

6. **JAMES D. FOLEY**

James D. Foley was a graduate of St. John's seminary in the class of 1960. See FOLEY, JAMES D.-2 001. His classmates included Fathers Shanley, Birmingham, Gale, Lane, Cotter and Bishop McCormack. Father Foley was first assigned to St. Bartholomew's in Needham Massachusetts. Shortly after arriving there, he became sexually involved with a female married parishioner, Rita Perry, who had sought counseling from him. In 1962, he requested a transfer "for personal reasons, for the good of the priesthood." See FOLEY, JAMES D.-2 001. He was transferred to Holy Redeemer Parish in East Boston, "but the woman would not let him go." See FOLEY, JAMES D. 3.122.

In July of 1964, Father Foley was placed in the Glenside Hospital in East Boston. See FOLEY, JAMES D. 3.119. It is believed that he was hospitalized after learning that Ms. Perry had reported to him that she was pregnant with his child. See Affidavit of James Perry ("Perry Aff.").

August 30, 1993 notes reflect that Father Foley then asked Cardinal Cushing to transfer him to Calgary, Canada. See FOLEY, JAMES D. 3.122. Father Foley "did not tell him what the real reason was" See FOLEY, JAMES D. 3.122. However, "the problem," as the Calgary Diocese referred to Ms. Perry, followed him out there in May of 1966 and he abruptly left the Diocese with Ms. Perry and her baby and they departed for San Francisco. See FOLEY, JAMES D.-2 003;

3.122. On June 18, 1966, three days after the Calgary letter was sent, the Bishop of Calgary wrote to the Chancellor of the RCAB, Monsignor Sexton, informing him that Father Foley had returned to Calgary. See FOLEY, JAMES D-2 008.

Father Foley did not last long in Calgary following his return. He became “involved with another woman; 18 years of age, married to a violent husband.” See FOLEY, JAMES D. 3.122. “There has been considerable scandal” wrote the administrator of the Calgary Diocese to Cardinal Cushing. See FOLEY, JAMES D.-2 013. Father Foley was therefore banned from the Diocese and his belongings were packed and shipped to him. See FOLEY, JAMES D-2 012. In a letter of June 1, 1968 to Chancellor Finnegan of the RCAB, the Calgary administrator stated:

Whether or not he [Father Foley] is psychologically secure enough at present to avoid further difficulties could be questioned. From what has transpired here **I cannot express confidence concerning his immediate return to priestly work.** He seemed capable of living a dual life.

See FOLEY, JAMES D.-2-014. Nonetheless, by June 4, 1968, Father Foley was returned to priestly work within the Archdiocese of Boston, where he was assigned to St. James Parish in Haverhill. See FOLEY, JAMES D. 3.049. The Diocese of Calgary sent a clinical report to the RCAB, which has been withheld on the basis of the alleged medical/psychiatric privilege.

Father Foley became involved with yet another woman from Haverhill, who was described as “very spiritual.” See FOLEY, JAMES D. 3.127. In 1987, Cardinal Law promoted Father Foley to the position of Pastor at Our Lady of Fatima in Sudbury Massachusetts. See FOLEY, JAMES D. 3.083. In 1993, he was up for reappointment as Pastor, when Bishop McCormack wrote a note to Bishop Alfred Hughes about Father Foley, indicating that Bishop McCormack recalled something about Father Foley’s past and the incident in Calgary. See FOLEY, JAMES D. 3.102.¹¹

On December 23, 1993, Cardinal Law met with Father Foley. See FOLEY, JAMES D-2 028-029. Father Foley recounted the incidents described above. See FOLEY, JAMES D-2 028-029. But he also revealed other far more disturbing details. As the contemporaneous notes of Bishop McCormack reflect, Father Foley also reported to Cardinal Law that he had two children with Ms. Perry and was present when she died in 1971. See FOLEY, JAMES D-2 028-029; Perry Aff.. Specifically he reported that Ms. Perry overdosed while he was present, she “started to faint – he clothed – left, came back – called 911 – a sister knows.” See FOLEY, JAMES D.-2 028-029. In the second page of notes concerning this meeting with Cardinal Law, Bishop McCormack wrote: **“Criminal activity? –**

