

**REPORT TO THE DIOCESE OF SPRINGFIELD MASSACHUSETTS:
INDEPENDENT INVESTIGATION**

PREPARED BY:

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JUNE 21, 2020

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Executive Summary

I was officially contacted on July 25, 2019 by Mr. Jeffrey Trant, Director of the Office of Safe Environment and Victim Assistance of the Roman Catholic Diocese of Springfield to conduct an “independent and outside” investigation respecting allegations made by a certain individual of sexual abuse committed upon him by the late Bishop Christopher J. Weldon.

The purpose of the investigation was (a) to assess and ultimately determine the credibility of the individual’s allegations (b) analyze how the complaint was processed by the Diocesan personnel responsible for protecting children and vulnerable adults. That analysis was to include the quality, depth and integrity of the processing of the complaint from the inception of the investigative stages to the ultimate conclusion purportedly reached by a review board and finally to (c) help identify opportunities for improvement in how the diocese handles these matters.

To that end the investigation included a series of interviews starting with the complainant and including members of the Review Board present at the hearing of the complaint on June 13, 2018. Principally interviewed were Diocesan employees who fielded the original complaint. Also included were interviews and discussions with (a) Bishop Mitchell T. Rozanski, (b) the Diocesan investigator, (c) other Diocesan employees, (d) persons with relevant information concerning geographical locations, (e) members of the complainant’s support group, (f) former altar boys and (g) other individuals referenced in my final report.

The methodology employed in our pursuit of the truth closely followed the customary investigative protocols and procedures attendant to gathering and identifying relevant evidence. The evidence was analyzed for the purpose of determining an ultimate conclusion in accordance with judicial consideration.

The processing of the complaint was replete with differing evaluations of the allegations and included conflicting analyses, opinions and conclusions. This reflected a clear lack of industry and concern for the quality of the entire process in terms of the scope of the investigation.

It was clear in my examination that the process included an inexplicable modification and manipulation of the reports received by and acted on by the Diocesan Review Board. Additionally the complaint process was compromised in that mandatory reporters failed in their duties to report the allegations to prosecutorial authorities.

Significantly, in evaluating the actions of those involved in the Weldon assessment, I found that there was a reluctance to fervently pursue an evaluation of allegations against him due to his prominence and revered legacy in the religious community.

Therefore, in response to my charge in assessing how the Diocese responded to the complainant, I conclude from the myriad of evidentiary factors expressed in my final report that from the inception of the complaint through the follow-up process, the procedure was greatly flawed.

I conducted an intensive and in-depth investigation. Concomitant with it was a haunting consciousness of Bishop Weldon's inability to refute the complainant's allegations. Consequently, I conducted the process in the light most favorable to him. However, notwithstanding, I still reached an informed and indisputable conclusion. I found the allegations of the complainant concerning the late Bishop Christopher J. Weldon to be unequivocally credible.

Now turning to the charge where I was directed to identify opportunities to establish and improve policy, procedure, and practice in the handling of complaints. In essence, I was requested to provide constructive recommendations of concepts for the Diocese to practically implement and strictly adhere to in the future processing of complaints. In that regard, I made recommendations primarily based upon the results of the entire investigation. These recommendations evolved from factors that emanated particularly from my duties pursuant to my charge and the knowledge, training and experience of Investigator O'Connor and myself. Additionally, we researched policies, practices, and procedures currently existing within religious entities that particularly focused on the investigative protocol component.


Therefore, we are recommending a system based on checks and balances, replete with transparency and accountability that is confirmed by action and not just words. This includes, amongst other things, the appointment of an Administrative Supervisor of Investigations whose domain will be to oversee the investigative process and the preservation of the product of the investigation.

Additionally, the system would include as prerequisites documentation of procedures and protocols in strict adherence with Dallas Norms and compliance with the laws of the Commonwealth of Massachusetts. Additionally, the concept of experienced forensic investigators coupled with a detailed protocol is included as an Appendix to this report.

The investigation revealed the existence of a parallel universe of order priests and women of religion which while operating within the diocese, fall outside of the authority of the Bishop to implement disciplinary measures. It was clearly necessary to address what I found to be a salient and problematic concept. I strongly recommended that a convener be established to address this anomaly. Significantly it is noted that when the concept was expressed to Mr. Jeffrey Trant, Director of the Office of Safe Environment and Victim Assistance, he immediately implemented my suggestion.

These and other concepts are enumerated and offered as suggested guidelines to be utilized and implemented. All of these recommendations will be addressed through a newly appointed task force chaired by Judge Daniel A. Ford (ret.) and Ms. Irene Woods.

We strongly suggest that Chairperson Ford and his task force adopt the proposals set forth in this report. I am confident that the members of the task force will draw upon and share their vast knowledge, training and experience and competently effectuate these recommendations in a timely manner.

SIGNED: 
Hon. Peter A. Velis (Ret.)

6/22/2020
Date

REPORT TO DIOCESE

PHASE ONE

Disclaimer: There are redactions of names in this report made solely by the investigator, Hon. Peter A. Velis (Ret). They are redactions of the names of abuse survivors only. They do not in any way affect, change, or modify the accuracy of its content or conclusions. In addition, they were made in strict compliance with the confidentiality policy of the Roman Catholic Church.

INTRODUCTION

I was formally requested by the Roman Catholic Diocese of Springfield, Massachusetts (Diocese), per His Most Reverend Excellency Mitchell T. Rozanski Bishop of Springfield, MA (Rozanski) through his representative, Mr. Jeffrey Trant, Director of the Office of Safe Environment and Victim Assistance (OSEVA) and Attorney John J. Egan of Egan, Flanagan and Cohen, Attorneys at Law, Springfield, MA, on or about Monday, July 15, 2019 to conduct an independent investigation, separate from the diocese, to explore allegations made by the Complainant of Chicopee, MA regarding sexual offenses allegedly committed upon him by Bishop Christopher J. Weldon (Weldon), now deceased.

In conjunction with the aforementioned request of Bishop Rozanski, I was allowed, according to my discretion, to utilize the services of any professional private investigators or former law enforcement personnel, additionally compensated, to assist in my endeavors to fulfill the mandate imposed upon me. I personally selected Sgt. Dennis M. O'Connor (Ret.), a former homicide detective with the Springfield, MA Police Department. My selection was based upon his years of experience as an investigator and my first-hand knowledge of his expertise from observing testimony in my courtroom. My decision was buttressed by my own judicial colleagues throughout the years and a myriad of other factors: the recommendations from other

experienced senior grade police officers, his experience in solving and participating in over 150 complex homicide cases (some of which involved sexual abuse matters), his reputed work ethic, and his integrity.

Specifically, my charge contained three components:

1. “To assess the credibility of the Complainant's allegation concerning the late Bishop Christopher J. Weldon, for the purpose of determining whether:
 - (a) the allegations are credible,
 - (b) the allegations are not credible, or
 - (c) you are [I am] unable to determine if the allegations are credible”
(See Exhibit 1).
2. “To review how this situation has been handled by the diocese” and
3. “To help identify opportunities for improvement in how the diocese handles these matters” (See Exhibit 1).

In addition, the diocese agreed that O'Connor would be the sole investigator working under my direction and supervision, independent of any other person or entity, for the independent and outside investigation regarding the aforementioned charge(s). The diocese further agreed to compensate us at an agreed upon rate. (See Exhibit 1b). Further, it was determined and agreed, with respect to my first charge, that the assessment of credibility “shall be determined by and (be) the sole responsibility of Peter A. Velis” (See Exhibit 1).

At the commencement of my duties, I requested, and was furnished, a compilation of specific documents that reflected copious correspondence from and to various individuals, which recounted allegations made by the Complainant respecting the late Bishop Weldon.

(See Exhibit List).

These documents along with the interviews of many individuals, some on multiple occasions, conducted by O'Connor and me were significantly helpful in efforts to comply with my objectives. The objectives were primarily, to complete my assessment of the credibility and veracity of the Complainant's allegations against Bishop Weldon, and secondarily, to provide the diocese with an overall protocol, including policy, procedures, and practices for the future administrative management of similar allegations and complaints involving clergy, employees, and/or volunteers of the diocese (See Exhibit 1b).

All individuals, from whom we requested documents, including diocesan representatives and those supportive of the alleged victim, were readily cooperative in procuring to the best of their ability whatever materials we requested. The documents provided included personal notes, investigative reports, (notwithstanding the eventual discovery of different versions of those reports), phone numbers and addresses of potential sources of meaningful information, maps, emails, and specific contact information, along with other pertinent matters. At that point, utilizing the furnished work product as a guiding step, I began a thorough and complete investigation which led to my ultimate conclusions.

However, as the course of the investigation ensued, we discovered and became privy to, various other relevant documents that were *not provided* at the inception of the investigation. These relevant documents had a *significant* impact on the course of the investigation and my final conclusions.

Particularly, in conjunction with my assessment of the credibility of the Complainant's allegations of sexual abuse committed upon him by Weldon, I was to determine and assess the conclusions, allegedly different and adverse, of the Diocesan Review Board (Board) responsible for hearing and assessing such allegations. There existed an alleged ambiguity and dispute amongst certain members of the Board as to the meaning, accuracy, interpretation, understanding, and final conclusion regarding the “compelling and credible” testimony of the Complainant as expressed in a letter to the Complainant, signed by Board Chairman John Hale (Chairman) and dated September 18, 2018. The subject matter documented the Complainant's narrative of alleged abuse and specific allegations as to the perpetrators of that abuse, including, but not limited to Weldon, Father Edward Authier, and Father Clarence Forand, all deceased (See Exhibit 2).

In the first instance of our investigation, I conducted a fully authorized interview with the Complainant, at the office and in the presence of his Attorney Nancy Frankel Pelletier, for three hours and fifty-five minutes, uninterrupted, with the exception of one bathroom break.

The interview was initially for the purpose of ascertaining and clarifying the details of the narrative the Complainant gave to the Board on June 13, 2018 and juxtaposing it with the recollections of the Board members and those of others present, as to their understanding and

accounts of the relevant details of his allegations (See Exhibit 3). Also taken into account was the Complainant's narrative of allegations given to Rozanski and Trant on June 20, 2019. That narrative included accusations by the Complainant regarding sexual abuse perpetrated on him by Weldon and others (See Exhibit 4).

That interview had a dual purpose: 1) to ascertain what the Complainant told the Board and Rozanski with Trant present and to provide a transcription of the Complainant's narrative and 2) to make my own initial assessment, after hearing the allegations first hand, as a wholly independent source, notably, not an employee of the diocese. The dual purposes were solely in keeping with my charge and mandate of assessing the credibility of the allegations of abuse levied specifically against the late Bishop Weldon.

Significantly, O'Connor and I collectively began the process of exploring and clarifying any ambiguities, inconsistencies, doubts, or vague accusations, regarding various Board members' determinations of the credibility of the Complainant's allegations as they related to Weldon. This was all in keeping with that part of the investigation that would assist me in arriving at my (sole) ultimate conclusion of whether or not his allegations were credible, not credible, or inconclusive.

In essence, what was required was a determination of what **each** Board member concluded regarding specifically the content, conclusions, and apology set forth in a letter to the Complainant dated September 18, 2018, ostensibly on behalf of the Board, and signed by its Chairperson, John Hale (See Exhibit 2). My dilemma concerning the controversy was whether

or not the members of the Board were in agreement, in whole or in part, with the findings expressed in that letter as “compelling and credible” as they pertained to the accusations against Weldon. I also assessed whether or not there were differences expressed by each Board member regarding specific conclusions about Weldon’s alleged conduct respecting his abuse of the Complainant or his inaction when present during sexual abuse by others as recounted by the Complainant and substantiated by the Board.

In that regard we jointly interviewed seven Board members and a number of witnesses, all separately, including clergy, who possessed relevant information or had interaction with the Complainant concerning his narratives, specifically regarding his accusations against Weldon. We also interviewed certain members of the Complainant's support group which included friends; advocates; a psychologist; the Board’s investigator, Kevin Murphy, a retired state trooper; and others whose information and statements assisted in the assessment process.

Of particular note are the Board members’ statements, provided to O’Connor and me, of their differing recollections of the Complainant's allegations specifically related to Bishop Weldon, given in the meeting of June 13, 2018, held for the sole purpose of hearing the Complainant's narrative. He appeared at that time with others who acted on his behalf in a support capacity but did not testify. Patricia Martin, PhD advanced a brief preface on the Complainant's behalf.

In each interview conducted by the Board members, we procured whatever notes they may have taken during the Complainant's testimony or following it, whatever minutes of the meeting were available, and whatever other records were available that would shed light on precisely what he

related to the Board. All of these were obtained for the purpose of establishing consistencies and/or inconsistencies regarding his allegations, in the context of corroborating or not, his narrative of the events surrounding the allegations, referencing such factors as the time, location, and names of others who may have been present. Most importantly, we focused on specific descriptions of the alleged sexually abusive behavior by Weldon that supported the Complainant's contention of what would constitute elements of forcible rape of a child, indecent assault and battery, assault, assault and battery, or other sexually abusive behavior either as a principal offender, or in what could be perceived as a joint venturer.

The Complainant's recollections, given to others, including the investigators, were constantly compared and analyzed throughout the investigatory process with the narratives he gave at the June 18, 2018 Board meeting and the recorded narrative he gave to Rozanski and Trant on June 20, 2019. They were compared for the purpose of determining whether his statements were similar, dissimilar, consistent, inconsistent, contradictory, vague, or the like. All of his narratives and recollections were analyzed to assess the credibility, or lack thereof, of the Complainant and to assist me in my ability to determine whether or not any sexually abusive acts were specifically committed by Weldon.

Significantly it must be noted, that interviews were conducted and assessments made for the dual purpose of 1) assessing the Complainant's credibility, and 2) instructively recommending to the diocese how to implement a structure for policy, protocol, and procedural methods for fielding and conducting investigatory work on all future complaints of a similar nature.

Investigation and exploration included numerous interviews of the Complainant and others, including Board Secretary Mary Ashe; Board members, Attorney Theresa Finnegan, John Hale, Thomas LaChiusa, PhD, LICSW, Maryanne Triggs-Smith, Diana Lewis, Monsignor Ronald Yargeau and Bonnie Moriarty. In addition we interviewed Monsignor Christopher Connelly; Monsignor Daniel P. Liston; Trooper Kevin Murphy, (ret.) Diocesan/Board Investigator; Patricia Martin, PhD; Patricia McManamy, LICSW; a survivor who is a member of the Complainant's support group and recorded the narrative at the June 20, 2019 meeting attended by Rozanski, Trant, the Complainant, and other members of his support group. Please note that this is the only recorded transcription of the Complainant's narrative that currently exists to the best of the investigators' knowledge. However, Trant made a written transcription of the Complainant's narrative at the June 20, 2019 meeting (See Exhibit 4).

Additionally, interviews were conducted of the following individuals: Catherine Farr, Director of Human Resources for the Diocese of Springfield; Russell Sprague, Director of Buildings and Grounds for the Diocese of Springfield; Mark Dupont, Director of Communications for the Diocese of Springfield; Louise McDonald, Secretary to the Keeper of Records of the Diocese of Springfield; Fr. James Scahill (ret.) via telephonic interviews; Charles Smith and Norman Roy, former altar boys at the relevant time of the accusations; Attorney Nancy Frankel Pelletier; Atty. John Egan, legal counsel for the diocese, conducted telephonically regarding Murphy's reports; an assistant to the Register of Deeds, Hampden County; an agent of the Chicopee Board of Assessors Office; Jeffrey Trant, Director of the Office of Safe Environment and Victim Assistance for the Diocese of Springfield; and Most Reverend Bishop Mitchell T. Rozanski, Bishop of the Diocese of Springfield.

Moreover, field investigations were conducted by us after a consultation with Russell Sprague. After that consultation, we requested relevant information regarding property owned and purchased by the diocese during the 1960s, and beyond, that would shed light on the Complainant's description of locations at which Weldon and others allegedly committed acts of sexual abuse.

Investigation and observations of specific interior areas of St. Anne Church and Rectory in Chicopee, MA, were conducted on three occasions along with other areas and exterior locations. Those locations were referenced directly or indirectly in the Complainant's recollections of sites, rooms, and areas where his victimization allegedly occurred, with corresponding timelines best remembered by him, dating back to the 1960s. All of the investigators' visits were contemporaneously memorialized with notes and photographs. (See Photos, Group 1).

Refined to bare essence, under the totality of the circumstances, my task was to assess the credibility of the Complainant's accusations of sexual abuse committed upon him by the now deceased Bishop Weldon.

There are many variables that factor into an assessment of credibility of different allegations or contentions of any accuser, many of which I utilized in my assessment of the Complainant's accusations, drawn from my knowledge, training, research, and experience as a lawyer and jurist over a period in excess of fifty years. These variables, amongst other factors, include (a) contemporaneous documentation or lack thereof, (b) demeanor, (c) consistent statements or

narratives, (d) inconsistent statements or narratives, (e) other evidence that corroborates the testimony, (f) other evidence that contradicts the testimony, (g) bias, for or against someone, something or principle, (h) prejudice (i) passage of time, (j) imagination and/or fabrication, (k) sensory capacity, (l) impairments such as vision, hearing and (m) overall demeanor, and (n) modus operandi, pattern of conduct

It is instructive at this point to mention a definition of corroborating evidence- “evidence that differs from but strengthens or confirms what other evidence shows”- Black’s Law Dictionary 674, 1636 (10th ed. 2014).

As stated, there are a myriad of variables used by fact finders in assessing credibility. Common ones are often employed, but for the most part, there is no particular formula utilized in an assessment. The evaluation depends upon the particular matter and any peculiarities or common or uncommon factors that pertain to the situation being assessed and the witness credibility being evaluated.

A stark reality, upon reflection when assessing the credibility of an accuser, in this case the Complainant, was realized at the inception of the investigation and found a place in the stream of consciousness of the investigators. Simply put, it is important to remember that Weldon is deceased and unable to present and refute any and all allegations and evidence against him. Consequently, it ineluctably follows that the **only** voice Weldon had in the investigatory process, in examining and analyzing almost completely circumstantial evidence, was the **voice of the investigators**.

Significantly, the absence of Weldon's voice coupled with the fact that investigators were limited to predominantly circumstantial evidence (with the exception of the Complainant's direct narrative), begs the simple question of how the late Bishop could possibly deny the most unsavory, egregious, and unconscionable allegations against him when he is not alive to do so. His only resort and redoubt was the integrity of the investigation, our evaluation of the evidence, and employing different standards of proof that would sufficiently support the eventual decision regarding the credibility of the allegations. Those standards controlled the investigation's results. They would, in essence, be an amalgam that would serve to support, or not, conclusions regarding the credibility of the allegations. They included a consideration of the standards of a preponderance of the evidence, clear and convincing evidence, and proof beyond a reasonable doubt. In compliance with principles of fundamental fairness, the investigators, when assessing the Complainant's credibility, balanced the standard of proof that would most *favor* the late Bishop as he was deprived of the ability to defend himself. In that regard, the highest standard of proof- beyond a reasonable doubt - was the governing approach.

INVESTIGATORY PROCESS

It is essential for the reader of this investigative report to know, and fully understand, that at my direction, no formal interviews of any parties were conducted without **two** investigators present at all times, with the exception of my sole initial interview of the Complainant.

At this time, it is also important for the reader to understand that during the course of our investigation it was revealed that there were four separate documented reports ostensibly written by Murphy. This revelation was compelling to the investigative process and the ultimate determination of the Complainant's credibility regarding the Weldon accusations.

These reports are labeled as follows: 1a, 1b, 2a and 2b. None of the reports are dated and one (1b) is signed. All four reports are generally similar in content respecting accusations against Forand, Authier and Weldon as well as “three other unknown priests.” In two of those reports, 1a and 1b, there is a glaring inconsistency as it relates to the specific allegations of molestation against Weldon. In those reports by Murphy, in separate back-to-back sentences in the same paragraph, the Complainant alleges specifically that he was molested by Weldon, and then recanted. (See Exhibit 5).

INTERVIEW WITH THE COMPLAINANT

(Written based on notes taken by Investigator Velis during interview)

On Wednesday, July 31, 2019, from 10 a.m. until 1:57 p.m., at the office of, and in the presence of the Complainant's attorney, Nancy Frankel Pelletier, I conducted an in-depth interview with the Complainant. During this interview, he provided an extensive version of his allegations against Weldon. My evaluation of his credibility regarding those allegations was subsequently compared to the statements he gave to the Board and others, when he recounted his experiences and accusations regarding Weldon. Amongst other things, my evaluation included analyzing narratives given to others by the Complainant relevant to the accusations against Weldon and other priests including Forand and Authier.

My evaluation also included conducting interviews and examining documents, photos, records, written statements, (electronically or otherwise), a recording, minutes of relevant meetings, and a temporal history of his alleged abuse. His disclosure of the allegations in early December of 2014 was not reviewed by the Board until approximately four years later, when reported in a narrative to them on June 13, 2018.

The Complainant sat attentively throughout detailed questioning in an interview and *not a cross-examination* setting. His attorney was present at all times, except for one instance when she left the room for a short period. With her permission and his consent, I continued my dialogue with him. At times during our interview, he became quite emotional, not feigned in any respect based on my observations, as he elaborated in detail, specific allegations against Weldon and others, including Forand and Authier. It is critically important to enumerate certain details of his allegations regarding Weldon and compare them with all other specifics given by him to others in totally different venues. That would be the most efficient manner in which to recount the dialogue of his narration containing the Weldon allegations.

Prior to the interview, I disclosed my charge, to determine the credibility of his allegations against Weldon, and additionally, to compare them with other narratives he may have given to relevant individuals. Moreover, I informed him that I was also charged with proposing new protocol, policies, procedures, practices, and guidelines that I felt should be adopted by the diocese; OSEVA through its Director, Trant; and related personnel.

In that regard, I set forth as follows, significant and important details asseverated and maintained by him:

(a) He said he watched a television program, on or about March 12, 2013, involving a tour at the Sistine Chapel wherein a Cardinal was poised to enter an area in a building and was explaining locations to individuals and the viewing audience. The Complainant said the Cardinal announced, "This is where we are and where we went in." The Complainant then stated, "Everything the Cardinal said was what Reverend Clarence Forand used to say to him (me). This is when the bomb went off." He said to himself at that time, "My God, I've been abused." Specific reference is made to the Complainant recalling Forand informing and instructing him in similar words that the cardinal used, "This is where I sit and read, and this is where you put your clothes." The Complainant then said when a cardinal on the television show adjusted his sash, his memory flashes forward, "to him (Forand)screaming at me, - you have to fix your belt."

In essence, he remembered specifics regarding Fr. Forand's instructions to him as well as details of the room as having "a bed with kelly green sheets with the whitest bed spread I've ever seen."

