommendation IV(C)(1)(e)(15) (page 37)

"The Diocese should continue to run exception reports and follow up with SE Coordinators to ensure that all individuals working with minors have been properly screened. The protocol for NSOPR exception reports should specify that personnel who are identified as have exceeded their requirement deadlines should be removed from their positions working with minors ***immediately***."

Diocese of Manchester Response: See response to Recommendation IV(c)(1)(e)(11) (page 37) above.

Recommendation IV(C)(1)(e)(16) (page 37)

"The Diocese should inquire if any independent contractors at parishes regularly work with minors and verify that the contracts contain the appropriate language if applicable. According to the Site Visit Protocol, testing for his only occurs at schools and camps. Independent contractors that regularly work with minors at parishes should be tracked by the Diocese, along with those that work at schools and camps."

Diocese of Manchester Response: See Action Plan IV, item 21.

Recommendation IV(C)(1)(e)(17) (page 38)

"As part of the site visits conducted each year, the Compliance Coordinator should consider requesting the documentation demonstrating the independent contractor has complied with the screening and training requirements. This could be done for a sample of Diocesan sites that have independent contractors that regularly work with minors to verify that the appropriate background checks are being conducted by the contractors."

Diocese of Manchester Response: See Action Plan IV, item 22.

Training Personnel, Communications, and Acknowledgements

Recommendation IV(C)(2)(e)(1) (page 42)

"The Diocese should continue evaluating alternative substitutes for its current *PGC* training program and should ultimately implement a program to address several limitations that both the Diocese and KPMG have recognized. Key to implementing a new program should be the requirement that all Diocesan personnel complete the training and that a sustainable method be in place to track completion, specifically within the SE Database. In selecting its new training program, the Diocese should consider its plan for training recertification once every three years.

In considering a new PGC training program, the Diocese should weigh various accessibility options, such as offering the training both in-person and online. Online or video-based training could serve as an alternative for individuals who are unable to attend a PGC training session within a reasonable distance from their home and within the time frames set out by the Screening and Training Protocol.

Finally, the Diocese should strongly consider choosing a program that includes a method for measuring training effectiveness, such as a Web-based quiz, to verify each individual's comprehension of the program's concepts, especially if training is presented online or in a video. Such an expectation will facilitate the effectiveness of the training and will introduce an important element of accountability."

Diocese of Manchester Response: The Diocese of Manchester has contracted with an expert in the field of child abuse prevention training to develop a new training program that will replace the current *Protecting God's Children* training in 2010. The new training will be offered both in-person and online and will include a web-based quiz. Completion of training is currently tracked in the Safe Environment Database and will continue to be tracked in this manner. Recertification is ongoing using the *Renewing Our Promise* refresher Training bulletin.

Recommendation IV(C)(2)(e)(2) (page 42)

"Throughout the life of the SE Program, the Diocese should continually assess its communication protocols and consider areas for improvement. For instance, formulating the protocol to have appropriate flows of information and timetables will foster greater accountability and allow the Diocese to keep its communication current and levels of awareness high. An annual communications plan would document specifically how, when, and what communication will occur throughout the year. A written protocol will allow for future sustainability when the time comes for leadership roles to change.

As an enhancement to existing Diocesan communications, the Compliance Coordinator should consider supplementing the eNews bulletin with regular mass distribution of an SE-specific e-mail communication directed to Pastors, Principals, Directors, and SE Coordinators. This would help address the issue concerning those that may not be thoroughly reviewing the eNews bulletin.

Further, as a leading practice, the Diocese should recommend that parishes and schools feature information and materials regarding child safety and the SE Program on their individual Web sites. Access to SE forms online will improve the efficiency of the Program and raise awareness.

Diocese of Manchester Response: As noted in the KPMG Assessment (page 40), communication between the Office for Ministerial Conduct and safe environment representatives at the parishes and schools is "ongoing." The Office for Ministerial Conduct will continue communicating important safe environment information to parishes, schools, and camps via e-News, email, written communications, site review interviews, and any other method deemed appropriate. See also Action Plan IV, item 13 (h).

Recommendation IV(D)(5)(a) (page 43)

"KPMG continues to recommend that the Bishop accept the Delegate's recommendation to put in place protocols that would uphold a sustainable framework for the tracking and documentation of clergy activity, including the movement of priests to parishes within the Diocese and the formalization of an investigation timetable."

Diocese of Manchester Response: See response to Recommendation IV(B)(2)(e)(1) (page 20).

Recommendation IV(D)(5)(b) (page 43)

"The Diocese should consider centralizing its filing system by retaining copies of all Program requirement documentation (i.e., applications, Acknowledgement Forms, PGC, CRR, and NSOPR results) at the OMC to mitigate the risks of missing Program requirements and inaccuracy of data. This practice would also ensure that, for example, the Diocese reviews the applications for individuals who have lived out-of-state and that the appropriate criminal background checks are done. Moreover, this will strengthen the Diocese's practice of reconciling files to the SE Database, reducing the potential for inaccuracies, and will facilitate the process of regular testing."