¹¹ The fact that Bishop McCormack was able to “recall” events concerning from the 1960’s concerning Father Foley undermines the assertion of Cardinal Law that the RCAB lacked an institutional memory concerning abuse committed by RCAB priests and that the RCAB had inadequate record keeping. There are numerous other examples of the RCAB easily obtaining other records.

overdosed – later called.” See FOLEY, JAMES D.-2 028-029 (emphasis in original). In a meeting the following month (January 23, 1994), Father Foley informed Bishop McCormack that the woman “seduced him” and that she had had a lobotomy¹². See FOLEY, JAMES D. 3.127-128. It is also apparent that the true circumstances of the woman’s death had been kept from law enforcement, Father Foley’s “children” and quite possibly Ms. Perry’s husband. As Bishop McCormack noted: “[Father Foley] has never seen children since time of her death. Sister threatened him that if he bothered the family, she would reopen the case about cause of death and who called 911.” See FOLEY, JAMES D. 3.127-128.

Cardinal Law remembers being shocked by the information he received from Father Foley. **“And I might say nothing like that have – had I ever heard or imagined before or since.”** See Law Depo., January 22, 2003, p. 102 (emphasis added). The scandal “was so pervasive. . . .” See Law Depo., January 22, 2003, p. 105.

Rather than alerting the police, Bishop McCormack and Cardinal Law immediately sought to protect the Church from any “scandal.” When asked why he did not immediately report the matter to the Needham police who were obviously unaware of the true facts surrounding Ms. Perry’s death, Cardinal

¹² The true facts are even more horrendous. As Father Foley stated in a taped interview with Mr. Perry, Rita Perry had actually forgotten about Father Foley following her lobotomy. When Father Foley returned from Calgary, he was the one who initiated contact and did not remember him until reminded by her sister.

Law testified as follows: “You know I really delegate with confidence here and I can’t read back into what I should have thought or would have thought.” See Law Depo., January 22, 2003, p. 111-112.

In the January 23, 1994 meeting, Bishop McCormack reviewed the three points Cardinal Law had made at the meeting the previous month: “**scandal**; spirituality; emotional and psychological health.” See FOLEY, JAMES D-2 025-026 (emphasis added). Only in passing did the RCAB make reference to the fact that Father Foley was the alleged biological father of two children and that he should “work out with the Archdiocesan legal counsel a resolve around his civil and moral responsibility toward his children.” See FOLEY, JAMES D-2 031. Apparently Archdiocesan legal counsel felt he had no such obligation since his “children” were never contacted and never learned of the true circumstances of their mother’s death until Dec 6, 2002, when the records of the RCAB concerning this matter were publicly released. See FOLEY, JAMES D. 3.130-131; Perry Aff..

Cardinal Law’s first reaction upon hearing Father Foley’s story was to suggest that he “not be in pastoral ministry due to potential **scandal**.” See Law Depo., January 22, 2003, p. 117 (emphasis added). He thought, in July of 1994 that Father Foley should do penance in a monastery for the rest of his life. See FOLEY, JAMES D-2 069; Law Depo., January 22, 2003, p. 101. There was no

effort undertaken by Cardinal Law to determine the financial or emotional situation of Father Foley's children. See Law Depo., January 22, 2003, p. 120.

Dr. Ned Cassem, psychiatrist in chief of Massachusetts General Hospital, and a principal advisor to the RCAB on priest abuse issues, was consulted and Bishop McCormack's notes reflect that Dr. Cassem advised that there was no basis to put Father Foley back in ministry. See Cassem Depo., May 20, 2003, p. 106 to 109. However, Dr. Cassem was not informed of all of the facts, as he so testified at his deposition. He was not informed that Father Foley had possibly been involved in criminal activity; he was not informed that Ms. Perry had had a lobotomy; he was not told that Ms. Perry had mental difficulties, and if he had been informed of these facts it would have strengthened his recommendation that Father Foley not be assigned. See Cassem Depo., May 21, 2003, p. 67-70. But these facts were never disclosed and the recommendations of Dr. Cassem were ignored.