His emotionally powerful words demonstrated the impact on me of his ability to recall specifics surrounding the circumstances of his alleged abuse, which lent credence to the accuracy of his narrative. It is evident that the show on the Sistine Chapel was the trigger that engendered memories of the Complainant's alleged abuse. In essence, this was a catapult to a bevy of horrors that he related to me and others regarding being sexually abused in the 1960s while an altar boy at St. Anne Parish in Chicopee, MA.

NOTE: Efforts were made by the investigators to procure a copy of the television program alluded to by the Complainant. This involved a depiction of a tour of the Sistine chapel narrated by a cardinal to NBC Today Show host, Matt Lauer. After contacting NBC, we were told by sources that the show was archived. We were provided a website to access archive information and were informed that to access the archive one would have to be affiliated with a legitimate news agency. These efforts were made in an attempt to observe the particular format that might have triggered the Complainant to express that while watching the show at that time, in his mind, "a bomb went off."

(b) He remembered being groomed for sexual behavior by certain priests, Forand and Authier, and ultimately articulated that he was raped by Weldon. He stated graphically in my interview that, "Weldon was behind me sexually more than once."

(c) He clearly and specifically stated, and consistently maintained, in every refrain of his narrative that "I was raped." He stated he expressed that soundly and emphatically in his opening statement to the Board on June 13, 2018. He was visibly shaken when using that word and told me he "hated the word (rape)." He claimed he did not want to use it and did not want to "sprinkle it around in front of the Board."

(d) He told me and others of being naked in bed with Bishop Weldon, who was also naked, and who he described as "the cuddler." He further stated that he was fondled by Bishop Weldon and, at one time, forced onto a bed by others at Bishop Weldon's direction.

(e) He stated that, at one point when he was crying when they were in the bed, Bishop Weldon threw him out of bed and told him not to cry. He expressed that Bishop Weldon ordered him to watch, which he did not do, while he (Weldon) fondled another boy. (See Interview of Survivor).

(f) He stated that whenever he cried, Bishop Weldon physically struck him.

(g) He described places where Bishop Weldon brought him “by water” where there was a tent set up and there were naked altar boys. He further claimed that Bishop Weldon walked him behind the tent to “a dark and scary building in the woods.”

(h) He consistently recalled additional specific details that were related to locations where he interacted with Bishop Weldon such as a “white building,” a “wooded path,” and the numbers “56” and “52” on different doors of buildings. However, although he could not remember the precise locations of those buildings, he significantly recalled that Bishop Weldon “walked him into a building numbered “52,” later revealed, through the investigation, to be the rectory at St. Anne Church in Chicopee, MA which is now known as 30 College St.

(i) He remembered a book on a pedestal in some room in a building and said he gestured to the Board with his arms to indicate “it was not far from St. Anne.”

(j) He remembered Bishop Weldon walking him to a building with the number “56” and seeing “green tomatoes” situated somewhere by the door.

(k) He stated that Bishop Weldon wanted him to go into a particular room that he did not want to enter; he resisted strenuously while Bishop Weldon was pulling him down the hall to that room.

(l) He remembers other priests at the scene, one tall and slim with a “grey rectangular face” and one with a “bowling ball head”, and a “head altar boy named Ron.”

(m) Particularly, he remembers that at the scene of the alleged abuse committed upon him, he was standing in a corner fearfully crying out, “I want my mommy.”

(n) He made reference to certain priests with nicknames describing them as the “main perv (Forand),” the “drooler (Authier),” and the “cuddler (Weldon).”

(o) He indicated he was living at home with his parents and his brothers when the events occurred. He never remembered telling them about the alleged abuse by Bishop Weldon; however, at that time, he did mention to his father that he was fondled by Fr. Forand. He related that his father responded angrily by striking him.

(p) He was upset over the conclusion expressed by Murphy in Report 1. Note that this was the only report I had at the time of our interview. When I showed him the conclusion, written by Murphy, that clearly stated that Bishop Weldon did not physically molest him, the Complainant angrily stated to me, “He (Murphy) is a fucking liar.”

(q) He also stated that Murphy told him not to go to the Board meeting on his matter. Notably, the Complainant said that Murphy told him his allegations were *credible* and further stated, “You don’t have to go to the board. You don’t want to go to the Board. I’ll tell your story.”

That was the sum and substance of the Complainant's interview. Attention is now directed to his narrative, and portions thereof, given to others for purposes of a dual assessment: First and foremost, in an effort to assess the credibility of his allegations, a careful examination of the Complainant's narratives were conducted, in part, by comparing the narratives given to different sources. Primarily, the comparisons included an examination of his narratives to determine whether consistencies or inconsistencies of a substantive nature were instructive in the assessment of the credibility of the allegations regarding Weldon. Secondly, a portion of my charge was to unravel, assess, and clarify the discrepancies that existed between and amongst the Board members regarding their concurrence or nonconcurrence with statements made in the letter dated September 18, 2018 that addressed the findings of the Complainant's allegations.

In addition to the Board review and interview with the Complainant on June 13, 2018, a further hearing or meeting in which he disclosed and particularized his allegations against Weldon was held on June 19, 2019. The meeting was conducted by, and in the presence of, Rozanski and Trant, (Director, OSEVA) and supporters of the Complainant. The Complainant expressed his narrative and was asked certain questions specifically about the involvement of Weldon and his accusations against him. The narrative was recorded by a survivor, a supporter and member of the Complainant's support group, and is the only recorded version known to investigators.

INTERVIEWS OF REVIEW BOARD MEMBERS AND RELEVANT OTHERS:

As noted above, in a letter of apology to the Complainant dated September 18, 2018, the disclosure and findings by the Board gave rise to differences of opinion, and an ostensible lack of consensus regarding its contents, specifically relating to the credibility determinations and conclusions of the Complainant's allegations against Weldon.

This was manifested in the interviews we conducted when examining each Board member who was present at the June 13, 2018 meeting who witnessed the Complainant's narrative of specific accusations and allegations. The statements and evaluations of each Board member regarding that interview, and that of the investigators, were fully utilized in determining the Complainant's credibility regarding his accusations against Weldon.

MARY ASHE

On August 7, 2019, from 10:00 to 11:15 a.m., on August 8, 2019 from 1:45 to 2:10 p.m., and again on August 14, 2019 from 11:45 a.m. to 12:40 p.m., O'Connor and I interviewed Ms. Mary Ashe (now deceased) in a conference room at 65 Elliot Street in Springfield, MA.

Ashe was employed as a secretary by the Diocese of Springfield, Catholic Communication Corporation. Additionally, she served as secretary for the Diocesan Review Board since 2007. Ashe's duties included attending all Board meetings, taking notes, and recording the minutes of the proceedings. She performed those duties on June 13, 2018 and later converted her notes to typewritten form; she then destroyed the handwritten version.

She confirmed that the only record of the June 13, 2018 meeting, as well as all other meetings, is her typed notes of the minutes. The minutes included the attendees of the June 13, 2018 meeting and were considerably instructive to the investigation regarding an assessment of the accusations of the Complainant. Also present at the June 13, 2018 meeting were certain members of the Complainant's support group: Dr. Patricia Martin, a witness, and an abuse survivor.

Ashe made an observation as to the Complainant's demeanor, stating he appeared “nervous and uncomfortable.” Ashe maintained that the Complainant stated he was abused by three priests, Forand, Authier, and Weldon and pointed to the statement “he had been abused by all three.” She also drew the conclusion that the abuse took place at St. Anne Rectory in Chicopee, MA, based on the narrative of the events that the Complainant stated to the Board and the fact that Forand and Authier were assigned there in the relevant time frame.

Notably, Ashe recounted certain details expressed by the Complainant about being physically touched by Weldon, but she was unclear as to the extent and sexual nature of that contact, except for her assessment of Weldon’s behavior, based upon her impression characterized by her definitive statement that “Weldon wanted more.”

Moreover, Ashe was unable to recount any specific locations where she inferred the Complainant's victimization by Weldon possibly took place, other than a rectory. She did express a vague memory of two numbers, “52” and “56,” recounted by the Complainant in his narrative. She believed those numbers represented addresses where he was abused.

Ashe concluded that all three priests, including Weldon, abused the Complainant based upon, amongst other things, the following: (a) the Complainant's detailed narrative contained specific details about locations of buildings and other particulars such as dwellings "52 and 56." She believed these were numerical addresses, "maybe" geographical locations where abuse occurred, (b) Murphy's reports, inherently contradictory in substantive content and form, were described by her as "discrepancies," (c) her opinion that the Complainant was "very credible" because, she stated, "you don't make that stuff up," In an email to Hale on September 13, 2018, she further expressed the impact that the Complainant's testimony had on her, "That was quite a meeting. OMG!!!" (Exhibit 6), (d) she stated that there was a brief discussion of the Complainant's credibility after he left the room, but no vote was taken.

Of particular note is an inconsistency regarding the letter dated September 18, 2018 from Hale to the Complainant, hereinafter referred to as "the letter," regarding the Complainant's allegations against Weldon. Hale claimed the letter was "manipulated" by the deletion of the Board's non-credible finding respecting, specifically, accusations against Weldon.

Ashe, after receiving what was ostensibly Hale's draft of the letter, stated she never read any words in that draft where it was disclaimed that Weldon was an abuser (Exhibit 7). Moreover, she claims she sent a draft of the disputed letter from Hale to Finnegan who revised the draft and sent the final version back to her. Finnegan denied ever seeing any draft or of having "anything to do with any letter." Ashe claimed she signed John Hale's name to the letter, with his authority and sent it to the Complainant. This claim was confirmed by Hale in his interview

ATTY. THERESA FINNEGAN

Atty. Finnegan appeared for an interview with investigators on August 7, 2019 from 11 a.m. to 12:45 p.m. and gave testimony. She clearly recalled, and found credible, the following claims in the Complainant's narrative: (a) He was sexually abused by Weldon. (b) He observed Weldon during the commission of abuse that he perpetrated on others. (c) He observed that Weldon was present while sexual acts were committed on altar boys by other priests.

Further, she recalled accusations of sexual abuse against other priests as well as specifically against Weldon that included allegations of forced "anal and oral sex sharing." She believed the Complainant's specific allegations against Weldon included "rough sex acts." Moreover, she remembered particularly that the Complainant recalled Weldon as "being the most violent," and was "one of the worst." Finnegan had "no doubt that the Complainant believed that Weldon was present and was the most violent."

NOTE: This is consistent with the allegations the Complainant told me when he said, "Weldon was behind me sexually more than once" and was physically rough with him including "striking him when he cried."

In that context, she further recounted a memory cited by the Complainant of having trouble "putting his shirt on." It was her belief he was talking about a "broken arm or something," caused, at some point, by Weldon. This was consistent with the statement the Complainant made to me in our interview when he recounted that he sustained a fracture of a body part. This raised the inference that a fracture was caused by Weldon.

Of particular significance in Finnegan's interview is in reference to investigative reporting done by Diocesan Investigator Murphy. Murphy's investigation is summarized in the form of a written report. Occasionally, he would present an oral report to the Board. This was standard practice in all matters including the subject investigation, confirmed in interviews with all Board members. She, along with other members, confirmed that the Board gives a lot of weight to Murphy's investigation. She stated, "I rely 90% on Kevin's investigation."

Finnegan was re-interviewed on August 14, 2019 at 7 p.m. I presented her with what is known as Report 2 and asked her to read it. When she was done reading it, I asked if that report looked familiar to her. She expressed that it did and stated, "I believe it was the report that was presented to the Board." O'Connor then handed Finnegan the report that has become known as Report 1a and asked her to read it. Significantly, while reading it, she was taken by complete surprise as demonstrated by her notable physical reaction and exclamation of, "Wow, holy shit!" This dialogue with Finnegan further propelled the trajectory of inquiry toward determining what the Board *knew* about the inconsistent sentences found in Report 1 and *when* they knew about them.

The Board, according to Finnegan, as well as other Board members, customarily relied heavily on the investigator's written and/or oral reports when assessing the credibility of an accuser. In the case of the Complainant, the Board relied on the only report that was provided to them (hereinafter referred to as Report 2a). However, Finnegan unequivocally stated that at no time did she see the inconsistency contained in Reports 1a and 1b, regarding claims by the Complainant concerning Weldon, until we brought it to her attention (See Exhibit 5).

As a matter of fact, that was the case with each Board member who heard the Complainant's narrative first-hand on June 13, 2018. It was established, through our investigation, that the reason for this was because Reports 1a and 1b were never presented to the Board when the Complainant appeared before them on June 13, 2018. No member of the Board ever had the benefit of Reports 1a or 1b when assessing the Complainant's credibility or while listening to his accusations. Thus, significantly, each member, directly or inferentially, determined their conclusions only from Report 2a and the Complainant's narrative. At all times that was the only source of evidence upon which they could rely when assessing the Complainant's credibility. The report presented to the Board did not contain, rather, on the contrary, specifically refuted any claim by the Complainant that he was molested by Weldon.

Consequently, the Board never had the benefit of evaluating any evidence that the Complainant clearly indicated and specifically stated that Weldon *molested* him, *until* they were presented with Reports 1a and 1b during the course of our investigation.

At all times, Finnegan steadfastly maintained her belief in the Complainant's allegations against Bishop Weldon, regardless of what was contained in the differing reports. As a matter of fact, after reading Report 1a, she expressed that her belief in his allegations was emboldened and strengthened. When presented with Report 2a, as previously stated, it is fair to say she was flummoxed, visibly shaken, and upset about never seeing Report 1a.

Regarding Finnegan, it is clear she found the Complainant's allegations of abuse by Bishop Weldon to be credible. Included in support of Finnegan's convictions, she remembered the Complainant recounting an incident where Weldon was "pulling me down a hallway and there were multiple doors" and also "and if that building were still standing, you would find my fingerprints there."

Further, in a telephone conversation with the investigators on August 22, 2019, Finnegan stated she did not author the September 18, 2018 letter sent to the Complainant and signed by Hale. She requested additional time to further confirm that she had no part in that letter and would inform us if she discovered otherwise.

THOMAS LACHIUSA, PHD

Thomas LaChiusa, PhD was interviewed twice, once on August 8, 2019 from 2:20 to 3p.m., and on August 14, 2019 from 7:35 to 8:55 a.m. by the investigators. Dr. LaChiusa strongly emphasized his sensitivity to the sufferings of the Complainant as both a clinician and human being. However, he distinguished his assessment of credible accusations respecting Forand and Authier from those of Weldon. He indicated that he did not believe Weldon sexually and/or physically abused the Complainant; yet, he did find credible the Complainant's accusation that he "was forced to watch while Weldon fondled other boys in front of him."

After listening to the Complainant's narrative Dr. LaChiusa believed that Weldon “was more of a fondler and a hugger.” Consequently, however he distinguished the acts and behavior of the priests and Weldon, he felt they were *all* committing a form of sexual abuse, whether by a direct action, as an *actor*, or by their *mere presence* and lack of action in preventing or stopping it. He characterized Weldon’s behavior of fondling other boys, and forcing or inadvertently allowing the Complainant to watch, as being a form of molestation against him (See Exhibit 8).

From a clinician’s viewpoint, LaChiusa offered that sufferers or victims have a frame of reference “as that of a child” when recounting their experiences of witnessing sexual abuse.

During questioning, LaChiusa indicated that he also did not have the benefit of Report 1a, that was self-contradictory, but only Report 2a, when evaluating the Complainant's narrative. If he had, he stated he would have questioned the contradictory statements and would never have made a personal note that “the Complainant was not abused by Weldon.” He was presented Report 1a during his interview and indicated his dismay about not having the benefit of it at the Board meeting on June 13, 2018. He informed the investigators that the Board exclusively relied on Report 2a during that meeting. Significantly, it was during this interview that the investigators first became aware of Report 2a. It was brought to our attention and presented to us by LaChiusa. Notably, when referencing the contradictions and/or any inconsistency in Report 1a, Dr. LaChiusa opined that from the prism of a clinician “it is uncommon” in an abuse scenario for a patient to state he was abused and then say he was not abused.

In interviews with Board members, investigators raised the issue of polling the Board (first raised with Hale) with respect to allegations of the Complainant regarding Weldon. In the second interview of LaChiusa, he indicated he was not polled. “I wasn’t polled; we don’t poll; I don’t remember anyone being polled.” He indicated he was never polled until he was contacted by Dupont, on June 11, 2019, who asked him how he voted.

BONNIE MORIARTY

Ms. Moriarty was interviewed on August 12, 2019 from 12 to 1:20 pm. Significantly and of particular note, in the course of Moriarty’s interview, she indicated she never saw the letter of September 18, 2018 sent by Hale to the Complainant. Also, she stated she had no knowledge of its contents. This became important to the investigators who were charged with the task of sorting out and assessing the different opinions and determinations of the Board members regarding the conclusions stated in the letter ostensibly signed by Hale.

She believed that the Complainant stated that Weldon did not touch him but made him watch as he sexually abused others. “I don’t recall the Complainant mentioning someone behind him or using the word rape, but I believe that fit the overall tone.” Moriarty expressed that for emotional reasons, at Board hearings, she would “block things that I hear” and “it’s a tough committee to be on.” She thought the Complainant went out of his way to say that Weldon did **not** abuse him. However, she did state that she had a memory during the testimony of “not thinking fondly of Weldon because he was present and had a responsibility to stop it.”

Additionally, like other Board members, she never had the benefit of examining Report 1a.

When she was shown that report, she immediately acknowledged the inconsistencies regarding Weldon's abuse, and said she would have had questions and asked for more clarification as to those particulars. She emphasized she did not see any inconsistencies of any sort in the only report provided to her, Report 2a.

When pointing to her teaching skills and background, Moriarty, a former English teacher, confirmed that she was a person who would have easily noted any inconsistencies in any report when she stated to the investigators, "Had I seen Report 1a, I would have picked up on the inconsistent statements and questioned them right away." Interestingly, she stated, "I don't find Kevin's (Murphy) conclusion accurate."

Moriarty stated in her interview that she still had her original packet of information including reports regarding the Complainant's matter. She explained that it was the established and traditional practice for Board members to receive the packets for review, prior to, or at a meeting. She went home, retrieved it and brought it to us. It contained *only* Report 2a (See Exhibit 9).

Notwithstanding, she did not believe that Bishop Weldon sexually abused the Complainant, but she believed he did have physical contact with him. She does remember the Complainant saying he "backed away from the Bishop" and that the Bishop was a "cuddler who liked closeness and physical contact," a phrase the Complainant used consistently to describe Weldon to me and others.

Notably, she wanted to clarify that, after reading Reports 1a and 2a, she believed that the Complainant's exclusion of Weldon was attributed to only Report 2, the only one the Board had available initially. However, after reading Report 1a, she changed her prior assessment and found the Complainant “more credible than not credible.” Moreover, Moriarty was “impressed with the degree of emotion” displayed by the Complainant when he delivered his narrative to the Board and stated, “I have no doubt he was the victim of abuse.”

Finally, in response to the issue of polling the Board, Moriarty stated, “I don’t remember any polling; I never voted; I assumed everyone found the Complainant credible.”

MARIANNE TRIGGS SMITH

Ms. Smith, another Board member, was interviewed on August 20, 2019 from 12:30 to 2:10 p.m. and introduced herself as the new Co-chair of the Board. She had considerable difficulty recalling any specifics consistent with what other Board members related to the investigators about the Complainant’s narrative. She recalled nothing about any accusations made by the Complainant against Weldon and expressed surprise that he was mentioned as one of the accused.

Interestingly, notwithstanding the above, Smith verbalized that the Complainant's narrative was generally credible based upon his recall of “specifics” regarding Forand and Authier; yet, she was not able to recall any specifics regarding accusations against Weldon. She stressed that she was surprised by any mention of Weldon and further stated that her understanding was that

Weldon and the other priests were never together. She consistently maintained that she thought the accusations against Forand and Authier were credible.

It is enigmatic in the totality of the circumstances, that included, amongst other things, Forand and Authier, always one or the other, being present with Weldon when their abuse occurred that she could not recall any accusations against Weldon in view of the fact that she expressed to the investigator that she “understands the importance of testimony and specifics.” She clearly only recalled the specifics against the other accused priests.

However, notably like all other Board members, when presented with both Reports 1a and 2a juxtaposed, she stated she never saw Report 1a and, if she had, it would have changed things. Moreover, she indicated that if she had seen Report 1a, “I would have thought he (the Complainant) was consistent.” Arguably, the contents of Report 1a are sufficient to draw a permissible and reasonable inference that the accusations by the Complainant against Weldon were “consistent” as did Smith when she was confronted with a more complete picture of all the circumstances. She also echoed that “reading Kevin’s report, provides us with the facts. I rely on it about 90%.” This practice appeared to be universal with every Board member and was an overwhelming influence on them in arriving at a decision respecting credibility.

JOHN HALE - CHAIRPERSON OF THE BOARD

John Hale, Chairperson of the Board at the time of his interview, appeared before our investigative team on August 8, 2019 from 9 a.m. to 12 noon, on August 14, 2019 at or around 6 p.m. until approximately 6:30 p.m., and on September 12, 2019 from 12:40 until 1:30 p.m. At the second meeting, Hale presented us with the notes he took at the Board hearing held on June 13, 2018 (See Exhibit 10).

Initially, Hale maintained that the Board members were individually polled after the meeting on June 13, 2018, and all were in agreement as to the Complainant's credibility regarding allegations in general. However, at the time, he recounted that all members of the Board believed that Weldon did not molest the Complainant; nevertheless, they believed he was *present* during the molestation of others. Significantly, Hale maintained that a polling took place, but the Board members were *not* specifically asked about the Complainant's credibility respecting Weldon. Hale initially recalled that before the polling, he individually asked the Complainant, "So you're saying you were never molested by Weldon" to which the Complainant answered, "No." That question and answer caused the investigators to examine precisely what the Complainant meant when he answered "No."

In view of all the testimony from each Board member pursuant to our investigation, as well as all narratives given by the Complainant, it became abundantly clear to the investigators that what the Complainant meant when answering "No," to Hale's question was that he was *not* saying that Weldon did *not* molest him because of the way the question was posed to him.

To be clear, when the same question was posited to him directly by Rozanski, “Are you saying that Bishop Christopher Weldon sexually abused you?” the Complainant answered, “Yes.” He then stated, “Just like I said to Murphy, Patty (Patricia McNamany), and Connelly (Christopher Connelly, Vicar General in 2014), did he sexually abuse me? Yes, multiple times, multiple locations.”

Many times at the meeting, Hale clearly recalled that the Complainant stated certain specifics related to abuse including the environment where the abuse took place and specific individuals who allegedly molested him. In particular he remembered that the Complainant mentioned abuse related to the “incident in the hallway” and that “Bonnie Moriarty may have asked the question about it.”

Additionally, Hale remembers the Complainant spoke of “orgies, numerous boys being by a lake near a cabin, skinny dipping in a lake with two or three priests, and other boys.” We concluded that those locations fit the description of Camp Holy Cross in Goshen, MA, and were owned by the Diocese of Springfield. O’Connor visited the referenced sites of the cabin and lake and found the often-repeated number 56 affixed to a cabin, consistent with the Complainant's recollections and confirmed by some Board members (See Photo Exhibit, Group 2, 1-9).

