

Non

3 months in jail and
15yr protection.

During this period of time
he is restricted from any
position of authority or
responsibility.

October 31, 1988

BJS 11/4/88

MEMORANDUM:

To: ✓ Rev. Bernard J. Breen
Rev. William Fichteman
Rev. Peyton Badgett

From: Archbishop Thomas C. Kelly, O.P. *TKK*

Re: Dan Clark

The prosecutor has withdrawn her agreement to the deal worked out previously in Dan's case. She is now insisting on a prison sentence.

This is a rare occurrence. Mr. Fleming is distressed, and he is trying to recapture the previous agreement.

Dan is in distress, and wants only to have the thing concluded, prison or not.

I told him that in my judgment prison should be avoided if at all possible. He expressed concern about publicity if he withdraws his guilty plea (as the judge has offered him in view of the prosecutor's reversal). I told him we would worry about the effect on the community, and that he should worry about protecting himself.

Dr. O'Connor has written an excellent letter of recommendation. Contents have been shared with the lawyer. A copy is being sent to Father Fichteman.

CLARK.DOC 0420

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