Six months after stating that Father Foley should be assigned to a monastery for life, Cardinal Law changed his mind. See FOLEY, JAMES D-2 069. In December of 1994, Bishop McCormack reported that Father Foley did not, in fact, have to be assigned to a monastery. See Law Depo., January 22, 2003, p. 130. In January of 1995, Father Foley was assigned to St. Mary's Parish in Waltham, where he was authorized to say Mass. See FOLEY, JAMES D. 3.171. In April of

1995, the RCAB decided that verbal communication to Father Foley concerning his future would be sufficient communication, since “there are current issues in this case that make written communication inappropriate at this time.” See FOLEY, JAMES D. 3.181. In January of 1996, less than two years after his communication that Father Foley should reside in a monastery for the rest of his life, Cardinal Law ended Father Foley’s sick leave and assigned to St. Joseph’s Parish in Stoughton without restriction. See FOLEY, JAMES D. 3.187. As Cardinal Law remarked: **“To you I offer a most hearty ‘welcome back.’”** See FOLEY, JAMES D. 3.187 (emphasis). When Cardinal Law was asked at his deposition whether it was not just “simply common sense and judgment that this man who had done these horrendous things never again be put in the position where, through his auspices as a priest of the Archdiocese, [he] could do it again,” Cardinal Law responded as follows: “I think it was common sense to handle this case in the manner in which it was handled.” See Law Depo., January 22, 2003, p. 136.

Dr. Cassem did not receive the courtesy of a communication to inform him that his clinical recommendations were now being overridden. Indeed, the information about Cardinal Law’s reversal of his prior position was such a shock to Dr. Cassem that he testified as follows at his deposition:

Question: And the assignments of Father Foley to Stoughton and then to St. Joseph’s parish where he was ultimately promoted to

associate pastor until December of 2002, would those appointments have been consistent with your recommendations?

Answer: No, sir

[Objections omitted]

Answer: They fly in the face of the evidence that he should have such an assignment.

Mr. Rogers: I missed that. Could I have that read back?

Answer: And I complimented Cardinal Law on his judgment yesterday [in the first day of the deposition], **I certainly should withdraw that.**

...

Question: Why is that, Doctor?

Answer: Yesterday, he said he shouldn't be in pastoral ministry, he ought to be in a monastery doing penance. It thought that was exactly on the mark.

Question: Right.

Answer: And here he sends a letter giving him his second assignment.

Question: Less than two years later?

[Objection omitted]

Answer: That's correct.

See Cassem Depo., dated May 21, 2003, p. 72-73 (emphasis added).

On April 2, 1998, the Review Board closed its case on Father Foley and he was eventually promoted to the position of Associate Pastor at St. James Parish

in Salem. See FOLEY, JAMES D. 3.201; 3.203. He served in that capacity until December 6, 2002, when his records were produced and made public pursuant to court order. He was then removed from active ministry. On December 13, 2002, Cardinal Law resigned his position as Archbishop of Boston. See Archdiocese of Boston Press Release dated December 13, 2002.

7. THOMAS P. FORRY

Thomas Forry was born on August 3, 1941 in South Boston, Massachusetts, and ordained at the Holy Cross Cathedral on May, 29, 1968 by Richard Cardinal Cushing. See FORRY2 477. Father Forry's first assignment was as an assistant priest at St. Elizabeth's parish in Milton. See FORRY2 477. On April 3, 1973, Father Forry was appointed associate pastor of St. Francis X. Cabrini parish, North Scituate. See FORRY2 477.

In December, 1974, Bishop Daily notified Bishop Maguire in Brockton, Massachusetts that Fathers Luke Farley and George Connolly had complained that Father Forry was not properly preparing couples to receive the Sacrament of Matrimony. See FORRY2 018. A year later, Father LaFrance reported to Cardinal Medeiros incidents concerning Father Forry during Father LaFrance's attendance at a Parish Renewal Mission the month before: that Father Forry stayed in his bedroom for a week, did not attend the renewal program, did not appear for meals, and did not assist with communion. See FORRY2 021-023.