O’Connor’s investigation revealed the number “5” on the left side of the main door of the cabin, and the number 6 on the right side of the door which was open when he saw it. Photographs appended hereto reveal that the number “6” was not visible. The cabin door was open, intentionally not closed because the cabin was occupied (See Photo Exhibit, Group 2, 2).

Hale felt that Weldon had a “moral responsibility” to stop any abuse he observed when present, and stated, “He is guilty by association, based on his presence in the rectory.” He was emphatic that he believed Weldon was present during the abuse.

Based upon the Complainant's testimony, Hale indicated that he believed most of the abuse occurred at St. Anne Rectory and that the Complainant was “groomed” there by Forand. He remembers the Complainant mentioned a secret staircase and “Forand telling him to come up to the room.” According to Hale’s memory of the testimony of the Complainant, “the Bishop never assaulted him sexually, but did draw him to him and he (the Complainant) pulled away.” The Complainant referred to Weldon as the “cuddler,” a term he used consistently when describing Weldon to others. Hale recalled that the Complainant said definitively that he saw Weldon molesting other boys.

Hale also recalled that the Complainant's narrative included that he was naked on a bed with a priest, but Hale could not recall what priest the Complainant was referencing. “I don't recall what priest he was talking about.” He also recalled the Complainant stating at one time that his pants were down, and a priest was standing behind him “sans pants” telling him to back up. Moreover, in that context, Hale recalled the Complainant talking about being abused by “anal sex.”

Hale, poignantly and visibly shaken, recalled the Complainant telling of one incident after leaving the rectory when his pants felt wet; he said he hid behind a tree, put his hands down his pants and noticed his hand was covered in “blood and shit.”

Significantly, when Hale was presented with the two separate Murphy reports, 1a and 2a, he remarked, “What’s going on here? This is a whole new ballgame.” These remarks could be reasonably interpreted to mean that he would have reconsidered his initial finding that the Complainant was not molested by Weldon. Hale’s response was similar to the remarks of other members of the Board when they were presented with these reports.

Prior to Hale’s interview with investigators on or about June 4, 2019, he claimed he received a phone call from an alarmed (characterized by Hale) Mark Dupont, Director of Communications for the Diocese of Springfield. Hale stated to us, “He (Dupont) immediately began picking my brain about what the Complainant said concerning Weldon. I told him that I was on the golf course and didn’t have access to my notes. He said he needed it immediately. I told him I believed the Complainant was not untruthful.” Additionally, Hale told us, “Dupont asked if I remembered anything about Bishop Weldon. I then told Dupont I asked the Complainant specifically if Weldon molested him and the Complainant said, ‘No.’ I told him that was the best of my memory, but I would check my notes when I got home. He was kind of frantic and asked me to go home and get my notes. I told him again I was on the golf course and told him I would go home when I was done with the golf.”

It appeared as though this conversation was an attempt by Dupont to clarify the Board's findings because of the potential discrepancies amongst and between Board members. A similar inquiry was made by Trant (OSEVA), according to Hale. Hale expressed that both phone calls were a query about his recollection of the Complainant's testimony before the Board (See Exhibit 11).

Turning once again to the issue of any disagreement and confusion regarding Board members agreeing or not, in whole or in part, with the contents of the letter of September 18, 2018, it is important to note certain responses related to the letter that Hale gave to the investigators when questioned directly in the interview of August 8, 2018. Hale responded that he felt his original and only draft of the letter of September 18, 2018 to the Complainant was "manipulated" by the removal of a sentence, which stated, "The Board found that the accusation of abuse by Bishop Weldon was not sexual." However, after a review of the draft by investigators, the sentence he referenced was found to be non-existent. In addition, after re-interviewing Ashe concerning the letter of September 18, 2018, she indicated that she did not recall any such sentence contained in the draft that she received, ostensibly written by Hale, that was ultimately forwarded to the Complainant. At his first interview, Hale stated that he never saw the letter that was sent to the Complainant, but confirmed, as was the custom, that he authorized Ashe to sign his name (See Exhibit 2).

Particularly significant in the second and third Hale interviews were three statements made by the Complainant that Hale recounted to investigators. First, Hale made a notation of a specific statement by the Complainant and quoted it to the investigators. He stated, "The hollow feeling you have when you get raped, it's a terrible feeling." This emphasizes, sheds light upon, and

potentially corroborates the disputed fact that the Complainant correctly maintained that his opening remark to the Board was “I was raped.”

Second, Hale also recalled the Complainant reciting to the board that something “terrible” happened in this room,” referencing an incident where the Complainant cried out, “I want my mommy” (See Exhibit 10). Third, and certainly as poignant, was Hale’s observation recounted to the investigators, “You could see the hurt and pain in his eyes as he testified.”

MONSIGNOR RONALD YARGEAU (RET.)

Msgr. Yargeau met with investigators on August 12, 2019 from 10:15 a.m. to 12:15 p.m.

Yargeau was the head altar boy who trained the younger altar servers at St. Anne Parish in Chicopee, MA in the late 1950s and early 1960s. He remembers the Complainant was an altar server, but he did not recall serving any masses with him except maybe one. Yargeau, who is a few years older than the Complainant, did recall serving with the Complainant's older brother.

Yargeau stopped altar boy service in 1964 and did not see or hear from the Complainant, until he “called me out of the blue in 2014 and asked if he could come speak with me.” The Complainant did not apprise him of what was going to be discussed at the meeting. They met at Yargeau’s rectory at Holy Trinity Parish in Greenfield, MA. It was a long meeting, and according to Yargeau, there was no mention of Weldon by the Complainant. He claims that the Complainant only told him that he was sexually abused by Forand. Yargeau was shaken when he heard the Complainant express those allegations against Forand. He maintains that the Complainant never

mentioned Weldon or Authier to him in any respect, but he believed the allegations about Forand were true because of certain details the Complainant shared with him.

Yargeau felt that the Complainant was very detailed in his description of where his abuse took place, making reference to a “narrow hall behind the altar where our surpluses and cassocks were hung.” He indicated he remembered playing with other youth in that hallway. He also remembered that the Complainant had a very vivid memory of the stairs in the rectory that led into the priests’ residence and further stated that Forand brought him up there. Yargeau indicated that the Complainant's descriptions were so specific that they reminded him (Yargeau) of his “memories” of fifty years ago in those same locations.

Notably, and significantly, Yargeau mentioned his fondness for Authier and Weldon. He recited anecdotally how Authier fostered his music career and how Weldon arranged to assign him to parishes near his ill father’s home so that he could care for him. As a result of the meeting, Yargeau referred the Complainant to Msgr. Connelly, the Vicar General of the Springfield Diocese. Yargeau called Connelly after the Complainant left the conversation and said that he was going to receive a call from “a kid named (redacted).”

Upon inquiry, Yargeau did recall the existence of an individual priest described by the Complainant as a priest with a “bowling-ball head” who was assigned to St. Anne Parish at the time of the Complainant's alleged abuse by Weldon. According to the Complainant, this priest, at the command of Weldon, threw him on the bed and physically struck him.

Subsequently, on August 12, 2019 at 4 p.m., Yargeau texted the investigators to inform them of the date when he first met with the Complainant because he could not recall it at the time of his interview with us. He stated in the text that he recovered a 2016 calendar and could not find a listing for a meeting with the Complainant. He called and confirmed that investigators must be correct in saying, "I met with him in 2014." He indicated that he must have lost his 2014 calendar when changing residence after his retirement.

Of particular note, was Yargeau's statement confirming his own independent memory of the physical description of St. Anne Rectory. He described, with particularity, a stairway to the priest's residence that existed at the time of the alleged abuse of the Complainant.

MONSIGNOR CHRISTOPHER CONNELLY

Msgr. Connelly met with Investigators Velis and O'Connor on August 14, 2019 at both 1:30 p.m. to 2:47 p.m. and 4:10 p.m. to 5p.m. Connelly stated that he, along with Patricia McManamy, met with the Complainant at Connelly's office, after he was contacted by Yargeau in late November of 2014. He further related that he received a telephone call from Yargeau concerning the Complainant. Connelly said Yargeau did not discuss what the Complainant wanted to discuss. He just asked, "Would you meet with him?"

That meeting, in early December of 2014, was considered by many to be the first official time that the Complainant made his allegations of abuse known to the diocese. Connelly met with him and recalls that he made allegations about Forand and "maybe" Authier, but he steadfastly contended that the Complainant never mentioned Weldon as being one who abused him.

On the other hand, the Complainant maintains the opposite, contending that at that meeting, he absolutely named Bishop Weldon as one of his abusers.

During the course of our investigation, on or about April 6, 2020, we contacted the Complainant's attorney (Pelletier), in a further effort to resolve this discrepancy. I specifically asked her to pose a direct question to the Complainant, "Did the Complainant tell Connelly and/ or Patricia McManamy at that meeting in December of 2014 that Bishop Weldon abused him?" The next day, April 7, 2020, she informed me that she asked that precise question, to which the Complainant responded, immediately and emphatically, "Yes."

Moreover, Connelly indicated that he believed that the Complainant never wanted to avail himself of the review process but said he would remain in contact with McManamy. There appeared to have been a serious misunderstanding between Connelly, McManamy, and the Complainant regarding his wishes and intentions. They contended that he never wanted his complaint to be processed or to appear before the Board.

Connelly stated that the Complainant made certain demands and requests of him including that the Pope go to his father's grave, which he was told by Connelly could not happen. As a compromise, Connelly offered to say prayers at his father's grave. Additionally, the Complainant requested that Connelly provide him with the names of altar boys who served with him at or around the time of his abuse. That request was ostensibly part of his endeavor to confirm his memories of the abuse that he sustained and of those who abused him.

Those names were not provided, not through any fault of Connelly, as it was later determined that a list did not exist. The Complainant also requested to visit St. Anne Church and Rectory for the purpose of seeking closure. The visit took place through the efforts of Father John Connors according to Connelly (See Exhibit 12).

Connelly never reported the allegations to the Bishop, the District Attorney, or anyone else and declared that the “professional responsibility for that is Pat McManamy’s.” Moreover, Connelly intended to make it clear to the investigators that the responsibility was not his, as his role in those matters is “strictly pastoral.” He further stated, “I wanted to help him out; I wanted to hear him and help him.

Connelly stated that the Complainant was “easy to talk to,” the meeting was not contentious, and that the Complainant displayed different emotions of sadness. “I thought he was sincere. I thought he found me helpful. I do not recall any specifics about the allegations, except I do remember allegations being made against Forand. I don’t remember what happened; I don’t remember what the nature of the abuse was.”

Connelly did not take any notes of his meeting with the Complainant and no transcription, recording, or other records of the meeting exist according to him.

DR. PATRICIA MARTIN

We interviewed Dr. Patricia Martin at the Goodnow Library in Sudbury, MA on August 19, 2019 from 10 a.m. to 2:10 p.m. Her interview was conducted with the full knowledge that she never treated the Complainant in any capacity as a psychologist or other type of clinician but was, in essence, a support person for a considerable period and remained so on the day we met with her. She is currently an active member of the Catholic faith.

Consequently, we interviewed Ms. Martin not only from the perspective of her relationship with the Complainant but mainly in her capacity as a witness to the narrative he gave to the Board on June 13, 2018 and to Rozanski on June 20, 2019. In addition, we focused on her assessment of the Complainant's credibility with respect to his allegations against Weldon and Forand and Authier as they related to the Weldon situation. Of course, as referenced above, we interviewed her from our perspective of her as the Complainant's advocate. We credited her fundamentally because of her profession and experience as a therapist "who has dealt with abuse of both youth and adults."

Martin was a mandated reporter in 1992 in the embryo stages of the Marshall Commission, a commission that addressed the issue of conduct of abuse by priests, wherein she served in an advisory capacity until 1998. She also served, at one time, as a member on the Diocesan Review Board.

Martin's first contact with the Complainant was on April 22, 2018, via a telephone conversation. She was contacted by the mother of a survivor, a member of the Complainant's support group. She stated that the Complainant was not very detailed in that phone call but ultimately, in the second phone call, he specified and spoke of abuse by Forand, Authier, and Weldon that occurred at Saint Anne Rectory. Notably, she indicated to us that he repeated the allegations of abuse by Weldon in a meeting in her office on April 26, 2018.

In the context of those allegations, she recalled that the Complainant spoke of a building addressed with the number "52" that he stated had a grand foyer inside with a large staircase with a book on a stand at the bottom. Also, he referenced the number 56, and a bush near the door with green tomatoes on it. He said he recalled this because he had never seen green tomatoes before. He stated he was taken there by Bishop Weldon.

Moreover, she indicated that the Complainant was "very detailed" and she opined "once repressed memory comes out it's usually very detailed on recall, like a snapshot." She recounted that he mentioned "three or four clear incidents of Weldon being involved." They were a "combination of touching and sexual incidents." Significantly, she explicitly verified that he mentioned the numbers "52" and "56," consistent with the constant refrain in all of his narratives and in his account to the Board on June 13, 2018, a meeting which she attended.

Notably, Martin accompanied the Complainant to St. Anne Rectory on August 17, 2018 with McManamy. She stated it was “very traumatic for (redacted)” in the room on the second floor which the Complainant stated was Forand’s bedroom. He also described to her what she termed to be a “grooming process” in which Forand and Authier sequentially groomed him and then shared him with Weldon.

Significantly, Martin confirmed that the Complainant privately described to her that incidents took place “near water in an area where there were cabins and tents.” When asked if she was familiar with the Holy Cross Camp in Goshen, MA she said, “I wondered if that was the Holy Cross Camp in Goshen that he was speaking of.” (See Photos Group 2, 1-9).

Of particular note, Martin stated that the Complainant presented his narrative to the Board’s investigator, Kevin Murphy, *prior* to his consulting with her; thus, it was concluded that she did not have any influence on the Complainant’s statement to Murphy in any way whatsoever. Moreover, it must be clearly understood that the investigators considered Martin’s opinion of the Complainant’s credibility solely based on her training and experience as a clinician in the field of psychology and *not* as the Complainant’s advocate.

According to Martin, at the Complainant’s appearance before the Board, wherein she observed many members in tears, she never recalled any Board member, including Hale, specifically or explicitly, inquiring of the Complainant whether or not Weldon abused him.

Additionally, she recalls that the Complainant stated to the Board that he was sexually offended in Forand's bedroom on the second floor in Saint Anne Rectory and referred to Weldon as "the cuddler" who had him naked in bed there. He, according to Martin, stated, "That bastard Weldon could get angry when I cried, yelled at me to get out and then made me watch him as he performed sex acts on other boys."

Further, at the Board meeting, Martin maintains the Complainant specifically told the membership that he was dragged down a hallway by Weldon in building "56" to a room. He said he "was grabbing onto door frames trying to resist" and he told the Board, "if that building is still standing, my fingerprints are probably still there." She then states the Complainant told the Board, "We got to the room and Weldon directed other boys to pull me in. There was a tall guy with glasses and wrinkles in his face, an ogre who was hairy, sweaty and gross and a guy with a bowling-ball head." Martin then claimed she heard the Complainant state, "They got me on a bed, stripped me naked and raped me. My head was covered, and I was crying and fighting. I don't like saying that word rape. I got off the bed and went to the wall; my arms were limp and I cried, 'I want my Mommy.'"

Martin maintains that the Complainant privately told her, "Weldon abused me sexually and came at me from behind. I am talking about rape." She could not remember if he told that to the Board. She also opined, "I believe he inferred that to the Board." The investigators put these statements in the proper perspective, noting that it was *her opinion*, and not conclusive as to what inferences the Board may have drawn from his narrative.

Martin specifically mentioned an acute observation she made of Board members and, more particularly, Finnegan, when the Complainant graphically recounted his experiencing, “shit and blood in my pants,” after he alleges he was anally raped. She stated that the Board members were emotional and Finnegan was “slack- jawed and teary eyed.”

DIANA LEWIS, PSYCHOLOGIST

Ms. Lewis, a psychologist, was a Board member present during the June 13, 2018 meeting. She resigned from the Board some time thereafter. The investigators attempted on several occasions, directly and indirectly, to procure her presence for the purpose of obtaining her recollections of the salient issue respecting the Complainant's allegations.

On August 23, 2019, at 11:10 a.m., O'Connor spoke with Lewis on the telephone. She expressly indicated to him that she did not wish to agree to an interview and further that she had “shredded everything.” She further stated she did not feel comfortable relying on her memory about something that happened over a year ago, referencing the June 13, 2018 meeting of the Board. She stated, “I am a psychologist; it wouldn't be fair of me to try to remember those details without notes.” She further stated, “I couldn't give a fair and accurate representation of what was said.”

O'Connor indicated to her that the investigators were going to memorialize what she had to say in the final report.

INTERVIEW WITH ABUSE SURVIVOR

An abuse survivor was interviewed on August 27, 2019 from 2:00 to 4:36 p.m. The purpose of the interview was to ascertain from his personal knowledge and observations, as precisely as possible, what the Complainant told him, or anyone else he is aware of, regarding allegations of abuse committed by Weldon.

More specifically, this is what a survivor heard and observed on multiple occasions: 1) The Complainant's appearance and interview before the Board on June 13, 2018. 2) His appearance and interview on June 20, 2019 before Rozanski and Trant. 3) The Complainant's participation in several sessions of men's therapy group meetings and 4) The Complainant's interview with Murphy.

The following is a synopsis of that survivor's account of the version of events he heard in those narratives on the aforesaid dates, in meetings at which he was present, and what he heard directly from the Complainant on other occasions, about being victimized by Weldon. Consequently, the following is a rendition of a survivor's account of what the Complainant stated in his presence either specifically at one of the meetings, privately, or a combination thereof.

The survivor stated that at the meeting before the Board, the Complainant spoke uninterrupted, during his entire narrative and that "you really could hear a pin drop." Subsequent thereto, the Complainant was not asked any questions following his narrative by anyone including Chairperson Hale. The Board asked Murphy to leave the meeting, before the Complainant commenced his narrative because he was uncomfortable being in Murphy's presence.

The survivor described that the Complainant stated he was about eight-to-ten-years-old at the time he was abused, and he always “tells his story from the perspective of an eight-to-ten-year-old.”

He verified that the Complainant initially addressed the Board by stating, “I was raped; I don’t like that word, rape.” He talked about how Forand would take him to the residence at St. Anne Rectory and tell him to remove his clothing. He spoke of being naked on the bed with Weldon and of being fondled. “Weldon touched me down there (he did not use the word penis) and I fought. I started to cry, and Weldon kicked me out of the bed stating, ‘you’re not supposed to cry.’” The Complainant stated he stood in the corner and was told to “watch” while Bishop Weldon sexually abused other boys.

Further, the survivor described that Forand would take the Complainant to “52” (inferentially an address) and he would get walked to “56” (same inference) by Weldon. He further stated that the Complainant said they went to the second floor, “a place he never wants to be.” On one particular occasion the Complainant, “fought grabbing onto door frames” and specifically told the Board they would find his fingerprints there and that he was terrified of that room. The survivor further stated Weldon called for someone, referred to by the Complainant as “the bald priest, bowling-ball head, with the black eyes,” who punched him and threw him on the bed. He also stated the Complainant told them, “Ronnie, the head altar boy, helped to hold him down” and “a tall, skinny priest with ‘lines on his face and rimless glasses,’” told him to stop crying.

The Complainant then described a “big hairy slimy monster coming at him from behind.” Subsequent to that statement, the Complainant stated that, “Weldon came at me from behind sexually.” The survivor then expressed emphatically to the investigators that “(The Complainant) told the Board that.” In addition, a survivor stated that the Complainant told the Board that, after that incident, he backed into a corner, cried, and said, “I want my Mommy.”

When the survivor was informed by investigators that the number “52,” an address he could not identify as associated with any location, was the Saint Anne Rectory, he banged his fist on the table and said, “My God, I wondered if that was the Rectory.” He also told investigators he was present when the Complainant told the Board of one incident when his pants felt wet after leaving the rectory, and he rode down by a river, went behind a tree, put his hand down his pants and saw “shit and blood” on his hand.

Additionally, he stated that the Complainant also, at one point in his presence, spoke of being taken to a lake where there were “cabins, tents, and naked boys; Weldon was present.” He stated that Forand would drive him to the lake and Weldon would be a passenger.

Moreover, the survivor strongly emphasized that he was there during the Complainant's entire narrative and that the Complainant was never asked any questions by the Board and most emphatically stressed that **no one**, including Chairperson Hale, ever clearly asked the Complainant if he was ever molested or abused by Weldon.

*Notably, as a disclaimer, there was evidence evinced by the investigators that Hale asked the Complainant in the form of a statement rather than a question, "So you're saying you were never molested by Weldon." The Complainant responded, "No." This begged the question whether the Complainant meant that he **never was molested** by Weldon, or whether he was saying that he **never said he was not molested** by Weldon.*

The survivor confirmed, however, that the Complainant was specifically asked that question by Rozanski. He stated the Bishop inquired, "Did Bishop Christopher J. Weldon ever abuse you?" to which the Complainant responded, 'Yes, Bishop Weldon was behind me sexually several times in several locations.' Then he asked Bishop Rozanski, 'Do you consider that sexual abuse,' and Bishop Rozanski responded, 'Yes, I would deem that so.'" Further, according to the survivor, the Complainant told Rozanski, "No one asked me that direct question at the Review Board."

Turning to the meeting with Rozanski, which the survivor attended and recorded, the survivor stated that the Complainant's narrative basically articulated the same particulars and the same version of events stated to the Board.

It is of particular note, and instructive, that the survivor witnessed Murphy's interview of the Complainant, at the home of the Complainant's support person *prior* to the Board meeting of June 13, 2018. The survivor distinctly recalls the following conversation. He said, "Murphy directly asked the Complainant, 'Who were your abusers?' and the Complainant responded, 'Forand, Authier, and Weldon,' to which Murphy responded, 'We've heard those names before.'" Murphy, according to the survivor, also stated, "You don't have to go to the Board; I'll take care of it, your story is credible."

When the survivor was asked by the investigators if the Complainant ever said to Murphy, “Weldon never molested me,” the survivor, visibly shaken, and reacting angrily to the question, stated, shaking his head, **“Never happened, zero chance that the Complainant ever said that to Murphy.”**

JOHN DOE 1

In the course of our investigation, we made efforts to identify and speak with any individuals who may have served as altar boys at St. Anne Parish during the time in which the Complainant claims he was abused. After several search attempts, John Doe 1, a former altar boy at St. Anne Parish in Chicopee at or around 1958 to 1963, was reached telephonically on August 28, 2019, at 11:36 a.m. for a total of twenty-three minutes. He spoke to us from a location in France where he was vacationing.

He was asked specific questions regarding any recollections he might have relevant to allegations of and/or conduct of abuse by priests, specifically by Weldon committed on the Complainant, himself, or anyone else. Doe stated he did not recognize the name of the Complainant. However, Doe did have a memory of St. Anne Rectory as referenced by the Complainant in his narratives. Doe said his presence there was limited to the kitchen and the dining room where he frequently had breakfast with Authier. With respect to Weldon, he only mentioned that he may have been confirmed by him, and that he had a “reputation for slapping” at that Sacrament.