Diocese of Manchester Response: See Action Plan IV, item 23.

Recommendation IV(D)(5)(c) (page 44)

"As noted above, the Diocese should continue to thoroughly monitor development and integrity of its SE Database and the information contained therein for limitations and areas for improvement. Success and sustainability of the Program and its tools relies considerably the Diocese's commitment to consistently evaluate its Programs, policies, and performance in order to keep up with evolving Program needs and technical advances.

Diocese of Manchester Response: As noted above, in November of 2008, the Diocese entered into a contract with a local accounting firm. The firm began conducting database validity testing for the Office for Ministerial Conduct in November 2008 and will continue to do so on a regular basis. Safe environment protocols and procedures are reviewed and updated on an annual basis.

Recommendation IV(E)(5)(a) (page 45)

"KPMG continues to recommend that the Diocese develop its own comprehensive plan to have a continuing independent annual audit of the Program, to be led by a subcommittee of the DRB that is wholly independent from the Program's operation or execution."

1. **Diocese of Manchester Response: As mentioned in Bishop John B. McCormack's January 26, 2009, letter to Attorney General Kelly Ayotte, the Bishop has accepted the auditors' recommendation that the Diocesan Review Board review its current plan for ongoing oversight and audit of the diocesan safe environment program. Bishop McCormack has instructed the Compliance Officer to work with the Diocesan Review Board to develop a plan for his review and approval on or before June 30, 2009. See Action Plan IV, item 24.**

Recommendation IV(E)(5)(b) (page 45)

"KPMG continues to recommend that the DRB conduct (or require its independent auditors to conduct) more extensive assessments of its systems, not predicated by advanced notice, to help ensure that it is in full compliance with its Code and Policy, its own Action Plans, and the previously mentioned leading industry standards. The current test procedures in the "Compliance Audit Instrument 2007 v 1.0," requiring quarterly review of Attorney General reconciliations and reviews of any priest transfers, do not seem to adequately assess the OMC's overall compliance with its policy."

Diocese of Manchester Response: See response to Recommendation IV(E)(5)(a)(page 45) above.

Recommendation IV(E)(5)(c) (page 45)

"The DRB should be provided with ample time to conduct an audit, and timetables should be developed to ensure that audits are completed and results are provided in a timely fashion. Additionally, if the DRB elects to use its own members, rather than external consultants, to perform its audits, it should ensure that those members have the competence, skills, and experience that would be helpful in conducting such a review."

Diocese of Manchester Response: See response to Recommendation IV(E)(5)(a)(page 45) above.

DIOCESE OF MANCHESTER
ACTION PLAN IV

February 6, 2009

Objective: To continue to develop and implement sustainable policies and procedures for the Diocese of Manchester in accordance with Church and state law in order to advance the protection of children and young people.

This Action Plan ("Action Plan IV") addresses certain recommendations contained in the KPMG report dated December 11, 2008. The headings of each section reference the headings contained in KPMG's December 11, 2008, report. In developing the Action Plan and its timeline, consideration was given to ongoing scheduling between the Compliance Officer and Director of Safe Environment Programs (formerly the "Compliance Coordinator") and the pastors, principals, directors, and safe environment coordinators.

Organizational Structure and Oversight

1. The Office for Ministerial Conduct reviews its Screening and Training Protocol annually. During the next annual review of the Protocol, the fact that overnight chaperones must complete all requirements prior to working with minors will be listed in the "Special Considerations" section of the Protocol so as to draw special attention to this requirement. **To be completed on or before July 1, 2009.**

2. The Compliance Officer will continue to highlight best practices in the safe environment reports, diocesan electronic newsletter, and the diocesan website and will continue to communicate these best practices on the diocesan website. On at least a bi-monthly basis, the Compliance Officer will continue to review and update the best practices section of the website. **Ongoing.**

3. The Office for Ministerial Conduct will review the Safe Environment Disciplinary Procedures and develop enhancements to the procedures, as appropriate. The recommended enhancements will be reviewed with the Diocesan Review Board (DRB) and the Safe Environment Council (SEC) before being finalized. **To be completed on or before September 30, 2009.**

4. The Office for Ministerial Conduct will ensure that any forms that are developed for future use are assigned unique names, in order to ensure that there is no confusion over their intended use. **Ongoing.**

5. After consultation with the Diocesan Review Board, the Office for Ministerial Conduct will develop a policy that provides for an annual evaluation of its Program and the subsequent development of action plans. **To be completed on or before April 1, 2009.**

6. The Compliance Officer will review the various risk assessments documents, including the risk matrix, and will give consideration to the recommendations for improvement that are noted in the KPMG assessment report. **To be completed on or before July 1, 2009.**

7. The Office for Ministerial Conduct will consult with the Safe Environment Council regarding ways to potentially enhance Safe Environment Coordinator accountability. **To be completed on or before February 28, 2009.**