Additionally, he remembered the name of Ronald Yargeau as being an altar boy with him at Saint Anne Parish. He stated that he never witnessed or heard of any abuse by any priests on any altar boys or anyone else. The closest he came to addressing knowledge of abuse by priests in the Catholic Church was when he stated he had read the book, *Death of an Altar Boy*, by E.J.Fleming, "the unsolved murder of Danny Croteau and the culture of abuse in the Catholic Church" (Fleming, Cover).

JOHN DOE 2

John Doe 2, a former altar boy at St. Anne Parish in Chicopee, MA was reached telephonically on August 27, 2019 at 8:30 a.m. for ten minutes. He indicated he was not willing to be interviewed. He clearly stated that at, or around, the time of the alleged abuse by Weldon, he was not aware of any abuse by any priest or the Bishop. We then asked if he could assist us in contacting his brothers, John Doe 3 and John Doe 4, both former altar boys at the relevant time, to which he responded, "No." He additionally said he would pass O'Connor's contact information on to them. He said he would, but it was up to them whether or not they wanted to contact him. The investigators never heard from him or his two brothers.

PATRICIA F. MCNAMANY, MSW, LICSW

Ms. McManamy was interviewed at her place of employment at 9 Main Street, Huntington, MA on September 3, 2019 commencing at 10 a.m. and ending at 2 p.m. McManamy was an employee of the Diocese of Springfield, MA from 2006 to the beginning of 2019 and first met the Complainant in early December of 2014.

She was asked by Connelly, her supervisor, to attend a meeting with him and the Complainant, a former altar boy sent to him by Yargeau. Yargeau, the head altar boy who served with the Complainant at St. Anne Parish, made the referral to Connelly because he was the Vicar General of the Diocese.

She stated that the purpose of the meeting was unknown to her at the time. She assumed that because of her capacity as Director of Counseling, Prevention and Victim Services, the purpose was related to a potential complaint of abuse against a member or members of the clergy. She did attend the meeting in early December of 2014. McManamy expressed that the Complainant was stable but “hesitant to tell his story” during the December 2014 meeting.

At the meeting she apprised the Complainant of the steps involved in the processing of a complaint, which included a potential appearance before the Board. The Complainant, according to her, declined an opportunity to appear before the Board and refused to fill out an intake report, an additional step in the processing of a complaint.

McManamy maintains that the Complainant made allegations that Forand abused him, but she did not hear any such allegations against Weldon stated to her or Connelly at that time.

However, it is clear that McManamy was not definitive as to whether the Complainant ever disclosed the name of Weldon to her or Connelly. She expressed, in a follow up interview on June 3, 2020, that her understanding was based on her best recollection and was not conclusive.

Significantly, it is necessary to reference that McManamy expressed to investigators at her second interview on June 3, 2020 that at one point in the complaint process, she felt the Complainant might be “lying.” She thought at the time that the Complainant might have fabricated his complaint against Bishop Weldon. When asked by me what made her think that, she stated, “I don’t know it was just a feeling I had.”

At that meeting, the Complainant made a list of demands of Connelly through McManamy which included (a) obtaining a list of altar boys serving at St. Anne during the 1960s, (b) wanting the Pope to visit his father’s grave in Chicopee, MA, (c) wanting to visit St. Anne Rectory and the church sacristy, (d) meeting with Bishop Rozanski, and (e) obtaining help with therapy (Exhibit 12). According to McManamy, Connelly indicated to the Complainant that he could not effectuate the Pope going to his father’s grave, but that he (Connelly) would pray over his father’s grave. McManamy maintained that the Complainant was extremely upset that “he wasn’t given things.” He left the meeting saying, “He would get in touch with us.”

According to McManamy, the Complainant wanted secrecy about his victimization, so consequently, she did not do an intake report on him at that time, nor was the district attorney ever notified pursuant to mandatory reporting.

Note: The reporting onus at the time was on McManamy and Connelly, as mandated reporters, not the Complainant.

During the follow up interview Ms. McManamy commented on that reporting mandate by expressing, “We dropped the ball.”

She stated that she waited three weeks for a call from the Complainant and then sent him a letter. He responded that he was upset that his demands had not been met. McManamy described the Complainant's behavior as being angry, abusive and weird, during all their entire interactions except the initial one, while she expressed that she was being cooperative and responsive to him to the extent possible. She could not understand his behavior.

According to her, she received a call sometime in 2016 from the Complainant asking for a follow-up meeting. She said she felt bad about the time that had elapsed since their initial meeting, so she arranged a meeting on a Friday at 5 p.m. at the Diocese Offices in Springfield, MA. At that meeting, the Complainant took an intake form from her, but he refused an intake interview at the same time because he wanted to review it with his therapist. He was also upset that he had not specifically received a list of the altar boys that he had originally requested. McManamy stated she thought Connelly was going to get him the list.

Subsequently, the Complainant requested to visit the priest residences and the sacristy in the church at St. Anne. He wanted McManamy and his advocate, Dr. Patricia Martin, to accompany him. Martin corroborated those requests. Additionally, McManamy claims he made demands to access “**specific locations**” right down to what door one uses to leave the church and enter the rectory. Notably, according to McManamy, the Complainant made a particular request to enter the rectory from the sacristy through the kitchen door, an area which led to the “secret staircase” (See Photos Group 1, 8-9). *Note that it was requested of the investigators that no photos be taken inside the rectory.*

Notably, McManamy said that the Complainant was “carrying his abuse with him” and indicated that perhaps he wanted to observe the “specific locations” to either bolster or craft a story regarding his allegations. However, she clearly agreed that more than likely the Complainant might have been trying to visit the specific locations that appeared as snapshots in his recall of the events. They facilitated the visit to St. Anne on August 17, 2018.

Reference is made to the statement Yargeau gave at their meeting in 2014 regarding the Complainant's specific memory of locations in the rectory and the church. This dovetails with the mention of the Complainant's mission to specifically view and access certain locations with McManamy and Martin in August of 2018. Moreover, four years after the initial meeting in 2014 with McManamy and Connelly, the Complainant agreed to submit to a formal intake report with McManamy.

However, at our initial meeting when we showed McManamy the intake form it contained only two pages and was purported to be the original one which was five pages in length. (See Exhibit 13). She indicated that the one we showed her was only a draft and there existed a more complete intake form (See Exhibit 14). The investigators clearly did not have any completed intake form at the time of our first interview with her.

Significantly, in both her interviews, McManamy maintained she never heard the Complainant accuse Weldon of any physical sexual abuse. She stated that the first time she ever heard the name Weldon in connection with any allegations of abuse, was not until **after** the June 13, 2018 meeting of the Board.

However, in her second interview when presented with what she referred to as her draft intake report and then her final intake report, both undated, which she acknowledged she completed, she was asked whether they were completed before or after the June 13, 2018 meeting. She responded that they were completed *before* the meeting. Contrasted with her original statement wherein she indicated she never heard the name Weldon until after the Board meeting, a clear contradiction surfaced. When presented with the draft intake report, her attention was directed toward questions “10” and “14,” both of which indicate an “accused abuser.” The name Bishop Weldon appears in number “10” and the initials BW appear in the other, number “14” (See Exhibit 13).

Referencing what she purports to be her **final** intake report, her attention was directed to questions numbered “9, 10, 12, and 13.” All of the questions indicate that Bishop Christopher Weldon was an accused abuser by the Complainant (See Exhibit 14). When presented with the question again, after she examined the reports, if she knew before the Board meeting of June 13, 2018 that Weldon was mentioned as an abuser by the Complainant, she stated, “I must have.” Consequently, after admitting at the June 3, 2020 interview that she had some knowledge that the Complainant had named Weldon as an abuser, she confirmed that she was not definite as to whether the Complainant mentioned Weldon’s name at the December 2014 meeting that he had with Connelly.

McManamy claimed she advised the Complainant that Murphy would conduct an investigation of his allegations and would include an interview. She learned from Murphy of allegations of abuse levied by the Complainant against other priests, but that Weldon was not one of the ones who molested him.

However, he further told her that the Complainant claimed Weldon was there when he was “passed around” along with other boys. She was told by Murphy that the extent of Weldon’s participation was that the Complainant “backed up” from Weldon when he reached out to grab him. She said Murphy told her that the Complainant said Weldon then turned his attention to another boy. She stated conclusively her belief that this was an act of abuse even if Weldon’s mere presence was the extent of his participation.

In summary, McManamy stated she never heard a first-hand account from the Complainant accusing Weldon of any abuse. “The Complainant never brought Weldon up to me.” Also, she said Murphy never told her that the Complainant told him that he was “molested” by Weldon. Most compelling, however, she also claimed she “never heard (the Complainant’s) whole story.”

Interestingly, contrast this to a page from McManamy’s personal notes which were acquired by the investigators from a Diocesan file, in which she mentions, in some capacity, “Forand, Authier, and (Welden).” Inferentially, the three names were purportedly the accused abusers of the Complainant (See Exhibit 15). Note: Mcmanamy explained the misspelling of Weldon’s name (above) by stating that she is a bad speller.

McManamy informed us that her responsibility to the Board, prior to its review of a matter, would include submitting any written investigatory reports to the Board members in advance of any Board meetings.

Significantly, when McManamy claimed she recalled reading and reviewing a report by Murphy that states that the Complainant was never molested by Weldon, it was clearly the report referred to as Report 2 by the investigators. “(The Complainant) stated that Bishop Weldon was often present and never molested him but tried to hug him and pull him within reach.” This statement is contradictory to a sentence in Murphy Reports 1a and 1b, wherein the Complainant stated to Murphy that “he was brought to other locations by Fr. Forand and molested by three other unknown priests and Bishop Christopher Weldon.” When juxtaposing these two different Weldon- related statements, McManamy was manifestly taken aback and appeared flummoxed, stating “Wow.” When asked if she had been privy to Report 1 of the Murphy four reports, she strongly stated and expressed she would have “acted differently and questioned Kevin Murphy,” if she had seen them (See Exhibit 5).

During the June 3, 2020 interview, McManamy’s attention was directed once again to Murphy Report 1. She was asked again to reacquaint herself with the contradictory sentences. After reviewing them, she was again asked if she remembered addressing the contradiction with Murphy, in terms of informing him he could not have two contradictory sentences in the report. In other words, he could not have it both ways. Upon reflection, she recalled seeing those statements and said she may have mentioned something to Murphy about them. “I don’t remember using the precise words ‘you can’t have it both ways.’” However, she did acknowledge that was the gist of what she was trying to convey.

Additionally, McManamy strongly refutes paragraph one in both of Murphy's reports, stating that she never told Murphy that "the Complainant was sexually abused by a number of different priests." She clarified that by saying to the investigators, "I said he reported that he was abused by two priests. I never mentioned Bishop Weldon because he (the Complainant) never mentioned him to me." In the first paragraph of his respective investigative reports, Murphy states he was contacted by McManamy on March 24, 2018 and asked to begin an investigation of the Complainant's accusations, and that they included the name of Bishop Weldon. After refreshing McManamy's recollection by presenting her with both Murphy reports on June 3, 2020, and her intake reports, she stated "I must have given Kevin (Murphy) that information."

Consider her above referenced notes, in which it clearly appears she had known of some allegation or at least something that occurred regarding Weldon because she mentions his name along with the other two accused. However, according to her notes, it is not precisely clear *when* she was aware of an allegation against Weldon (See Exhibit 15).

Consequently, the question presented is, when exactly did McManamy first become aware of the Complainant's accusation that he was sexually abused by Weldon. This is vitally important especially in view of the fact that the Complainant states emphatically that he revealed Weldon's name to McManamy and Connelly at the December 2014 meeting. It is obvious to investigators that McManamy *did know* of the Weldon accusation sometime between December of 2014 and March of 2018, *prior* to the Board meeting of June 13, 2018.

This information and the questions that evolved of who knew what and when, go directly to the issue of the efficacy of the policy and procedures adhered to by the diocesan employees in addressing a complaint of abuse. Most notably, questions arise regarding the fidelity of those policies when the complaint involves the prestigious rank of a Bishop and, in this case, a Bishop of great renown.

It is fair to say that McManamy emphasized that the Complainant's personality, for whatever reason, was the most difficult of any "victim" that she ever encountered. However, she indicated she understood his sentiments and behavior because she said, "I dropped the ball."

McManamy made a veritable point for the investigators' consumption; she claimed she was overworked in her employment capacity at the Diocese because she was wearing many hats, and deluged with multiple responsibilities, including personal obligations. She advanced that premise as a basis for her "dropping the ball" with respect to her duties regarding the Complainant's case. She went on to state that her supervisor at the time, Connelly, was apathetic regarding the processing of complaints and "did not want any involvement." She claimed, "He considered his role to be pastoral."

DIOCESAN BOARD INVESTIGATOR KEVIN MURPHY

The Diocesan Investigator, Kevin Murphy, was interviewed on September 5, 2019 from noon until 4:07 p.m. He was questioned primarily regarding the Complainant's sexual abuse allegations against Weldon. However, additionally, he would offer responses to specific questions regarding the operations of the Board and its responsibilities.

He stated that, prior to his employment by the diocese as an investigator, the Board conducted the investigations and made a final determination regarding the allegations listed in various complaints. He was inclined to offer some suggestions for the future processing of similar types of complaints which included, amongst other things, the composition of the Board. He included references to past Boards, starting with the tenure of a former Victim Assistance Director, “Laura Riley” who he declared, “had it right.”

Regarding the information he provided, it is fair to say that the Murphy interview was highly productive in resolving the question respecting the credibility of the Complainant's allegations against Bishop Weldon, as well as being very informative and instructive regarding the mechanism, protocol, practice and procedure for the handling of future complaints against employees and private contractors of the diocese. It is the entire process and its eventual conclusions that serve as the predicate for an assessment by critics of the efficacy and integrity of the diocese's ability to resolve the multiple issues pertaining to sexual abuse allegations that have plagued the Roman Catholic Church.

Turning to the contents of the interview with Murphy and us, it was revealed that his rendition regarding the Complainant's narrative was based upon a *single* interview he had with him in East Longmeadow, MA at the home of a member of the Complainant's support group. This interview, which is summarized in his reports, paraphrases what he was told by the Complainant. It is important to note that Murphy's investigation was *limited* to the *one* interview he had with the Complainant.

Of particular interest to the investigators was the unsolicited information Murphy volunteered to us. He sought confirmation as to whether the Complainant's narrative to the Board, specifically regarding Weldon, was consistent with the narrative the Complainant gave to him.

Murphy told us he inquired about the narrative because he was asked to leave the room prior to the Complainant giving his narrative to the Board.

During the course of our interview, when shown the only intake form available regarding the Complainant's allegations against Bishop Weldon and others, Murphy stated he never saw an intake form. He checked his file and could not produce one; he stated he did not believe he ever saw an intake report concerning the Complainant. He found this unusual, and when shown the partial intake report provided to the investigators by the diocese, he noted its incompleteness. He stated this was unusual since it was customary to have a much more detailed intake report to begin an investigation (See Exhibit 13).

Murphy stated that the Complainant, in essence, was reluctant and had “a lot of difficulty” in his interview relating any particular specifics about sexual misconduct or abuse committed upon him. Contrast that with what is contradictory information contained in Report 2 where Murphy records, “He (the Complainant) described severe anal penetration, among other acts” (See Exhibit 5).

Murphy further maintained that when he inquired of the Board about the contents of the Complainant's narrative to them on June 13, 2018, they responded that he was “very specific and graphic. He spoke of anal rapes and other sexual abuse.” Murphy said the Board members related no further details to him, except for Ashe, who remembered, “the testimony was very graphic.” Murphy pointedly told us that “(the Complainant) never told me this stuff.”

However, it is clearly significant to again note that the Complainant mentioned “severe anal penetration” as reported by Murphy in Report 2.

Attention is directed to another salient contradiction, this one between the Complainant and Murphy. The Complainant adamantly maintains that Murphy told him, “You don't have to go to the board; you don't have to tell your story; you don't want to tell your story. I will relate your story to the Board.”

Murphy, on the other hand, refuted the contradiction and denied that he ever told the Complainant not to attend the meeting of the Board regarding his allegations. The investigators learned that it was an uncommon practice for alleged victims to present their narratives in person before the Board. Murphy maintained, once again, that the only reason he wanted the Board to relate to him what the Complainant said to the Board members was for the purpose of establishing “consistency” between the Complainant's testimony and what he, Murphy, reported.

However, it is unequivocally and alarmingly clear that Murphy **never** provided Reports 1a or 1b to the Board prior to their June 13, 2018 hearing and only provided Report 2a. Report 1b (provided to us by Murphy) was the signed report that prompted him to claim, “I stand by my signed report.” Prominently, this report, when compared with Report 2a, contained a glaring inconsistency because the accusation of “molestation” upon the Complainant by Weldon was removed from the report received by the Board (See Exhibit 5).

Notably, Murphy, after somewhat intense inquiry by us, concluded that Weldon did not “molest” the Complainant, contrary to the Complainant's statement to him, contained in Report 1, wherein the Complainant told him that Weldon did molest him. According to Murphy, the Complainant

immediately “took it back,” and stated that, “He (Weldon) was often present and never molested him but tried to hug him and pull him within reach. On several occasions, the Complainant would back up and the Bishop would turn his attention to another youth who was in the room.” (See Exhibit 5, Reports 2a, 2b).

Additionally, according to Murphy, the Complainant stated that, subsequently, Weldon left the room with another boy, and Murphy stated that the Complainant said he did not witness any molestation of the other boy. He also stated he could “not get specific information about specific abuse” from him, and pointedly related how the Complainant was very distressed, nervous, and crying. Murphy offered that the Complainant's story “jumped around a lot, but that’s not unusual for people to remember things out of order.” Even though Murphy related that the Complainant told him he did not witness abuse of another, Murphy, in the conclusion portion of his report, states “He (the Complainant) witnesses another youth being molested by the Bishop.”

Further when asked if Murphy remembered if the Complainant mentioned the numbers “52” and “56,” Murphy stated he did remember those numbers. He said he believed those numbers represented the years when the Complainant thought he was molested. He then stated that knowing the Complainant was born in 1951, he thought the Complainant was mistaken about the years. Under no circumstances did he feel or believe the Complainant was making reference to certain locations, such as numerical addresses, where he may have been molested.

Consequently, if “52” and “56” were the years of alleged abuse, the Complainant would have been an altar boy at either one or five-years of age. His (Murphy’s) mentation was that “sometimes people make mistakes regarding years of abuse.”

Murphy stated that the Complainant related to him that there were times when he would be brought to other locations, which he could not identify, where he was molested by Forand and Authier as well as three unknown priests, “but could not give specifics.”

This was contrary to Murphy’s written report (Report 1) wherein the Complainant indicates that Weldon molested him. Murphy expressed in the next sentence of the report, “(The Complainant) stated that Bishop Weldon never molested him but tried to hug him and pull him within reach.”

In the only report considered by the Board in their determination of the Complainant's credibility regarding the Weldon accusations, that sentence, the one that included in the Complainant's statement that he was molested by Bishop Weldon, did not appear and was **ostensibly** expunged. Murphy stated to the investigators, “I should have never put that sentence in there,” referring to the sentence where the Complainant said that he was molested by three unknown priests and Bishop Weldon.

In comparing the text and hue of three reports, 1b (signed), 1a (identical in content but unsigned), and Report 2 (the only report that the Board reviewed), the following differences are noted: (a) the unsigned report, 1a, differs from the signed report, 1b, in font size and the words are a darker hue, (b) In Report 2, the only report the Board saw, the font size is the same as in the signed report (1b) but different than the font size in the unsigned report (1a). (c) The contrast in Report 2 is markedly lighter than both the signed and unsigned reports (1a, 1b).

(d) the paragraph breaks in 1a and 1b are the same, while the paragraph breaks in Report 2 differ from both of those. When confronted with the differing characteristics cited above, Murphy stated, “there is a stark realization that something is wrong.” (See Exhibit 5).

In sum, upon inquiry respecting the allegations of abuse upon the Complainant by Weldon, Murphy first told the investigators that he was inconclusive concerning the credibility of the allegations. He then followed up, stating he *concluded* that Weldon did *not* abuse the Complainant, then said again he was *inconclusive*. Finally, he maintained that he thought the Complainant's accusations against *Bishop Weldon* were *not credible* but felt that he was a legitimate victim of clergy abuse.

The reliability issue of the reports remains extant. It is of particular note and critically significant, that when Murphy was asked which report formed the basis to support his conclusion that the Complainant's accusations against Bishop Weldon were not credible, he was presented with Reports 1a and 2. Additionally, he was asked which report he intended to submit to the Board. At that point, for the **first** time, he produced Report 1b, the only report in his personal folder and the only report that contains his signature. When he was shown both reports and asked which one he adopts, he hesitated and said, “You have me at a disadvantage. I have to go home and review my notes.”

Subsequently, on September 6, 2019, he contacted O’Connor and said, “I stand tall on this and I stand by my signed report(1b).” O’Connor noted to him that the signed report states that the Complainant told him that he was molested by Weldon. Murphy responded, “It also says, I (the

Complainant) was not molested by Bishop Weldon.” Murphy, in that same conversation, informed O’Connor that “Patty” (understood by O’Connor to be Patricia McManamy) pointed out and discussed the glaring contradictions in Report I regarding the Complainant’s accusations against Bishop Weldon. He also qualified the statement of the Complainant by explaining that he initially said he was molested by Weldon and then “immediately retracted it.” In that context, he pointed to statements in Reports 1a, 1b, 2a and 2b, which purport *only in Reports 2a and 2b*, that the Complainant told him that “Bishop Weldon was often present and never molested him but tried to hug him and pull him within reach” (See Exhibit 5).

Notably, in his first interview on September 5, 2019, Murphy stated that historically he and McManamy often collaborated on investigations, sometimes even doing interviews together. He qualified that in another interview of September 13, 2019 by saying she “never influenced my conclusions.” He further stated, “The conclusions are mine.”

The conclusions reached by Murphy in all four reports, which he expressly adopted were:

“(The Complainant) has a lot of difficulty talking about the specific acts that were done to him by various priests. He clearly stated that Bishop Weldon didn’t physically molest him. He witnessed another youth being molested by the Bishop.”

A salient and significant point was that Murphy stated to O’Connor that McManamy discussed the contradictions contained in the statements with him, and she told him, “you cannot have those two contradictory statements in the report.” Of particular note is that Murphy still maintains, “I stand by my signed report,” which is clearly, through his own admission, *not* the report submitted to the Board at the relevant June 13, 2018 meeting.

At our September 13, 2019 interview, he definitively stated to us that he generated Report 1b for the Board on May 7, 2018, approximately five weeks *before* the meeting. He further stated that he modified Report 1b on September 4, 2018, three months *after* the June meeting. He confirmed those details after he reviewed information on his personal computer (See Exhibit 16). That report (1b) then became known to the investigators as Report 2, which we uncovered through interviews, and discovered was the *only* report the Board had in its possession at their June 13, 2018 meeting for consideration in guiding its ultimate decision regarding the credibility of the allegations (See Exhibit 9). Further, Murphy told the investigators that he would forward “emails that will show you the smoking gun.” The investigators understood this to be a reference that would account for certain specifics contained in Reports 1b and 2 that are wholly contradictory.

He produced the alleged, “smoking gun,” email which appeared to contain both his invoice for the investigation of the Complainant’s case and Report 1a. (Note, it was sent to McManamy on June 16, 2018, three days after the Board hearing). That report is the unsigned version, identical in content to Report 1b, the signed version. Ostensibly Report 1a, which is consistent with his signed report, contains verification that he produced the email to McManamy referenced as “2 attachments” (See Exhibit 17).

Additionally, Murphy further explained the connotation of his statement to the investigators that he “stands tall,” to mean that he takes responsibility for modifying Report 1b. He told the investigators that his personal computer record shows that he modified the May 7, 2018 report,

Report 1b, on September 4, 2018. However, McManamy received that modified May 7, 2018 report (Report 2) on September 4, 2018, *three months after* the June meeting.

Relevant portions of a screenshot displayed on Murphy's computer confirmed that there was a modification that took place on that date. The screenshot exhibited, in part, the following, "2018, Kevin Murphy redacted report (the Complainant). Date modified 9/4/2018 10:26 a.m. Size 14.3 KB Author Kevin" (See Exhibit 16).

Axiomatically, the critical statement inculping Bishop Weldon as "molesting" the Complainant was removed in Report 2. The statement in 1a read, "(The Complainant) further stated that he was brought to other locations by Father Forand and molested by three other unknown priests and Bishop Christopher Weldon." In Report 2 the statement was changed to read, "(The Complainant) further stated that he was brought to other locations by Father Forand and molested by three other unknown priests." Inexplicably, in the second report, Weldon's name was removed from that statement in the context that he physically molested the Complainant.

However, it is important to note, that in both reports, Weldon was present when sexual abuse occurred. Significantly, in the scenario described wherein Bishop Weldon is noted as being present, there is language in Report 2 that describes specific graphic sexual acts such as "severe anal penetration" impliedly committed upon the Complainant and attributed to a group of priests. (See Exhibit 5).

Consequently, a careful review of all four reports lead the investigators to believe that the original Murphy report, (1b), that he “stands by” is inconsistent with his claim that Report 2 is the original report. In fact, the investigators believe that Report 2 is a modification of Report 1b. (See Exhibit 5). Thus, it is inexplicable why he modified any reports at all.

When asked to explain that enigma, he stated, “I can’t explain why I modified it. The modifications were made by me and no one else.”

JOHN HALE -3RD INTERVIEW

On September 12, 2019 from 12:40 until 2 p.m., the investigators interviewed Hale for a third time. In part, the interview was engendered because of an inquiry made of Hale by Mark Dupont, Communications Director of the Diocese, regarding an article that appeared in the Berkshire Eagle on May 29, 2019. This was also related to the investigators’ task of sorting out and clearly ascertaining the differences, if any, in each Board member’s position respecting the letter of June 18, 2018 sent by Hale to the Complainant. (See Exhibit 2).

Hale indicated that Dupont reached him by phone at 9:15 a.m. while he was on a golf course. Hale maintains he was asked by Dupont whether or not he had any memory of the Complainant's testimony before the Board on June 13, 2018. More specifically, Hale recalled that Dupont asked, “Do you remember anything about Weldon?” Dupont inquired further, “Did he say Weldon molested him?” Hale then stated to us, “Dupont seemed frantic, and I told him I was on the golf course and didn’t have my notes with me. He then asked me to go home and get my notes. I told him I would after I was done with my round of golf.”

Dupont, according to Hale, asked again whether the Complainant accused Weldon of molesting him. "I told Dupont I asked specifically if Weldon molested him, and the Complainant said no. I told him that was the best of my memory, but I would check my notes when I got home. He asked 'Now?' I said, 'No, after golf.'"

Hale stated that later on he found his notes and confirmed that the Complainant told the Board on June 13, 2018 that "Weldon was in the room, and Weldon did *not* molest him." Hale proceeded to tell the investigators that "this all spins from the Complainant going to the Pittsfield paper and saying we lied about the case."

When asked if he thought Dupont's inquiry about the Board's decision was inappropriate, and whether it was commonplace to do so under relevant circumstances, he replied that he thought it was "appropriate, but not common." However, it is critically important to understand that Hale, at the time he was maintaining that the "article was crazy, and the Board told the truth," he was not aware of either the existence of another Murphy Report 1a or 1b, or the contradictory statements contained therein related to accusations specific to Weldon.

Once again, at the time of the meeting, Hale and the Board only had available the benefit of Murphy's Report Number 2. Hale then made it clear that if he had the benefit of examining the two reports (1a and 1b), he would have asked both Murphy and McManamy about the contradictions. Further, Hale made it abundantly clear that he wanted to know the reason why the Board did not have the benefit of Report 1 at the meeting.

Further, he maintained that Dupont asked him to write a response to the Berkshire Eagle, obviously before he saw the reports. When the investigators showed him an email sent to Larry Parnass over his electronic signature and titled “Reply from John Hale, Chair of Diocesan Review Board,” dated Friday, May 31, 2019 at 5:11 p.m., purporting to be his response to the Eagle, he stated emphatically, “The signed email is **not** mine. My response is my email to Mark Dupont.” (Exhibit 18). That response is dated Tuesday, June 4, 2019 at 2:04 p.m. entitled “Questions from the Eagle re: the Hale Statement.” (See Exhibit 19).

A significant difference between the two emails is contained in the May 31, 2019, 8:18 p.m. email in which Dupont attributes to Hale the following, “Let me be clear, the Review Board has never found that the late Bishop Christopher Weldon, deceased since 1982, engaged in improper contact with anyone.” (See Exhibit 20).

This is different from the email Hale adopts as his own, and not the Dupont to Parnass email purporting to be Hale’s response. In the one Hale maintains is accurate, he states, “On the other hand, Review Board minutes taken by Ms. Mary Ashe, an impartial observer, June 13, 2018, eighth paragraph states, ‘he (the Complainant) went on to describe subsequent abuse by Fr. Edward Authier as well as Bishop Christopher Weldon.’ The minutes, according to Hale, were approved by the Review Board, accepted by a second motion and voted as accurate by a majority (Yeas) of the members.” (See Exhibit 19).

In light of the surfacing of Hale's adopted email of June 4, 2019, the investigators concluded that the reason for the Board's letter to the Complainant dated September 18, 2018 was based upon the independent conclusions of the Board. In essence, the Board found his "testimony compelling and credible," and further stated, "as we explained to you, the Board has no other authority except to notify the Bishop that we find your allegations credible." According to Hale's email, those conclusions of the Board were based upon, "(the Complainant's) statement, intake information, investigative reports, and personal testimony to determine veracity." This response was made notwithstanding the fact that the Board **never** saw or had access to Reports 1a or 1b (See Exhibit 19).

This comports with the significant question that became a common thread - would the Board have found the Complainant's accusations against Weldon credible if it had the benefit of examining Reports 1a and 1b, and not just Report 2 as the investigators surmised that they did. And if they did, would they have been more specific about the *nature* of allegations related to Weldon, separate from Forand and Authier, when they sent the letter to the Complainant.

Further, Hale maintained to the investigators, "I have never read Dupont's response to the Eagle previous to your showing it to me. I never sent a direct response to the Eagle. I sent my email along with Murphy's report (2) which is the only one I've seen prior to you showing me the others. The email in response to the Eagle article of May 29, 2019 is a distortion of what I said, Judge. Our letter of September 18, 2018 draws a reasonable permissible inference that Weldon abused him by **BEING IN THE ROOM** (emphasis supplied). It's a reasonable implication. Read my email to Patty; we found him credible."

Notably, Hale felt the Bishop should be more informed about meetings conducted by the Board and should see the investigator's report at least one week before a meeting.

MARK DUPONT- COMMUNICATIONS DIRECTOR

The investigation continued with an interview with Mark Dupont, Communications Director for the Diocese, on September 18, 2019 from 10:30 until 11:43 a.m. The interview was conducted, amongst other things, to determine the meaning and accuracy of events surrounding the communications between the diocese and the Berkshire Eagle's representative, Larry Parnass. This was because Parnass, in an email on May 29, 2019, questioned why in the letter from Hale to the Complainant on September 18, 2018, the Board stated that they found his testimony "compelling and credible," yet the diocese did not list Weldon in an online post as credibly accused. Parnass had a copy of the Board's letter that was sent to the Complainant that named the Bishop as well as Authier and Forand as abusers. The letter stated that the Board found the Complainant's testimony "compelling and credible," and also made reference to the Complainant's "pain and suffering" and "this abuse" (See Exhibit 21).

The saga continued on May 30, 2019 at 10:29 a.m. when, in response to Parnass's request for an explanation, an internal memo was sent by Dupont to Rozanski and others including legal counsel, John Egan. The memo states, in part, "I'd like to respond along the lines...but so as to be clear there is no finding by the review board of a credible allegation of sexual abuse against Bishop Christopher Weldon" (Exhibit 22).

Of particular note is the fact that this statement, from the memo, does not appear in the diocese's response from Dupont to Parnass dated May 31, 2019 when Parnass asked for an "on the record" explanation. That inquiry was made on the same date at 1:53 p.m. in an email to Dupont asking why the letter of September 18, 2018 was not proof of a finding of abuse involving Weldon (Exhibit 23).

In fact, Dupont volunteered to the investigators that he helped craft the response. He said he notified Egan, and Egan made suggestions that were adopted in that response. The Bishop was made aware of both the Parnass inquiry and the response, and according to Dupont, Rozanski "accepted that response."

Interestingly, on May 30, 2019 at 7:43 p.m., Dupont responded to Parnass, "Off the record... you should know there is **NO** finding of sexual abuse of any person involving Bishop Weldon - **NONE**. And the letter you referenced does not say otherwise" (Exhibit 24).

Hale's letter stated, "I want to thank you for sharing the details of your abuse as detailed in the narrative relating to Bishop Christopher Weldon, Rev. Edward Authier and Rev. Clarence Forand."

As a matter of fact, viewed in the totality of the contents of the letter, that "off the record" statement by Dupont is unequivocally questionable and arguably wrong. One could however, conclude, that albeit vague, it is quite clear that it references a narrative that includes Weldon as one of the individuals involved in an abuse situation, notwithstanding that the letter is devoid of any specifics detailing the nature of the alleged abuse.

Chronologically, eight months had passed since the Hale letter was sent to the Complainant and the time Parnass made his request for the “on the record” response addressing its contents.

Dupont’s response reads, in part, as follows:

“If the accused clergy member is alive at the time an allegation is made, and that allegation is found to be credible, then that clergy member is permanently removed from Ministry and their name is added to the online listing of Diocesan Clergy with credible allegations of sexual abuse. If the accused clergy is deceased at the time an allegation is made, everything remains the same with the exception of listing the name. This is because that clergy member was not afforded the opportunity to defend themselves. In this specific matter, Clarence Forand’s name does appear because, although he is now deceased, he was alive when an earlier credible allegation was made.”

(Note: **Both Bishop Weldon and Fr. Authier were deceased at the time of these allegations) (Exhibit 25).*

Moreover, as the interview continued, Dupont related to the investigators the additional information he provided Rozanski and others, including legal counsel, of the Berkshire Eagle’s account of the letter. He stated, “The letter did not accurately correspond to the complaint investigated and heard by the Review Board. Although (the complainant) clearly stated Bishop Weldon did not sexually abuse him, but rather was aware of this abuse, John Hale’s letter grouped Bishop Weldon’s name with the two priests/perpetrators which the board found to be credible.” Notably, once again, Dupont stated, “But so as to be clear, there is no finding by the Review Board of a credible allegation of sexual abuse against Bishop Christopher Weldon” (See Exhibit 22).

Also, on May 30, 2019 at 11:36 a.m., Attorney John Egan, legal counsel to the diocese, responded to Mark Dupont, Bishop Rozanski, Catherine Farr, and Trant as follows:

“I would lead with the Bishop Weldon issue, since that is what they care about anyway. I suggest: The Review Board has never found that Bishop Weldon engaged in improper contact with anyone. In the complaint in question, the allegation was that Bishop Weldon knew or should have known that other priests engaged in such conduct but that he failed to remove them from ministry. The Complaint was filed in 2018 and the alleged actions took place in 19--. Bishop Weldon died in 19--. The Complaint about the misconduct was found credible and the party was offered counselling services as is our normal practice. Improper conduct on the part of Bishop Weldon was never alleged rather a failure to discipline was, and no further investigation on that was possible since all parties were long deceased. Follow with your first paragraph” (See Exhibit 26).

Following that communication, Bishop Rozanski, on May 30, 2019 at 11:43 a.m., responded by email to John Egan, me (Dupont), Catherine Farr and Jeffrey Trant, “Yes, thank you. This is a good response. Bp. (Bishop) Mitch” (See Exhibit 26). Following that response, on May 30, 2019 at 1:34 p.m., Dupont wrote in an email to Egan, “My only concern is we may be feeding him more information than we need to and inadvertently fueling his story” (Exhibit 26).

The next day, at 9:59 a.m. Dupont sent an email addressed to Egan, “Most” (Bishop), Catherine, Jeffrey Trant and John, (assumed to be Hale). It states, in part, “John Hale will be providing me a statement later today setting the record straight. Jack, I will provide him with the draft you shared with me as a starting point” (See Exhibit 27).

On May 31, 2019 at 10:51 a.m., Dupont sent an email to Hale, the Review Board and Attorney John J. Egan stating, “Here is some language Jack Egan provided...I’ve attached the original letter and Kevin’s report (2).” (Exhibit 5). “Jack, the Weldon allegation is a bit more complicated, please read Kevin’s report and see the email.

The email goes on to read in part, in the complaint in question, “The allegation was that Bishop Weldon may have been present and therefore knew, or should have known, that other priests engaged in such conduct.” Egan’s response to Dupont’s email on May 31, 2019 at 11:18 a.m., states, “Mark, I would take out the reference to Bishop Weldon being present. It sounds like he was watching. At the end it should be that the individual said Bishop Weldon never abused him. On the possibility of Bishop being present I would say the allegation was Bishop had actual knowledge of the abuse or he should have known because he was present at a gathering where some abuse took place. Can we say it was a large gathering? I can’t tell. Also, I think we should lead with an allegation of abuse in the 1960s and the victim didn’t recover his memories until around 2017 to 2018” (Exhibit 28).

On the same day at 5:11 p.m., an extensive email was sent by Dupont to the following: Larry Parnass and Kevin Moran, (both of the Berkshire Eagle); Jeffrey Trant; Most Rev. Mitchell T. Rozanski; Attorney John J. Egan; Catherine Farr; Mary Ashe, reviewboard @ diospringfield.org; John Hale; Msgr. Christopher D. Connelly; Rev. Christopher Malatesta; Bishop Timothy McDonnell; and Msgr. Michael Shershanovich. The content of the email purports to be Hale’s response to the Berkshire Eagle relevant to Bishop Weldon and contains his electronic signature (See Exhibit 29).

On the same day at 7:26 p.m., Bishop Rozanski responded to Mark Dupont, “Thanks, Mark, this is very good and clear. Bp. Mitch” (See Exhibit 30). Also, on the same day, at 8:18 p.m., Hale sent a response to Dupont, “Mark, this is an accurate response. Thanks again. JM Hale” (See Exhibit 20).

Note: Significantly, in his third interview, Hale refuted the email forwarded by Dupont to Parnass stating to the investigators, “The signed email is not mine. My response is my email I sent to Mark. Dupont rewrote my email and forwarded it to the Eagle. I, John Hale, didn’t write that email to the Eagle. It’s changed. I stand by my first email to Mark. Let me be clear, I didn’t know Weldon. I never said that. I didn’t write that. I don’t talk like that.”

This sheds a meaningful light on the question of whether Hale adopted the email of May 31, 2019, which is the response to Parnass sent by Dupont.

Notably, in an email from Hale to Dupont on June 4, 2019, at 2:04 p.m., Hale sets forth the language contained in his acknowledged response to the Eagle’s request for an “on the record” explanation that he maintains Dupont requested be sent to the Eagle. He stated the following significant and relevant portion of his response to the Eagle’s question- “On the other hand, Review Board minutes taken by Ms. Mary Ashe, an impartial observer, June 13, 2018, eighth paragraph states, he (the Complainant) went on to describe subsequent abuse by Fr. Edward Authier as well as Bishop Christopher Weldon.” Hale also states, “The minutes were approved by the Review Board, accepted by a second motion and voted as accurate by a majority (Yeahs) of the members” (See Exhibit 31).

In the interest of fairness to all parties, reference is made to the other emails that further elaborate on the dialogue between Dupont and the Eagle (with copies to others). Further these exhibits shed light on the global picture of the diocese’s position pertaining to the specific allegations by the Complainant regarding Bishop Weldon. Those allegations were made in an interview with Murphy, in his narrative to the Board, and in his narrative to Bishop Rozanski. Additionally, they are relevant to the issue of what was the correct and adopted version by Hale of his response to the Eagle’s “on the record” request.

Significantly, it is emphasized how instructive the emails were to the investigation pursuant to not only the objectives of Phase One, but also to the objectives of Phase Two of the investigation (See Exhibit 32).

The issue of whether the Board was polled regarding its vote and findings on June 13, 2018, was raised by Dupont during his interview. Note the same issue was raised by Hale in an earlier interview described as follows:

Hale stated that polling was “customary”; all other Board members say they were not polled on that night except the following: Mary Anne Triggs Smith said she could not remember whether they were polled or not, and Thomas LaChiusa maintained they were polled but did not remember whether Hale polled the members regarding Bishop Weldon specifically.

Dupont stated that he and Trant conducted a telephone polling of the Board specifically in relation to allegations against Bishop Weldon. This polling was conducted to determine whether the Board found the allegations credible. Dupont stated that he and Trant jointly conducted a polling of five members of the Board and specifically asked the question: Did (the Complainant), at the Board meeting, accuse Bishop Weldon of molesting him? The following Board members responded: LaChiusa-“No”; Fr. White- “No” (records indicated White was not at that meeting); Theresa Finnegan- “No”; Mary Marianne Triggs Smith- “No”; Bonnie Moriarty- “No.” There was no indication in the Timeline Memo or during Dupont’s interview that Hale was ever polled. (See Exhibit 11).

Notably, Dupont also asked Cathy Farr to phone McManamy about the Complainant's allegations and the accuracy of relevant portions of Murphy’s report in his endeavor to craft a response to Parnass. Further, in an interview, Farr, then Acting Director of the Office of Child and Youth Protection, told the investigators she did not call McManamy, but did review the Complainant file. She stated it only contained what investigators labelled, Report. 2- Murphy’s report. (Exhibit 2 No. 2). She stated to Dupont that the report, in fact, declared the Complainant told Murphy that he was *not* molested by Weldon.

Farr stated she *never* had the benefit of seeing Report 1. Farr indicated that had she seen that report, which contained contradictory sentences, she would have reported that to Dupont.

Dupont fervently asserted to the investigators that he had *no* knowledge of the contradictory statements, and emphatically maintained that if he had, he would have responded differently to Parnass.

In the context of polling and/or different variables pertaining to the mechanisms of the Board, Dupont offered instructive information that helped clarify the accuracy of the conclusions reached by the Board regarding Bishop Weldon, as well as further considerations respecting the protocol, practices, and procedures advisable for future functioning in the processing of complaints.

As to the polling of the Board, he stated that it was “not typical to poll the Board; it’s nothing *I’ve Done* before.” When asked, he added that he did not find his telephone polling “inappropriate.” As an inference to the Complainant matter, he felt that a backlog of cases caused some dysfunction on the part of the Board. Emphatically, in that regard, he stated, “We operate under the assumption that they have all the facts. It’s not right if they don’t” (See Exhibit 11).

BISHOP MITCHELL T. ROZANSKI

Our investigation continued with an interview of Bishop Rozanski on October 2, 2019 commencing at 10 a.m. and continuing until 11:45 a.m. at the Diocese of Springfield, 65 Elliot St. Springfield, MA. He was appointed Bishop of the Diocese of Springfield on June 19, 2014 and installed on August 12, 2014.

The Bishop was apprised of the overall schedule of the investigation engendered by him. We advised him of how the investigation would proceed from the present interview onward and the prospective events that would occur in relation to the two-phase charge of our overall investigation.

Upon inquiry, the Bishop verified that he was in attendance at the interview of the Complainant held at Our Lady of the Elms College on June 20, 2019. He confirmed the names of those present, including Trant and members of the Complainant's support group. He further confirmed that he listened firsthand to a narrative given by the Complainant that was transcribed by Trant (See Exhibit 4).

The Bishop was aware that the meeting was being recorded in accordance with a request by Martin. He agreed to the recording process as long as only the Complainant's narrative was on the record and not any of his or Trant's remarks. This accord was reached as Martin confirmed that the Complainant would prefer that he not have to continually recount his narrative, as he found it very uncomfortable. A survivor, a member of the Complainant's support group, agreed with this understanding and recorded the proceeding on his smartphone. Moreover, the Bishop confirmed that Trant's transcription and the survivor's recording of the Complainant's narrative are the only accounts of the narratives of which he was aware. Note that Martin provided the investigators with her notes of the meeting of June 20, 2019, but those were not presented to the Bishop for his perusal because they did not differ from, and were consistent with, Trant's account of the Complainant's narrative.

The Bishop was asked if he had any understanding that Board Investigator Murphy did not reach a conclusion regarding the Complainant allegations. He responded, “I did not.” The Bishop went on to say that the first time he became aware of abuse allegations against Bishop Weldon by the Complainant was when he read the Berkshire Eagle article of May 29, 2019; however, he said he had knowledge of the names of Forand and Authier from prior complaints. In fact, he was aware one year beforehand, on or about September 18, 2018. His recollection was refreshed when investigators showed him Hale’s letter to the Complainant in which there is a notation (cc) referencing Bishop Rozanski (See Exhibit 2).

When asked if he was aware of the Board findings, and in particular, the Complainant allegations, Rozanski expressed that he adhered to the usual and standard protocol of the diocese in processing abuse allegations. “I get my results orally from the Review Board chairman. During those conversations, I learn of the Board’s conclusions. I take my cue from the Review Board.”

Of particular significance was Bishop Rozanski’s response to the question of whether he saw any investigative reports written by Murphy that contained any conclusions regarding the Complainant-Weldon accusations. The Bishop made clear to the investigators that according to what he understood about the protocol, he would never receive any reports of findings and conclusions of the investigator. He acknowledged that it was his perception that the Board heavily relies upon the investigator’s report when reaching its conclusions. Additionally, on some occasions, the Bishop would meet with McManamy for updates on investigations. “I trusted Patti because of her experience in abuse cases. I am more pastoral.”