Mandatory Reporting and Response

8. The Office for Ministerial Conduct will consult with the Safe Environment Council to discuss additional ways to raise awareness of the mandatory reporting requirements. **To be completed on or before February 28, 2009.**

9. The Office for Ministerial Conduct will consult with its investigators and with the Diocesan Review Board regarding investigative protocols and any recommended updates to the protocols, including whether investigations should assess whether any other individuals had knowledge of, or should have been aware of, alleged abuse or a policy violation and failed to report it. The Office for Ministerial Conduct will take into consideration the recommendations of its investigators and of the Diocesan Review Board when updating the investigative protocols. **To be completed on or September 30, 2009.**

10. The Delegates for Ministerial Conduct will direct the diocesan Database Manager to work with the database developers in order to create safeguards that will prevent multiple entries for a single individual in the Database. **To be completed on or before September 30, 2009.**

11. The Office for Ministerial Conduct will develop a written procedure for the appropriate and systematic application of the restriction note. The recommended procedures will be reviewed with the Diocesan Review Board and the Safe Environment Council before being finalized. **To be completed on or before September 30, 2009.**

Programs to Prevent the Sexual Abuse of Minors

12. The Delegates for Ministerial Conduct will direct the Database Manager to work with the database developer to develop database safeguards that will prohibit the entry of duplicate names unless approved by an authorized Database Administrator. **To be completed on or before September 30, 2009.**

13. The Office for Ministerial Conduct will consult with the Safe Environment Council regarding the following issues raised in the KPMG assessment report:
    a) Whether only Office for Ministerial Conduct personnel should be authorized to change a person's Database status to pending or active.
    b) The addition of a start date for each individual in the Safe Environment Database.
    c) The inclusion of multiple dates of compliance in the Safe Environment Database.
    d) Camp review procedures for special needs week and camp personnel screening timelines.
    e) The development of protocols for handling Safe Environment Coordinator turnover and absence.
    f) Improvements to out-of-state criminal check procedures.
    g) The development of a protocol for appropriate follow-up procedures when those performing NSOPR checks identify an issue requiring additional due diligence.
    h) The communications protocols and areas for improvement.

To be completed on or before February 28, 2009. The Office for Ministerial will take into consideration the recommendations of the Safe Environment Council as well as the recommendations made by KPMG when planning Database enhancements, revisions to site review procedures, and revisions to other protocols and procedures as described above. **Ongoing.**

14. The Compliance Officer will continue to work with leaders of the scouting organizations and the CYO office and catechetical leaders to solicit their cooperation in the safe environment protocols. In addition, the Compliance Officer will continue to work with the Delegate to establish policies to ensure that ministry heads regularly communicate with the Safe Environment Coordinator regarding volunteers and employees. **Ongoing.**

15. See item 13 (a) above. Moreover, the Compliance Officer will direct the Safe Environment Coordinators to review the file of each returning person before an individual's status is returned to "active." **To be completed on or before February 28, 2009.**

16. As part of the annual review of site review procedures, the Compliance Officer will consider all suggestions made by KPMG regarding site review testing procedures and will incorporate

the enhancements, as deemed appropriate, into the site review protocol. **To be completed on or before July 1, 2009.**

17. The Office for Ministerial Conduct will review the current administrative protocol for accountability of pastors, school principals, and diocesan institutional leaders regarding compliance with diocesan policy and will develop a plan to ensure that all Safe Environment Coordinators have reviewed the Screening and Training Protocol and the Code and Policy in a timely manner. The revised protocol will be reviewed with the Diocesan Review Board. **To be completed on or before June 30, 2009.**

18. The automated notifications that are sent to parishes and schools each month will be updated to include that individuals who are overdue in meeting the requirements "should immediately be removed from their positions working with minors." **To be completed on or before April 1, 2009.**

19. The Office for Ministerial Conduct will revise its employment applications to include a question requiring applicants to list all states of residence during the 5 years preceding the person's application for employment. **To be completed on or before July 1, 2009.**

20. The Compliance Officer will update the site review protocol to include a step whereby employment applications will be checked to determine if 3 references are listed and if reference checks were completed and documented. **To be completed on or before July 1, 2009.**

21. The Compliance Officer will update the site review protocol to include the inquiry of parish personnel to determine if there are any independent contractors at the parish who regularly work with minors. **To be completed on or before July 1, 2009.**

22. The Compliance Officer will develop a protocol for periodically requesting documentation from independent contractors so as to demonstrate their compliance with the screening and training requirements. **To be completed on or before July 1, 2009.**

Training Personnel, Communications, and Acknowledgements

23. The Office for Ministerial Conduct will review its recordkeeping systems and present proposed changes to the Safe Environment Council and Diocesan Review Board for their review and input. **To be completed on or before September 30, 2009.**

Auditing/Testing of the Program

24. The Office for Ministerial Conduct will work with the Diocesan Review Board to develop a plan for ongoing oversight and audit of the safe environment program. The plan will be presented to Bishop McCormack for his review and approval. **To be completed on or before June 30, 2009.**