He impliedly stated that the Bishop does not play a predominant role in the investigatory process. One could easily glean from his demeanor and the remainder of his interview that those days are over.

In essence, Bishop Rozanski's involvement regarding allegations of abuse was to rely on the existing staff, who are currently, and were, at the time of the Complainant's allegations, primarily responsible for processing a complaint from its inception to its final outcome. Regarding allegations such as the Complainant's, the extent of the Bishop's participation and input regarding a determination and finding was simply to receive the Board's conclusions after it concluded its business.

He made it clear he was not aware of any allegations of *sexual* abuse against Bishop Weldon by the Complainant, except that "he (Weldon) was present during incidents of abuse that occurred." The Bishop also characterized mere *presence* where abuse occurs as a form of abuse.

Next, the investigators asked Rozanski if he ever asked the Complainant specifically whether or not Weldon ever abused him. He responded that he did ask him, and the Complainant answered that he was abused by Bishop Weldon. Rozanski added that he asked Trant prior to the June 20, 2019, if asking such a question would be appropriate; Trant confirmed that it would be appropriate. Consequently, Rozanski stated, "This is a direct question," and asked the Complainant, "Are you saying that Bishop Christopher Weldon sexually abused you?" The Complainant's response, in part, was, "Did he sexually abuse me? Yes, multiple times, multiple locations" (See Exhibit 4).

Further, the reader is directed to portions of the record of the Complainant's narrative given to Rozanski as transcribed by Trant wherein it states:

“Weldon told the altar boy to get me on the bed. I didn’t want to go but, “You’re not supposed to cry.” The Complainant then stated, “I did not want to get on that bed. An altar boy or young priest pinned me down and flipped me over and I fought the entire time. The Complainant then stated, “It hurt like royal fucking hell and they wouldn’t stop” (See Exhibit 4 - Paragraph S).

In expressing the impact the Complainant's narrative had on him, the Bishop emotionally stated, “I felt listening to the narrative someone took a vase and threw it against the wall and it broke into a million pieces and I was asked to put it back together.” Subsequently, Rozanski further concluded, “I needed to ask that question,” when referencing the question he asked the Complainant.

Notably, the Bishop stated he presently meets with Hale and Trant for updates on what occurs at Board meetings and, in essence, reposes confidence in what they advise.

Of great significance, when the investigators presented the Bishop with Reports 1b and 2 simultaneously and told him that Report 2 was the only report the Board and Dupont relied upon, he expressed **shock** and evidenced great **displeasure**. He maintained that he never saw any investigator reports. While reading the reports he *realized* and stated to the investigators the following: “One report (Report 2) contains no allegation specific to Bishop Weldon but the other report (Report 1a) specifically does include an allegation of molestation by Weldon.” Rozanski steadfastly maintained that if he had been aware of the discrepancies and inconsistencies, he definitively said he would have questioned the Board and Murphy on their conclusions and inconsistencies (See Exhibit 5).

He further stated he would not have approved the Diocesan response to the Berkshire Eagle that stated, “In fact even the unnamed victim acknowledged that Weldon did not abuse him in statements to our investigator” (See Exhibit 24). Note that the first time Bishop Rozanski became intensely involved with the issue of whether Bishop Weldon specifically abused the Complainant was at the June 20, 2019 meeting, three weeks *after* the Dupont response to the Berkshire Eagle (See Exhibit 33).

Bishop Rozanski maintained that he was motivated to call for an investigation, after hearing that the conclusions and statements contained in the Hale letter to the Complainant of September 18, 2018, were questioned by certain Board members as not being truthful and accurate, and that the conclusions of the Board did not match what was reported in the Berkshire Eagle. He strongly emphasized that in the future, from this moment on, “it will be imperative that I examine all reports.” Regarding the Weldon accusations, Rozanski stated, “I wanted the truth.”

GEOGRAPHICAL RELATED VERIFICATION

On October 4, 2019, O’Connor visited St. Anne Church and Rectory located currently at **30** College Street in Chicopee, MA. Notably, prior to 1994, the rectory was listed as **52** College St., Chicopee, MA according to the Assessor’s office of the City of Chicopee. Both properties, the church and the rectory were listed as owned by the Roman Catholic Bishop of Springfield (See Photo Exhibit, Group 1).

Referenced is the narrative of the Complainant regarding the number “52” as it relates to one of the locations where he was allegedly abused. O’Connor observed and memorialized observations such as: (a) the front foyer and stairway leading up to the priests’ bedrooms (b) the entry into the kitchen of the rectory from the church pathway and (c) the “secret stairway leading up from the kitchen up to the priests’ bedrooms.” The stairway that leads to the priests’ bedrooms is not visible from the Office of the Parish Secretary, thereby supporting the contention that priests could bring individuals to the second-floor residence (the priests’ private area) in an unseen and undetected manner (See Photo Exhibits, Group 1).

Please note that the photos are limited to exterior photos only, as O’Connor was asked by Fr. Dennis to limit photos to the exterior of the rectory because there were others present and he did not want to bring undue attention.

Upon exploration of the sacristy, O’Connor was able to observe the area where the priests prepared for Mass. Behind that room is another room where the altar boys don their cassocks and surpluses before Mass. Significantly the area of the sacristy was vividly recalled and specifically described by the Complainant in his narratives. His recollections were verified and confirmed by Yargeau when the Complainant described them to him. This in turn caused Yargeau to remember the particulars surrounding those locations; he was the head altar boy at the time and told investigators he was very familiar with the locations as described by the Complainant.

It was alleged by the Complainant that at this location, Forand came into the little room behind the altar with a candlestick holder and urinated into it. Also, at this location, Forand allegedly would open his cassock and tell him to hide inside.

This information regarding specific locations within the confines of the rectory and church at both current and former addresses, bear out the Complainant narrative as he related it to Rozanski and others. That narrative was consistent in certain respects with the Complainant's other renditions of his collective narrative of events, specifically as they relate to Forand, Authier, and Weldon.

On October 9, 2019 at 10:30 a.m., both investigators revisited St. Anne Church and Rectory to further confirm the accuracy of two potential locations where the alleged abuse of the Complainant by Weldon occurred.

More specifically, we examined the existing addresses of the rectory, and another dwelling known as “the Auditorium Pub,” along with an attached martial arts studio, Uechi-Ryu Karate Academy. As aforementioned, the rectory’s address is currently listed as 30 College St. but was formerly “52”, and the other dwelling (Auditorium Pub) is listed as 52 Gladu Avenue. It is a dark brown, wood-clad building located approximately 150 yards downhill from the front of St. Anne Church. Both of these addresses potentially represent the number “52” consistently referred to by the Complainant in his recollection of where he was allegedly abused by Weldon. (See Photo Exhibits, Group 1).

Further investigation revealed that in the early 1960s, 52 Gladu Avenue was a building owned by the Fairview Auditorium Association. When the investigators asked about the address history, Russell Sprague, current Director of Buildings and Grounds for the Diocese of Springfield, MA explained that his records could not help answer the question of whether or not 52 Gladu Avenue

was ever own, rented, or used for any church purpose or church-related activities at or around the early 1960s. Sprague referred the investigators to a Ms. Louise McDonald, secretary to the Keeper of the Records for the Diocese of Springfield, to ascertain whether 52 Gladu Avenue was, in fact, related in any respect to the Diocese of Springfield.

The investigators also asked McDonald to research any addresses of dwellings, buildings, or vacant land that were acquired near the rectory on College Street that existed in what is today the parking lot of St. Anne Church at 30 College Street in Chicopee (See Exhibit 34).

Further, on October 31, 2019, the investigators contacted an employee at the Hampden County Registry of Deeds in an effort to fully and specifically explore the geographical variables, addresses, etc. of buildings or residences that may have been purchased by the diocese prior to 1994. The investigators were keenly interested in determining whether a building or residence numbered 56 College Street existed adjacent to the St. Anne Church or Rectory prior to the construction of what is currently the church parking lot. The enigma presented to the investigation was whether a dwelling or the number 56 College Street existed at, or about, the time when the Complainant alleged he was abused by Weldon and what is now identified as the parking lot of the church (See Exhibits 35 & 36).

On November 5, 2019, the Registry employee confirmed there were “structures on the parcels (College Street) that were there prior to the currently existing parking lot.” Street numbers were changed in 1994 to accommodate the 911 phone system (See Exhibit 35).

Moreover, the Complainant's recollections of the number "56" may be related to a building at Camp Holy Cross in Goshen, MA, or to the parcel of land that is the parking lot on College Street in Chicopee. The address, number "56" has great significance when one considers the Complainant's narrative that he was drawn from a tent by Bishop Weldon near where "naked boys were swimming," and taken to a "dark and scary **building** in the woods" (See Photo Exhibits, Group 2).

DR. PATRICIA MARTIN - FURTHER INQUIRY

On October 10, 2019, the investigators spoke with Dr. Patricia Martin in an attempt to reach Father James Scahill, a retired priest from the Diocese of Springfield, MA, who now resides in Florida. The investigators had not been able to reach him by email or telephonically since October 8, 2019. This was for the purpose of ascertaining whether or not she had updated contact information regarding Scahill because he had contacted her previously to discuss certain aspects of a letter that he sent to Monsignor Daniel Liston. Scahill had been in contact with Martin inquiring about the status of the Weldon investigation. The letter contained information that could shed light on another alleged victim who accused Weldon of abuse. Martin provided the contact information.

Investigators sought the information Scahill possessed in an attempt to uncover potentially relevant evidence regarding a pattern of conduct, modus operandi, and other variables pertaining to abuse allegations against Weldon. We were attempting to establish whether or not these offenses may have occurred in the relevant time frame of the Complainant allegation. This would include any geographical locations where abuse of the Complainant may have taken place.

Specifically, investigators sought information regarding any abusive offenses committed by Weldon, either directly or indirectly, by condoning the conduct of other priests, or by being present when these acts occurred. All of this information was necessary in determining the credibility of the Complainant's specific allegations against Weldon.

FR. JAMES SCAHILL

On October 15, 2019 from 12:15 to 1 p.m., investigators spoke with Fr. James Scahill telephonically at his home in Florida. The purpose of the communication was to follow up and inquire about the contents of a letter that he sent to Msgr. Daniel Liston on June 24, 2019 (See Exhibit 37).

A victim met with Fr. Scahill sometime around 2005. However, the alleged victim was unwilling to come forward at that time with a formal complaint. The investigators also sought information to compare that individual's accusations with the many variables- locations, time, and patterns of abusive behavior- that surrounded the Complainant's allegations regarding Weldon. The primary objective of the investigators was to identify consistencies or inconsistencies, if any, regarding Weldon's behavior towards the Complainant. However, it was to no avail, due to what was perceived as reluctance on Scahill's part to disclose any information that would violate confidentiality.

REVIEW OF COMPLAINANT NOTES

On October 11, 2019 at 10 a.m., investigators met with the Complainant's attorney for the purpose of reviewing certain handwritten notes taken by the Complainant, relevant to specific aspects of his accusations against Weldon, furthering the effort to corroborate, or not, the allegations.

Significantly these notes were prepared in February of 2015 and contained descriptions of Weldon's alleged abuse on the Complainant. They were consistent with several narratives given by him to other sources regarding Weldon's conduct. Particularly, the contents included familiar phrases such as, "cuddling," "behind me sexually," "pulling me closer in bed," "naked in bed," and "behind me sexually, different places." The notes also reference such phrases as, "two or three other boys naked in the room" and "tried penetrating me repeatedly both Forand and Weldon."

Moreover, the notes contained certain similar descriptions of buildings and/or houses including, "little dark houses, empty houses, one room. "52" and "56" similar looking, "52" bigger arched stairs, "56," pillars, lots of rooms, abuse by Weldon in each." This is a partial transcription of certain notes taken by the Complainant and reviewed by investigators. These notes were reviewed by the investigators in the office of the Complainant's attorney, Nancy Frankel Pelletier. The investigators were not allowed to either copy or take possession of the notes.

REGISTRY OF DEEDS VERIFICATION

On October 31, 2019, the investigators contacted an employee at the Hampden County Registry of Deeds, Springfield, MA to research the history of parcels of property and dwellings located on 30 College Street, Chicopee, the location of the current and existing church and rectory.

Prior to contacting the registry office, the investigators had determined that St. Anne Church had always been listed as 30 College St. However, though the rectory is now listed as 30 College St., that was not the case prior to 1994 when the rectory was known as 52 College Street (See Exhibits 35 & 36).

The investigators felt it relevant and compelling to attempt to identify the actual locations of the alleged molestations because of the Complainant's consistent memories and mention of the numbers "52" and "56" as potentially the addresses at which he, along with others, were molested. The Complainant maintains he was abused by Bishop Weldon at both locations, "52" and "56."

The Registry of Deeds was contacted to supplement the Chicopee Board of Assessors records which, for the most part, could not show to our satisfaction, what, if any, dwellings may have existed on what is presently the church parking lot (See Exhibit 36). We questioned the registry employee in an attempt to precisely pinpoint the exact location of "56," if it was at all possible considering the time period of the alleged assaults and the mindset and mentation of a child, approximately nine or ten years of age, trying to recall with specificity, traumatic events of the highest order.

On November 5, 2019, further information was provided that shed light on the enigma associated with the numbers “52” and “56.” The employee uncovered, through researching the assessor's cards and other records, that, in essence, there are structures on the parcels that were there prior to the parking lot. It was noted that street numbers changed for the emergency contact number system 911 in 1994 (See Exhibit 35).

In sum, we were provided sufficient information to support the conclusion that there was, at one time, another building next to the rectory where the parking lot is currently located. This may have been the building numbered as “56” that the Complainant recalls in his narrative, where he alleges certain events occurred between Weldon and him. Of particular note, is that the records provided to the investigators through the assessor's office show that in one document the building is numbered as #44. The investigators believe this building was possibly #56 prior to 1994, although not verifiable. It is clear that buildings and residences have changed since the early 1960s, the time of the alleged Weldon abuse.

A compelling piece of the investigatory process was the effort to verify through documentation, Weldon's itinerary at times relevant to the Complainant's accusations of abuse. Investigators attempted to ascertain, through any means available, written documents of Weldon or others that would reveal the late Bishop's presence at relevant times and locations. We searched for artifacts that included diocesan records, deeds, and notes or memos of record keepers as well as any available personal notes, records, diaries, or personal calendars of Weldon.

In furtherance of our efforts regarding the itinerary of potential and possible locations regarding the presence of Weldon at relevant times, the investigation included soliciting the assistance of Monsignor Daniel Liston, Keeper of the Vault of the Diocese of Springfield, and his assistant, Louise McDonald. Liston stated that records we were seeking were unavailable; however, there were ten boxes “marked Weldon,” that were covered with mold, which he felt he could not access for health reasons. He indicated that he looked in some other boxes and did not find any calendars or any other correspondence that would indicate the Bishop’s whereabouts at relevant times.

Significantly Liston indicated that certain records may be elsewhere, including, possibly, “ten thousand documents that were turned over to a Grand Jury in 2002.” No reasonable inference could be drawn that those documents are related to the specifics of the subject investigation. Moreover, Liston also expressed that the Weldon documents “could have been destroyed.”

It **must** be said, that notwithstanding the consistency of the Complainant maintaining the abuse inflicted upon him happened at buildings displaying the numbers “52” and “56,” that (a) the actual location of “52” was verifiable and b) the actual location of “56” was verifiable as a place where abuse occurred, but its precise location could not be positively identified without speculation. Examples would include the Saint Anne Rectory in Chicopee, Camp Holy Cross in Goshen, and most significantly, buildings, wherever located where the numbers “52” and/or “56” were displayed. These efforts, amongst others, were conducted for the purpose of establishing consistency or not, of the particulars and specific factual material expressed by the Complainant in his allegations and accusations related to Weldon.

However, investigators reasonably inferred from the totality of the circumstances that “56” was located either in what is now the Saint Anne Church parking lot on College Street in Chicopee, or a “cabin in the woods” located at Camp Holy Cross, in Goshen.

EVALUATION

VOICE OF BISHOP WELDON

In evaluating the evidence that evolved from the investigatory process, it is imperative to understand that the investigation, in its entirety, carried with it, a stream of consciousness, and a cognition of the fact that the accused is deceased and consequently was not able to refute in any manner, or by any means, the allegations lodged against him. Thus, he was deprived of any semblance of due process accorded a living person under the same cloud of suspicion of committing, arguably, the most heinous of crimes. Refined to bare essence, Bishop Weldon was not here to defend himself and was deprived of a voice.

Lest there be any concern that the voice of Bishop Weldon was not heard, and the investigation influenced solely in a light favorable to his accuser, the investigators *prioritized* the meaning of his absence as including a fundamental lack of fairness because he was not able to defend himself. This concept of fairness was a constant variable when assessing the credibility of the allegations as the evidence unfolded through interviews, site investigations, and all other resources examined.

Summarily put, in the absence of Weldon's voice, the investigators maintained the constant state of mind that the accused could never have the opportunity to deny accusations or to present evidence on his own behalf. This presented both a moral and legal dilemma to the investigators but indubitably did not cause me to be conflicted in any way, either directly or indirectly, in arriving at a conclusion.

REPORTS

At this time, it is imperative to note the history of the availability of the various investigative reports to everyone involved in the process. All reports, to the best of our knowledge, eventually came to our attention and into our possession.

1. In the packet provided to me by the diocese at the inception of the investigation was the report purportedly to be the diocesan investigator's only report, referred to throughout this investigation as "Report 1a." It was contained in the official folder of the Office of Safe Environment & Victim Assistance, Diocese of Springfield. It was the *only* report available to the investigators at the commencement of the interview process.
2. The report that the investigation refers to as "Report 2a," was the *only* report provided to the Board upon which they made its determination regarding allegations of abuse, and/or molestation, of the Complainant by Bishop Weldon. The investigators first discovered that report during an interview with Board member, Dr. Thomas LaChiusa.
3. Report 1b, the signed version of Report 1a, both exactly the same in content, was first provided to the investigators by Murphy during his initial interview. Of particular note, is that Murphy steadfastly maintains that the signed report is the only version he stood by. He expressly stated to the investigators, "I stand tall by that report."
4. Both reports, 2a and 2b, are exactly the same in content and conclusion, except that Report 2b referred to the Complainant as "(by initials)" rather than "(the Complainant)."

5. In Reports 1a and 1b, the reports Murphy stands by as his own, the Complainant's name is misspelled. However, in Reports 2a and 2b the Complainant's name is spelled properly throughout.

6. Both reports, 2a and 2b, describe sexual acts such as "severe anal penetration," descriptions not contained in or referred to in Reports 1a or 1b. Significantly, and **most compelling**, is the fact that both Reports 2a and 2b are completely devoid of any mention of molestation on the part of Weldon, as stated by the Complainant in Reports 1a and 1b.

At the behest of Communications Director Mark Dupont, Cathi Farr, Director of Human Relations, reviewed the entire Diocesan folder and, to the best of her recollection, only found Report 2a. She reported that fact to Dupont. This aforementioned tracking of the relevant reports raises the question as to whether there was ever an attempt to keep from the Board, and/or Bishop Rozanski, the inclusion of Weldon's name in the accusations against priests made by the Complainant.

It can be reasonably and rationally inferred that there were ulterior motives to keep allegations of molestation by Weldon exclusive of Authier and Forand from the Board. Everyone on the Board found the allegations levied by the Complainant against Authier and Forand to be credible. It was clear throughout the investigation that because the status of Bishop was held in the highest regard in the hierarchical structure of the clergy, very little credence was given to the accusations against Weldon.

When confronted with Report 1a, there was a seismic change in the attitude of the Board regarding the Weldon accusations. It was not part of the investigator's charge to determine who was responsible for initiating what could be perceived as a deceptive practice, *if and when* the reports were switched.

EVIDENCE AND STANDARDS OF PROOF

Ineluctably, the investigation primarily consisted of an in-depth evaluation of **CIRCUMSTANTIAL** evidence, since the only **DIRECT** evidence were the narratives of the Complainant. Moreover, in the context of the criminal law, circumstantial evidence alone may support a conviction, depending upon the weight given to it by a fact finder. In the instant matter, it was not the charge nor my province to determine guilt or non-guilt, but solely to determine the credibility of the accusations against Weldon by the Complainant.

When confronted primarily with, and only the assessment of, circumstantial evidence and very limited direct evidence, the common denominator and guiding principle is that one can draw rational, reasonable, permissible inferences in reaching a conclusion. Granted, as stated, there was some direct evidence assessed, the narrative of the Complainant, which, in essence, was his testimony.

It is clear that any accusations and all supporting evidence can never be refuted by the accused. That fact compelled an in-depth investigation, the best and only voice possible given to the deceased Bishop Weldon.

The investigation was driven by strict attention to detail, by comparing all statements of the Board members regarding their assessments of the allegations, and by analyzing the Complainant's narrative which was given at least three times formally. The investigators also reviewed various other sources, including comments by members of his support group to which the investigators were privy, and by scrutinizing information contained in the diocesan investigator's report.

The driving and steering forces of the investigation in assessing the credibility of allegations by the Complainant against Weldon included a) details and specifics, b) corroboration and confirmation, c) consistencies or inconsistencies, d) contradictions, e) verifications, f) contemporaneous memorializations, g) comparison of the contents of the Complainant's narratives, comparison of the understanding of what each Board member heard and understood his narrative to be, as well as comparing his narrative to all other relevant circumstantial evidence and h) the intensity and depth of the investigation conducted by the diocese prior to the inception of our investigation.

Relevant different standards of proof required in arriving at a specific determination in jurisprudence, including criminal, civil, and administrative proceedings, are based on the following: a) probable cause likened to a preponderance of the evidence, more probable than not, b) clear and convincing evidence, and ultimately, c) proof beyond a reasonable doubt. It must be emphasized that, "Proof beyond a reasonable doubt does not mean proof beyond all possible doubt, for everything in the lives of human beings is open to some possible or imaginary doubt" (See Commonwealth vs. Webster, 59 Mass. (5 Cush.) 295, 320 (1850) 470 Mass. 464).

The investigators were expressly charged with solely determining whether the accusations of the Complainant, in particular to Bishop Weldon, were credible, not credible, or inconclusive. This was the same determination required of the Board in all matters similar to the Weldon matter. This begs the question of whether a credible or not credible determination of accusations respecting the Bishop is tantamount to a determination of guilty or not guilty. To ensure no that there are no misconceptions regarding the meaning of “credible” juxtaposed with “guilty,” there is a very fine distinction between the two that requires mention in the context of **this** investigation. I am mindful of and recognize that a lay person may equate the two and believe they are in essence, synonymous. That necessitates a clarification of their meaning as it relates to the nature of the finding of our investigation. Put more clearly, the investigation (notwithstanding credible and guilty being construed by some as one in the same) was **not** a **criminal** proceeding. However, in this proceeding, believing or not believing accusations calls into play an assessment of the credibility of the accuser and attendant accusations. That clearly was the objective of my investigation. Variables considered when assessing credibility have been referenced in detail above.

In the ordinary context of allegations of sexual abuse heard and then processed by a factfinder, more factors than just credibility of testimony play a role in arriving at a conclusion. Crimes have essential elements attached to them that require proof as an essential prerequisite to conviction. In addition, there are asserted defenses that can and may be utilized by an accused.

There are numerous defenses available that are categorized as Negating defenses and Affirmative defenses - alibi, an example of the former, and mental disease or defect (insanity) an example of the latter. Consequently, there are more things than just believing an act or acts were committed that must be countenanced in depth before a determination of guilt or non-guilt. However, to be clear, the findings of the investigation as to the essential determination of credibility is dependent upon the sufficiency of the evidence. Therefore, just because someone's account of events is found credible, a determination of guilt is ultimately made in a court of law.

Consequently, I fully countenanced, and utilized the principles and factors set forth above in making a determination in accordance with my charge. The main objective was to investigate with particularity and assess all the evidence amassed from whatever source, all of which was circumstantial except the Complainant's direct testimony. A compilation of all the evidence gathered served as a barometer for believability.

Circumstantial evidence is defined as evidence based on inference and not on personal knowledge or observation. It involves consideration of collateral and peripheral facts and circumstances from which a fact finder, based on reason and experience, can draw inferences.

Of unique significance, it is clear that I took into account that Bishop Weldon was deceased and unable to confront his accuser. At the very least, in assessing the credibility of the Complainant's allegations, it can be argued that Weldon should be accorded the standard of proof beyond a reasonable doubt as the just and proper prism through which an evaluation of the panoply of evidence should be conducted.

DALLAS NORMS

Amongst many factors and legal principles surrounding the investigatory process, the most salient characteristic is operating with strict adherence to the ultimate principle of the presumption of innocence. Notably, in that regard, is mention of the Dallas Norms. “When an allegation of sexual abuse of a minor by a priest or deacon is received, a preliminary investigation in accordance with canon law will be initiated and conducted promptly and objectively (CIC, c. 1717; CCEO, c.1468). During the investigation the accused enjoys the presumption of innocence, and all appropriate steps shall be taken to protect his reputation” (See Appendix A, (Dallas Norms)). In this instance more than just reputation was at stake, a legacy of a revered pillar of the Catholic Church was subject to potential ignominy.

NARRATIVES OF THE COMPLAINANT

In evaluating the product of the investigation, we first turn to the narratives of the Complainant, to determine the credibility of allegations of sexual abuse committed upon him by Weldon. Only where relevant were Forand and Authier discussed in terms of reliable circumstantial evidence that supports the Weldon allegations.

First, it must be said that the narratives given by the Complainant of his experiences with Weldon were characterized by him as coming from the mindset and perspective of a nine-year-old. This is how he felt and viewed his victimization at the time of the alleged assaults. “When you listen to my story, it is that of a nine-year-old, scared boy.” The emotional component of that variable, when required, was excluded in evaluating credibility.

Different board members interviewed, through extensive inquiry, consistently confirmed various essential aspects of the circumstances surrounding the Complainant's accusations. Most notably, it was confirmed that he constantly mentioned the numbers "52" and "56," which represented locations where he alleged his abuse by Weldon and others took place.

St. Anne Rectory, the location where alleged multiple incidents of abuse occurred, currently is listed and known as 30 College Street, Chicopee, MA, by the U.S. Postal Service, the Chicopee Board of Assessors, and the Diocese of Springfield. Prior to 1994, it was known as 52 College St. A parking lot belonging to the Diocese of Springfield, east of 30 College Street, caused investigators to wonder if at the time of the Complainant's alleged abuse by Weldon, in the early 1960s, a building or dwelling of some kind existed next to 30 (formerly 52) College Street. The Complainant's constant reference to the number "56" presented an enigma to the investigators. College St. is a residential neighborhood, and typically dwellings in residential neighborhoods fall in sequential numerical order. Since "60" is the next standing residence, this would lead the observer to rationally and permissibly infer that at least one and maybe two dwellings may have existed in what is now the parking lot (See Photo Exhibits, Group 1).

Our investigation revealed that dwelling number 30, currently displayed in shiny gold numbers, as described by the Complainant as the shiny "52" at the time of his abuse, is the same dwelling confirmed as 52 College St. according to all previously existing Diocesan records.

Our investigation at the Chicopee Assessor's Office further revealed that the change in address from "52" to "30" College Street was made in 1994 under the properties listed as owned by "The Roman Catholic Bishop of Springfield." Thus, prior to 1994, what is now 30 College Street, Chicopee was known as "52" College Street, Chicopee. That revelation was significantly consistent with other facets of the Complainant's allegations in terms of location and his description of locations where he was allegedly abused.

A portion of the parking lot between "30" and currently 60 College Street, the parking lot for St. Anne Church and Rectory was determined by investigators to possibly be the location of the dwelling numbered "56." There was enough space for at least two, if not three, more dwellings that could have existed in that location, possibly numbers "54," "56" and "58." However, after review of Diocesan and city records, investigators were not able to make that determination (See Photo Exhibits, Group 1).

Upon on-site investigation of the rectory, currently numbered 30 College Street, observation of the entranceway foyer revealed two offices situated on either side of the foyer, with a staircase in the middle, leading up to the second-floor private residence of the priests and containing three bedrooms. The staircase is visible to anyone entering or present in the rectory, sitting room, or offices located in the first-floor foyer area. However, to the left of the foyer stairs is a hallway that leads to the rear kitchen area. Out of any view except by someone located in the kitchen, is a private staircase, inferentially and ostensibly the one often referred to by Forand and Bishop Weldon, according to the Complainant, as "my secret staircase for altar boys to come and go." This staircase clearly leads to the bedrooms of priests.

The Complainant gave exact descriptions of the areas in his narratives to others, including Martin and McManamy, when they accompanied him to the rectory and church on August 1, 2018. These were purportedly the areas where the Complainant stated that the priests would bring him and abuse him.

Vivid and accurate details of the kitchen and stairway, as well as the sacristy and cloakroom, given in the Complainant's narratives, were borne out in similar, if not exact detail, by Yargeau, who was head altar boy at the time of the Complainant's alleged victimization and whose duties included answering phones inside the rectory. Yargeau stated that the Complainant's descriptions were so detailed that it brought back his own vivid memories of the physical setting of the sacristy and rectory of St. Anne Church. Significantly, both the Complainant and Yargeau served as altar boys at St. Anne during the same time period.

We must turn once again to the two specific dwellings that the Complainant makes reference to as numbers "52" and "56." What is salient in his narratives is that he consistently maintains that his abuse by Bishop Weldon occurred in either one or both, "52" or "56." Notably, the Complainant vividly describes many physical features of these dwellings and their surroundings regardless that his narratives are sometimes lacking knowledge of the city or town in which they were located.

Of particular note is that the Complainant maintains that Forand, accompanied by Authier and Weldon, drove him to various locations in a lake area where dark cabins were located in a wooded setting. He described this location as a “dark and scary building” where Weldon took him. Our investigation led us to believe that this area is what was then, and is now, Camp Holy Cross, Goshen, MA, located 44.5 miles from the St. Anne Rectory in Chicopee.

Additionally, two white buildings, one made of brick, are currently located on the camp property as revealed through inspection of the premises, and as described by the Complainant as a “brick building” in his narrative to Rozanski. Currently one building is used as a gymnasium and the other as a chapel. Both appear to have been there since at least the 1960s (based upon what the investigation revealed) and fit the time frame when the Complainant claims he was molested by Weldon (See Photo Exhibits, Group 2).

The investigation confirms the accuracy and reliability of the Complainant's constant reference to “numbers ‘52’ and ‘56,’” and, more specifically, on its face, lends credence to the fact that those dwellings and their physical characteristics existed as described by the Complainant. The investigation revealed particulars about “52” and “56” that the Complainant related when narrating his horrible experiences and which were consistent with the investigator’s observations made at both the camp and rectory.

The investigation led to these locations because of the revelations contained in the Complainant's narrative and the similarities and consistency of his overall descriptions of the physical locations where he was allegedly molested. These descriptions included specifics of being near water, being in a wooded area with cabins, and being at a rectory. In addition, it was confirmed that the diocese may have used or owned campsites for seasonal use in the 1960s.

The Complainant's descriptions are what caused the investigators to pursue whether or not the diocese had any affiliation with campsites that were used seasonally by altar boys during the relevant period. We explored other avenues yet, Camp Holy Cross appears to be the only camp with which the diocese had direct affiliation. Our pursuit was bolstered further by the Complainant's specific descriptions of naked altar boys at a lake area under a tent. This information led investigators to the location in Goshen, confirmed as land currently, and in the 1960s, owned by the Diocese of Springfield.

Compelling consistencies, regarding the constant and often referenced numbers "52" and "56," came to light when several dark, wood-clad cabins in the woods were inspected by O'Connor at the Goshen location. Curiously, he came upon many single room cabins, one of which had the numbers "5" and "6" displayed on each side of the main door to the cabin. He observed that when the door is closed, the digits "5" and "6" appear to confirm that the cabin is numbered "56." Inferentially, this could have been the location in which the Complainant may have been molested, as gleaned from his description that he was led from a tent by a lake to a "dark and scary" building in the woods.

A global view of the entire “52” and “56” scenario, clearly manifests the Complainant's consistency that he was molested in different and several locations, albeit he could not be specific as to the precise locations except for a place with a numerical address of “52.” This location turned out to be what is now known as 30 College Street in Chicopee, the site of St. Anne Parish. The evidence is clear that this is at least one of the locations where he was molested (See Photos Exhibits, Group 1).

Moreover, in a narrative presented personally to me, as well as others, the Complainant described a harrowing experience of being dragged against his will down a hallway and into a room by Weldon. He claimed that this event occurred in a building numbered “56” wherein Weldon wanted him on a bed. He said, “I didn’t want to go. Weldon told an altar boy to get me on the bed.” Here the Complainant expressed that it was a precept or order by priests that he “was not supposed to cry.”

It is appropriate and relevant to mention that the Complainant's allegations against Weldon, including rape, appeared consistent with the scenario he described when he said he was forced onto a bed and “flipped over.” He maintained that he fought the entire time and described the physical features of the assault as, “it hurt like royal, fucking hell, and they wouldn’t stop.” Moreover, the particular recollection of being sexually assaulted included the Complainant's recitation that he remembered that, after being raped, he retreated to a corner, standing and crying, “I want my Mommy.” The Complainant maintained and resolutely stated, “Weldon was sexually behind me more than once.” All of this was consistent with a situation that existed at the time of a young man being traumatized.

Most relevant is the occasion described by the Complainant where he and Weldon were naked in bed and he (Weldon) was “fondling me” and “feeling me all over. The Complainant claimed that other priests as well as altar boys were present when he was allegedly forced onto a bed; specifically, he stated that he was forced onto the bed by at least one altar boy and two priests. He described those priests as “the priest with a bowling ball head, black eyed,” and one with a “rectangular head or face.” That description was confirmed to investigators by Yargeau, head altar boy at the time, when he was interviewed about the Complainant's statements regarding alleged abuse by Forand.

The Complainant's descriptions of persons, places and things were consistently precise and vivid in all his narratives given to several different sources. Although dwellings “52” and “56” may have been at least 44.5 miles away from each other, and the Complainant may have been unsure of their precise locations, in the totality of the circumstances, it is clear that the Complainant consistently described, on many occasions to various individuals, the characteristics and locations of venues where he was allegedly molested.

Consequently, there is a general stream of consistency and believability that flows from his precise recollections of the numbers “52” and “56.” This consistency lends unequivocal credence to his memory and recitation of the events surrounding his entire ordeal, specific to Weldon and others, despite the fact that he may have not been accurate in recalling *actual* locations. As the Complainant stated, and as the investigators determined from his narratives, his recollection of the events of the early 1960s as expressed to all recipients, came from the perspective and lens of a nine-year-old, who suffered a noted trauma.

In sum, to quote Board member and psychologist, Dr. Thomas LaChiusa, who heard his narrative, “his frame of reference and observations would be that of a nine-year-old child.”

Attention is drawn toward the Complainant's recollections of the interior of the building sites. One building which he inspected with diocese personnel on August 17, 2018 was determined conclusively by investigators to be number “52.” He remembered precisely the following relevant locations and items: the sacristy of the rectory, the cloakroom, the secret staircase, a main staircase, a lake, cabins in the woods, a white building, the existence of the number “56” (possibly next door to the rectory in Chicopee), a tent at a lake with naked altar boys, shining numerical digits on a door, books on a pedestal (seen at “52” and “56”) and a dresser with a mirror on it in the room where he maintains Weldon insisted he enter while being dragged. All of these memories are quite telling when examining his narrative for consistencies and inconsistencies or when determining the accuracy of his recollections. Once again, when examining his narrative, the particulars are replete with consistency when viewed in the totality of the circumstances.

In that context, reference is made to the specific kind of abuse that the Complainant alleged was committed. Therefore, a close examination and summary of the information provided to the investigators from each interview was necessitated when evaluating and assessing all of the evidence, particularly respecting the Complainant's allegations against Weldon.

Of particular note are sources of information used in determining any conclusions made by the Board and me when assessing the credibility of the Complainant. These sources include reports, minutes of a meeting, and narratives of the Complainant that were available to Board members and this investigator. The most salient characteristic and common thread of what all recipients of the Complainant's allegations had available to them involved limited and/or contradictory information based on Murphy's findings and reports.

First, turning to the body ultimately responsible for determining the credibility or lack thereof of allegations, was the Diocesan Review Board. At the meeting of June 13, 2018 wherein they made certain conclusions reflected in the letter of September 18, 2018, they only had the benefit of investigative Report 2a. It must be remembered that the Board made its determinations and arrived at conclusions derived from information provided by Murphy's reports and the narratives that he provided to them (See Exhibit 5).

The investigators learned from several board members that it was always the practice of the Board to rely heavily, according to some, "90%," on Murphy's investigation including his reports and conclusions respecting the credibility of an accuser. This was **clearly** the case with the conclusions arrived at regarding Weldon in the Complainant matter. Markedly, and significantly, the Board did not have the opportunity to question Murphy, because he was asked by the Board, at the request of the Complainant, to leave the meeting prior to its commencement. Consequently, the Board relied wholly on the Complainant's narrative and investigative Report 2a, which, as previously stated, was the only report it had access to when making their assessment regarding the Complainant's allegations against Weldon.

Obviously, the Board never had the benefit of examining the contradictory written statements and inconsistencies regarding alleged molestation by Weldon specifically detailed in Reports 1a and 1b. It was clear to me that if the members of the Board had the benefit of those reports, more than likely, if not conclusively, the Board would have been persuaded that the Complainant's accusations regarding Weldon were credible.

As established, during their individual interviews with the investigators, the greater number of the Board members found that certain allegations against Weldon were credible when presented with the contradictory reports. Notably, some board members initially found the Complainant's accusations against Weldon credible. This was based on the concept that Weldon was present while the Complainant was being abused by other priests, and he was forced to watch while Weldon abused other boys. This conclusion was reached even though they were devoid of Reports 1a and 1b.

Consequently, the investigators present a highlight of the relevant aspects of each interview. This was for the purpose of setting forth both an individual and global evaluation of the evidentiary investigatory product. My objective was to ascertain the credibility of the Complainant's allegations of abuse against Weldon, thus referencing the first part of my charge entitled, "INVESTIGATION" (See Exhibit 1).

As to all the narratives given by the Complainant to the investigator, the Board, and others, evaluations were assessed in conjunction with each other, and compared and contrasted when necessary. The entire panoply of narratives regarding his memory of events were assessed in the totality of the circumstances. It is understood that the Complainant is the only eyewitness providing direct evidence in this matter, the bulk of which is assessed from circumstantial evidence and inferences drawn therefrom.

INTERVIEWS

MARY ASHE: Ms. Ashe was not a Board member; however, she was present as the recording secretary at the June 13, 2018 meeting after which the determinations of the Complainant's allegations were made. Ashe confirmed that the Complainant alleged he was abused specifically by Weldon in addition to Forand and Authier. In her interview, she concluded that the Complainant was very detailed in his narrative, and she formed the opinion that he was “very credible, because you don’t make that stuff up.” In essence, Ashe, albeit she did not want to believe it, had a visceral response that Bishop Weldon committed some type of abuse upon the Complainant.

THERESA FINNEGAN: Ms. Finnegan clearly recalled, and found credible, the Complainant's allegations that Bishop Weldon was present during the commission of abuse as well as being a participant. She pointedly recalled that he described Weldon as “being the most violent and one of the worst.”

Finnegan clearly found the Complainant's allegations against Bishop Weldon were credible as well as his entire ordeal. "I found him credible. I believe 100% Weldon was present. I found his whole story credible." She adamantly expressed her great dismay when she was presented with the full contents of Report 1a and its contradictions and inconsistencies, as manifested by her exclamation of, "WOW! Holy Shit!" Her belief in the Complainant's allegations against Bishop Weldon were emboldened and strengthened after reading Report 1a. She firmly believed in the credibility of the Complainant's accusations against Weldon.

DR. THOMAS LACHIUSA: Similar to Finnegan, after being shown Report 1a and evaluating the Complainant's narrative, LaChiusa clearly stated that he would not have come to the conclusion he initially did, that "the Complainant was not abused by Weldon." This is important in many respects because it shows that an assessment was made prematurely without the benefit of all factors of evidence.

It is particularly significant that LaChiusa was the first person to provide the investigators with Report 2, which engendered the pursuit of a new path in the entire investigation.

BONNIE MORIARTY: Ms. Moriarty expressed as much surprise as the other Board members when shown Report 1a. That report caused her to believe in the credibility of the Complainant's accusations against Weldon and further bolstered the consensus of those who were finally exposed to all of the evidence. It is emphasized that had Moriarty had the benefit of Report 1a and its obvious inconsistency, she would have inquired further of the Complainant during his narrative about its meaning.

MARIANNE TRIGGS SMITH: Basically, Ms. Smith, present during the June 13, 2018 narrative, claimed not to remember any accusations made by the Complainant against Bishop Weldon except that “his (Weldon) name was mentioned.” However, the salient take away from her interview was that she had a refreshed recollection of the Forand and Authier accusations and found them credible. Interestingly, when presented with Report 1a, she found the Complainant's accusations “consistent.” This begs the question, consistent with what, when it is clear that Report 1a contained accusations against all three individual priests bundled together, one of whom was Weldon.

JOHN HALE: Mr. Hale, Chairperson of the Diocesan Review Board at all relevant times, harbored different conclusions about the specific accusations against Weldon. His determination, after the Board meeting of June 13, 2018, was that the Complainant negated that Weldon molested him because of his answer to one of Hale's questions: “So you are saying you were never molested by Weldon?” to which the Complainant responded, “No.”

The investigators conclude from Hale's interviews, three in number, that he erroneously misunderstood the Complainant's answer to that question. He took it to mean that Weldon did not molest the Complainant when, in fact, the Complainant meant just the opposite. When the Complainant answered, “No,” he meant that he was *not* saying Bishop Weldon *did not* molest him. That misunderstanding led to an initial erroneous conclusion by Hale. After examining Report 1, he determined that the Complainant's accusations regarding Weldon were credible.

Further, Hale determined that he found the accusations of sexual abuse against Weldon, “compelling and credible,” as reflected in the September 18, 2018 letter to the Complainant. The letter concluded with his authorized signature, and the contents and conclusions were ostensibly adopted by all Board members. Nine months later he was asked by Dupont for clarification of that letter so a response could be crafted to the Berkshire Eagle in an effort to clear away confusion regarding any discrepancies about its contents and conclusions. At that time, Hale, feeling pressured by Dupont, maintained he told Dupont that the Board found that only the allegations against Forand and Authier were credible, and not the ones against Weldon. Note, at that time, he did not have the contents of Report 1a.

Thus, after presenting Hale with conflicting portions of the Murphy investigative reports reflected in Report 1a his previous determinations were completely upended. Hale initially, along with some other board members, did not specifically conclude that there were any credible accusations against Weldon, but, in essence, found the Complainant's accusations “compelling and credible,” as stated in the letter that referred to all three: Fr. Authier, Fr. Forand and Bishop Weldon (See Exhibit 5).

Hale said the letter was not meant to include that the allegations against Weldon were credible until he saw Report 1a. After reviewing that report, he believed the accusations of abuse against Bishop Weldon were credible (See Exhibit 5). This showed that although Hale’s initial perceptions of the accusations regarding Weldon were dubious, his doubts were erased dramatically after reviewing that report. He subsequently concluded that the accusations were credible.

In large measure, the investigator's conclusion that Hale ultimately found the accusations of Weldon credible was based on the content of the Complainant's narrative. That premise was supported by Hale's contemporaneous notes taken during the Complainant's narrative to the Board. Those notes confirmed certain specifics regarding Weldon's alleged abuse that the Complainant maintains he made to the Board and other sources. They are reflected in Hale's notes as follows: the Complainant's description of the incident when "after leaving the rectory, he put his hand down his pants and found shit and blood on his hands," his reference to Weldon as "cuddler," that he was "hit for crying," and that "something terrible happened in this room; I want my Mommy."

MONSIGNOR RONALD YARGEAU: Msgr. Yargeau, the first person contacted by the Complainant in his quest to unravel his trauma, confirmed the specifics of the Complainant's recollections of the setting he described where the alleged abuse took place. Yargeau's statement, "(The Complainant's) descriptions were so vivid that they reminded me of my time there fifty years ago," bolstered the reliability of the Complainant's recollection of the physical locations where he claims he was abused. This was a compelling variable in reaching a determination as to the credibility of the Complainant's allegations.

DR. PATRICIA MARTIN: Ms. Martin's responses in her interview were very specific and consistent regarding the Complainant's story as it pertained to Weldon. She mentioned assuredly that the Complainant expressed to her details of at least three or four clear incidents where Weldon was involved; they were a "combination of touching and sexual incidents."

Pointedly, and notably significant to the investigators was her clear recollection of the Complainant's description of some incidents that took place “near water in an area where there were cabins and tents.”

Moreover, her description of the Complainant's recollection of Weldon specifically being referred to as the “cuddler” who had him naked in bed, was tellingly consistent with the totality of the circumstances surrounding the Complainant's allegations against Weldon. This made the picture quite clear in assessing the accuracy of the Complainant's accusations.

Notably was Martin’s acute observation of Board member Finnegan’s response to the trauma that the Complainant allegedly experienced and related to the Board when he graphically expressed his account of finding “shit and blood in my pants,” after he was allegedly anally raped. Martin, a psychologist with diverse experience in clinical psychology, observed that Finnegan was visibly shaken and upset by the Complainant's statements and she was persuaded that Finnegan found the Complainant's narrative veritable.

SURVIVOR: A survivor verified that the Complainant's story was told from the perspective of an eight to ten-year-old child, likely the age he was at the time of his alleged experience with Weldon. The survivor confirmed all of the contents of the Complainant's narratives, that he was privy to, were consistent regarding Bishop Weldon. These included narratives given to: the survivor, the Board, Bishop Rozanski, the Complainant's support group which included the survivor, and most notably, the survivor’s presence during Murphy’s interview of the Complainant.

The survivor, in essence, soundly refuted the Murphy account and report of the Complainant's interview, wherein Murphy maintains he was told by the Complainant that "Weldon did not molest him but tried to hug him and pull him within reach." Significantly, the survivor maintained in a statement to investigators while pounding his fists on the table the following, "Zero chance (the Complainant) ever said to Murphy, Weldon never molested me. Never happened." His recitation was quite telling and persuasive when assessing the credibility of the Complainant related to his allegations against Bishop Weldon.

Another account of the Complainant's consistent narrative was relayed by the survivor who recalled that the Complainant told the Board that Weldon, "touched him down there, and I fought." This was in reference to the Complainant's specific recollection of being naked on the bed with Weldon and being fondled.

The survivor made specific mention of the Complainant's constant reference to locations described as "52" and "56." His confirmation of the consistency of the Complainant's narratives further bolstered my positive assessment of his credibility, because his story, told to many, had little if any contextual inconsistencies or variations.

Most notable is the manner in which the Complainant expressed the abuse he allegedly suffered at the hands of Weldon. The description was confirmed by the survivor when he stated that the Complainant expressed a number of times that, "Weldon came at him from behind sexually." The Complainant was very consistent in that description to a number of other sources as well.

That particular alleged pattern of behavior of Weldon supports the contention of the Complainant, that he did tell the Board, as well as other sources including this investigator and Rozanski, "I was raped." It is important to understand that from the Complainant's description, "he (Weldon) came at me from behind sexually," to the survivor and others, one could rationally, reasonably and permissibly infer that the act constituted anal rape.

PATRICIA MCMANAMY: Particular attention is given to Ms. McManamy's contention that the Complainant made allegations of abuse against Forand, but emphasized he made no allegations against Weldon at her meeting with him and Connelly in December of 2014. McManamy maintained, that notwithstanding her duty to complete an intake report and report any alleged sexual abuse of a minor to a district attorney, she did not do so at the behest of the Complainant, because he wanted to maintain "secrecy about his victimization."

McManamy stated that she was only privy to the Complainant's story through Investigator Murphy. However, she did complete an intake on him in 2018 because, inferentially from McManamy's interview and position, that was the first time he agreed to an intake (See Exhibit 14).

Interestingly, in that intake report, not only does McManamy mention Forand and Authier and Bishop Weldon (See Exhibit 14, Audit Page 1, Question 9), but she also responds, "Yes," to the check box question, "Was case found credible?" (See Exhibit 14 Audit Page 3, Question 8). From these indications, one can reasonably infer that the case of the Complainant's allegations against Weldon were found to be credible.

An overview of the Complainant's consistent abuse accusations regarding Weldon in every narrative he ever gave to numerous sources, leads this investigator to seriously question whether the contention of McManamy, Yargeau and Connelly that the Complainant did **not** mention abuse by Weldon in some context is true. Interestingly, in contrast, McManamy makes reference in an undated personal notebook to the names, Forand, Authier, and “(Welden).” (See Exhibit 15). Note the name **Weldon** is misspelled in that notebook entry.

However, in fairness to McManamy, she did acknowledge that *any* presence of Bishop Weldon where the Complainant was allegedly abused amounted to what she characterized as “an act of abuse.”

INVESTIGATOR KEVIN MURPHY: The four Murphy investigative reports contain a vital inconsistency, leading to Murphy’s ultimate conclusion respecting the credibility of the Complainant's allegations against Weldon. His conclusion of finding the Complainant's allegations regarding Weldon not “molesting” him in Report 2 lacks support when juxtaposed with Report 1b (ultimately the one he stood by).

Notably, Murphy reported some semblance of three conclusions about the Complainant's allegations that investigators derived from his reports and the minutes of the Board meeting of May 9, 2018: 1) The allegations were inconclusive 2) It was conclusive that Weldon did not abuse the Complainant and 3) The accusations against Weldon were not credible, but were credible against the other two, Forand and Authier. (See Exhibits 5, 39)

It is clear that the Murphy reports presented a glaring inconsistency with respect to the Complainant's allegations against Weldon. However, Murphy relied on those inconsistencies when arriving at the conclusion that the Weldon accusations were *not credible*. Murphy points out in the reports that the Complainant initially stated that he was “molested” by Weldon and then “immediately retracted it.” One has to infer, reasonably and fairly, that the retraction was the basis for Murphy finding ultimately that the Complainant's accusations against Weldon were not credible.

However, the Complainant emphatically stated, when presented with the fact that Murphy said he retracted the accusation against Weldon, “He (Murphy) is a fucking liar.” The survivor, who was present during the interview, when addressing the question of a retraction stated, “Zero chance, it never happened.” The Complainant's statement coupled with the survivor's, belies Murphy's conclusion of no abuse by Bishop Weldon, especially when juxtaposed with the fact that several recipients of the Complainant's narrative found him consistent, and several Board members found him *credible*.

The Complainant's credibility is compounded and supported further by the consistencies and accuracy of his recollection of what happened to him regarding Bishop Weldon including:

- the type of assault-(rape) and where it happened, “52 and 56,”
- “cabins in the woods near a pond,”
- “boys naked under a tent,”

- the manner in which it happened (stood behind him “sexually” more than once),
- the “cuddler,” “fondling,” “naked in bed”,
- (other priests present, Frs. Forand and Authier, “bowling ball head” (the monster)

Other particulars include:

- a secret staircase
- dragged into a room by Weldon,
- thrown down on a bed by others at Weldon’s direction,
- graphic specifics, that of “shit and blood” on his hands, (a byproduct of anal rape) when he put them down his pants after leaving the rectory, although only inferentially related to Weldon.

It is conclusively stated in Reports 1a and 1b that the Complainant told Murphy he was molested by Weldon. The Complainant's allegations, in Reports 1a and 1b, that he was brought to several locations and molested by three unknown priests and Weldon, bears out this premise.

BISHOP MITCHELL ROZANSKI: It is clear to the investigators that Bishop Rozanski never saw any investigative reports regarding the Complainant's accusations of Weldon. He relied completely on what was told to him by others within the hierarchy of his staff. The most salient point about all this is that he was not aware of any discrepancies in any investigative report, and the only information relayed to him was that Weldon did not molest the Complainant, which correlates with Report 2.

However, Rozanski immediately felt a call to action when he became aware of the Berkshire Eagle article by Larry Parnass and the disagreement amongst Board members regarding the conclusion stated in the letter from Hale to the Complainant dated September 18, 2018. That awareness caused Rozanski to question the true findings and the individual Board member's assessment of the credibility of the Complainant's allegations against Weldon.

He was motivated by alleged discrepancies regarding his understanding of the Board's conclusions and what was reported in the Berkshire Eagle, emphatically stating and maintaining to many, including the investigators, **"I want the truth."**

CONCLUSION

After an intense and in depth investigation over a period in excess of eleven months, with an objective to determine the credibility, or lack thereof, if possible, of any and all allegations of sexual abuse and/or assault and assault and battery lodged by the Complainant against the late Bishop Christopher J. Weldon, a conclusion was reached based upon the careful evaluation of all evidence examined. This evidence included:

- (a) my extensive one on one interview with the Complainant
- (b) extensive interviews, inquiries, and responses of Board members
- (c) interviews and responses of other relevant diocese personnel
- (d) statements from the Complainant's support group members
- (e) interviews of former diocesan employees and retired clergy
- (f) documents from the diocese
- (g) examinations of relevant geographical locations, including site visits
- (h) electronic communications
- (i) personal notes of Board members
- (j) telephonic communications with individuals whose information was not otherwise obtainable
- (k) personal notes of the Complainant
- (l) recordings of the Complainant's narrative to Bishop Mitchell T. Rozanski
- (m) a transcription of the Complainant's narrative of June 20, 2019, given to Bishop Mitchell T. Rozanski and Mr. Jeffrey Trant (OSEVA).

It must be mentioned that the investigators explored other alleged sexual abuses expressed by the victim regarding Weldon that could not be substantiated as credible, due to insufficient corroborating evidence, drawn from peripheral but generally related facts. In that regard, I have also chosen to refrain from concluding one way or another, as to an exact **number** of times particular types of abuse, including rape of the Complainant took place that can be attributed to Weldon. The closest one can come to determine that fact is through the words “multiple times, multiple locations,” stated by the Complainant himself.

Consequently, after in-depth, analytical, intensive, deliberate and verifiable consideration of all the evidence, I arrived at a definitive conclusion. I gave no more weight to the Complainant's direct evidence than circumstantial evidence, drawing on reasonable and permissible inferences viewed in the totality of the circumstances. The evidence obviously included, amongst other things, my **personal** interview with the Complainant, as well as his narratives both transcribed and given to others. These narratives were compared in detail to all other evidence in the matter for the purpose of assessing consistency.

Notably, there were other allegations brought to our attention regarding the conduct of Weldon allegedly involving the Complainant. One in particular, suggested the Complainant suffered an injury to his shoulder area, or wrist, ostensibly relevant to sexual abuse which included rough sex acts. We thoroughly explored and investigated those specific allegations with the same intensity as all others, but the evidence revealed was not sufficient, beyond a reasonable doubt, to establish the necessary nexus, directly or inferentially.

This investigation was exhaustive in nature, replete with twists and turns that were both instructive and intriguing. Much information was unearthed in pursuit of the truth that was derived from documents and other materials originally submitted to me and Investigator O'Connor. Paths of pursuit of relevant variables were defined by the evidence, leaving no stone unturned as reasonably as possible, and evaluated in stages, as certain conclusions evolved. The investigation was a painstaking journey of a distasteful subject matter. It would be disingenuous to state otherwise. That propelled the investigation into a right and rigorous endeavor to arrive at a sound, informed and honorable conclusion.

Therefore, I find the allegations of the Complainant of sexual molestation committed upon him by Bishop Christopher J. Weldon, both as a principal, and as a “coventurer” that included anal rape, indecent assault and battery, and intentional infliction of emotional distress are *unequivocally credible*. The allegations that were investigated and examined are not dubious, vague or ambiguous in any essentials nor are they the product of any chimerical conception, fabrication, or schematic design.

The unsavory and heinous nature of the offensive behavior attributed to the late Bishop is clearly shocking. They can only be leavened, if possible, by contrasting his stellar contributions to the Diocese of Springfield and fellow citizens.

In sum, Bishop Rozanski was asked what he expected from me in conducting this investigation and he resoundingly responded, “**THE TRUTH!**” After an exhaustive, thorough, and intensive examination of all the relevant facts, I am confident my conclusions support an indisputable truth.

REPORT TO DIOCESE

PHASE TWO

INTRODUCTION

In keeping with the second charge of my independent and outside investigation as referenced in Phase One was a particular and specific request to analyze and assess the procedure and course of action respecting the Complainant. A preliminary assignment connected with the central part of Phase Two charged me with the task of introducing proposals and suggestions, procedures, protocol, and overall policy recommendations for the management and undertaking of future complaints. Specifically, I was asked to (a) “review how this situation has been handled by the diocese” and (b) to “help identify opportunities for improvement in how the diocese handles these matters.” (See Exhibit 1)

Therefore, in the first instance, regarding Phase Two, reference is made to a number of factors that were considered by investigators in the method employed by the diocese in handling the complaint addressed in this investigation. Specifically, I was asked to examine how the accusations regarding were addressed by the representatives of the diocese who participated in fielding the *initial* complaint.

FIRST: It is compelling to mention that the investigators were told that the Complainant never mentioned Weldon’s name to those he initially confronted about his allegations of sexual abuse. During my investigation Monsignor Yargeau, Monsignor Connelly and Patricia McManamy, Director of the Office of Child and Youth Protection, emphatically and steadfastly maintained

that the Complainant never referenced or accused Weldon of sexual abuse. They maintained that the Complainant's constant refrain regarding any abuse was limited to Frs. Forand and Authier.

I found it unbelievable, after reviewing the product of the investigation of the Complainant's allegations against Weldon, that the aforementioned individuals never inquired of him whether Weldon abused him. The totality of the circumstances of the Complainant's sexual abuse allegations against priests dictates that the three individuals to whom he initially lodged his complaints knew, or should have known, to ask him whether any other clergy member abused him.

Thus, if, as I believe, the Complainant expressed to McManamy and Connelly that Weldon did in fact abuse him, then it was incumbent upon them to further inquire in that regard. In all narratives given by the Complainant referencing abuse by Forand and Authier, he consistently included Weldon, in some respect, as an abuser. That included the narrative the Complainant gave to Diocesan Investigator Kevin Murphy in which some reference was made that Weldon molested him (See Exhibit 5).

Consequently, a reasonable inference can be drawn that the Complainant in all of the narratives of which the investigators are aware, revealed in some manner the name of Weldon regarding his allegations of sexual abuse.

Notwithstanding the contention that the Complainant may never have mentioned the name of Weldon, it would have been the more prudent practice to follow up with a more in-depth inquiry

to ascertain a complete picture of what occurred. Simply listening to the names of the accused and failing to take any further action is disingenuous for a number of reasons. Most importantly, they should have immediately determined if any priests or other potential offenders were currently actively employed in the ministry, the Diocese, or otherwise.

This is especially true in view of the fact that the altar boy sexual abuse phenomenon was pervasive throughout the nation and was an issue when the Complainant sought credence for his accusation. At the time, the hierarchy of the church was being confronted with, and accused of, either incompetently handling abuse complaints, intentionally covering them up by transferring priests from parish to parish, destroying records, turning a blind eye to an alleged victim, or a combination thereof.

There should have been an in-depth protocol and policy that would include specific inquiry about any allegations regardless of what individuals were being accused. Posing the simple question, “Was anyone else involved in any way?” would have immediately engendered action by the diocese to suspend any clerical or other ministerial duties, and to investigate the accusation to determine its credibility. If found credible, the names of those credibly accused would have been listed on a diocesan website posting. That would clearly demonstrate transparency of the highest order, and sheer and unadulterated honesty, thus creating a pathway for victims to feel vindicated while helping to restore their lost dignity. Clearly, a lesson to be learned.

Turning to the initial steps taken by the Complainant, reference is made to his first contact with Yargeau who was, and is currently, a mandated reporter and required to comply with the Dallas

Norms. Yargeau referred the Complainant to Connelly (Vicar General) who was also a mandated reporter and was also required to comply with the Dallas Norms.

It is a compelling, alarming, and significant fact, that caused consternation, that the Complainant sought out Yargeau, his boyhood friend and fellow altar boy, yet never mentioned Weldon. Yargeau was the head altar boy at St. Anne Parish in Chicopee at the time of the alleged abuse and a friend of the Complainant's brother. Yargeau contended that the Complainant *never* mentioned Weldon or Authier when the Complainant initially met with him. But Yargeau distinctly remembered specific details cited to him by the Complainant about Forand in the context of sexual abuse.

Interestingly, Yargeau clearly stated that the Complainant did not mention the names Weldon or Authier as his abusers. He voluntarily offered to the investigators that he had a personal affinity for them (Weldon and Authier) because of favors they bestowed upon him in the past.

Of particular note is (a) Yargeau and Connelly, both stated in their interviews that when Yargeau contacted Connelly, they never discussed the nature of any of the Complainant's accusations with each other. This is in spite of the fact that the Complainant, at the very least, mentioned Forand as an abuser to Yargeau and further, (b) why did Connelly have the Director of the Office of Child and Youth Protection present for his interview with the Complainant when he steadfastly maintained that he had no knowledge as to the *reason* why he was meeting with the Complainant.

Significantly, in the initial processing of the Complainant's allegations, he met in 2014 with his altar boy friend Ronald Yargeau who was the head altar boy at the time of the alleged Weldon abuse. Later that year in early December he met with Connelly and McManamy. Neither Connelly or Yargeau nor McManamy referred the complaint to the District Attorney's office even though all were mandated reporters and obligated to comply with the Dallas Norms. Moreover, a file was never constituted at the time and, as mentioned, there was no intake initiated.

In essence, there was no official action of any kind respecting the Complainant's revelations except for a couple of letters back and forth between McManamy and the Complainant. There were no other steps taken until (ostensibly) March of 2018, when McManamy requested the commencement of an investigation relating to "a number of different priests, and on a few occasions Bishop Weldon" as being accused of abuse by the Complainant.

Alarming, dovetail the lack of official action, with the fact that a mandatory sexual abuse victim intake sheet was not initiated until 2018. In that intake report, "Clarence Forand, Bishop Christopher Weldon, (and) Edward Authier," were named as accused. In addition, under the heading "Accused Type," the following titles were listed: "Diocesan Priest; Bishop of Springfield; **Order Priest**."

Official action was indubitably incumbent upon parties involved and should have commenced in December of 2014 and *not* in March of 2018, approximately four years later. Reference is made to, amongst other things, language contained in a *Special Report* issued by Bishop Rozanski,

albeit not issued until January of 2019, wherein he issued a directive setting forth that “all clergy, religious, lay employees, and volunteers must consider themselves as “mandatory reporters” and follow reporting procedures” (See Exhibit 39). That report is a strong reminder to all involved in the process respecting abuse complaints, to act forthwith, in resolute fashion, in complying with all prerequisites attendant to an initial complaint.

In the future, a series of events similar to the timeline in this case would result in a well-deserved harsh criticism and lend credence to the notion that the diocese is lax in its duties, and purposely prone to delay, in hopes that a complaint will gather dust and eventually erode into non-existence. That would feed the critic’s constant refrain that this diocese, like all the others, covers up, delays, and fosters secrecy in their treatment of an alleged victim, so as to avoid shame, embarrassment, and public condemnation.

Consequently, there would be a total lack of transparency and accountability in an attempt to protect and insulate its own, from not only public criticism, but spare potential litigation, criminally and civilly. Most of all, this delayed timeline would further **victimize** the accuser.

In this case, diocesan employees have taken the position that the delay in processing the Complainant’s allegations from the inception was that the Complainant decided not to go forward with the established Review Board procedure. It must be clearly understood that *upon any reasonable inference* involving potential clergy abuse of any victim, a report should be developed immediately regardless of the victim’s intentions. It is incumbent upon them as mandatory reporters to follow protocol of the Diocese and the laws of the Commonwealth. To

put the blame on the victims for not wanting to go further with an inquiry, continues to victimize them.

It is clear from these particular circumstances that the best practice in the future would be for any diocesan employee who would be a potential source of fielding a complaint, be equipped with an intake form and an instruction manual directing them to follow a specific course of action. That action should include an inquiry of any and all individuals, potential victims, and abusers, who might want to shed light upon, or provide relevant information respecting a particular allegation. That inquiry would follow as the next step in the processing of a complaint that would ultimately be assessed for credibility.

Immediate action is bolstered by the fact that complainants most always have a problem with recall and memory of traumatic events at the time they disclose what happened to them.

Notably, a critical element in this context is that memories be refreshed as best as possible, so investigators can fairly proceed in the investigatory process. This should include exploring victim's graphic artifacts, such as diaries, poems, greeting cards, memoirs, letters, and illustrations in order to refresh their memories. Investigators should utilize anything that could possibly refresh a victim's recollection.

Related to the concept of recollection, it was interesting that when the Complainant was confronted with the question of whether "Ron, the head altar boy," was the same "Ron" who the Complainant said, according to a survivor, "helped to hold him down?" The Complainant was unable or unwilling to substantiate Yargeau as the "Ron." This question was in reference to the

investigators' interview of a survivor wherein he related that the Complainant told him during a therapy session that he was pinned on a bed while he was sexually assaulted by Weldon. This underscores the necessity of the accuracy, or not, of memories, when refreshed, to be fully explored whether in "snapshot" fashion or when using in-depth recall.

For example, in view of the facts that unfolded throughout our investigation, it can easily be determined based on a standard of preponderance of the evidence, that, more likely than not, "Ron" (as related to the "Ron, the head altar boy") was Monsignor Ronald Yargeau, notwithstanding the inability or unwillingness of the Complainant to conclusively make that determination. One can clearly and reasonably understand the Complainant's inability to conclusively make that determination in view of the length of time that had elapsed since the alleged Weldon-Complainant encounter ensued, and the relationship of the Monsignor to his brother.

Further, the Complainant quite profoundly maintained that his story, when expressed, must be understood as coming from the lens of a "nine-year-old scared boy" when recounting certain events. The Complainant stated he has learned how to deal with emotional memories, and explained, "trauma gets stuck in the body and shredded like confetti; that's why it comes out in bits and pieces."

It is emphatically instructive that memories of such traumatic events suffered by a person of tender years are most often repressed. Thus, it is imperative to explore all circumstantial evidence thoroughly when fielding and investigating allegations of the nature alleged in this

matter. Anything that helps refresh memories must be properly utilized by the recipient of the allegations and the investigators while carefully avoiding inappropriate and “impermissible suggestiveness.”

In the next step followed in the process and handling of the Complainant’s allegations, attention is directed to the confusion and lack of coordination and cohesiveness that existed between the Victim’s Office of Child and Youth Protection and the Board regarding the scheduling for his narrative to be heard.

After McManamy and the Vicar General met with the Complainant in 2014, it was incumbent upon them to initiate a full-scale intake of the complaint, notwithstanding any indication he gave them about not desiring to proceed any further whether out of fear, shame, or anything else. To further comply with the Dallas Norms and any other reporting obligations, the procedure should have included a vigorous process of investigation and immediate notification to the District Attorney’s Office, regardless of whether or not the accused priests were deceased.

It was up to the District Attorney to formally declare a foregoing prosecution and publicly state the reasons therefor. That is (and should be) the District Attorney’s call in every instance. Even if the accused is a deceased individual, immediate notice to the District Attorney’s Office is a vital prerequisite in the complaint process. There are other procedures and actions that a district attorney may choose to follow in accordance with his obligation to the citizenry, including issues involving witnesses and victims. Also, information potentially could develop regarding cold cases that could be called to the front for further investigation.

In essence, the “Normal Procedure for Handling Abuse report” set forth in the Bishop Special Report of January of 2019, (page 2), is a good general guideline of the initial steps and procedures to follow at the commencement of a complaint (See Exhibit 39).

The aforementioned serves as a segue and foundation for the concepts and vital prerequisites that must be adhered to and followed in each situation involving the Diocese and/or any of its employees and volunteers. When confronted directly or indirectly with an accusation of abuse or an alleged boundary issue, this procedure should obtain in the investigation of the conduct of employees and volunteers.

The concept and implementation of a system of **checks and balances** should serve as the embryo of the solution to the problem of addressing future offences allegedly committed and the particular accusations that accompany them.

A system of check and balances should be implemented as set forth in a *code of conduct* handbook and other policy publications updated and disseminated highlighted with a feature of accountability to all relevant parties. This should include the protocol, procedures, and policies that are suggested as an effective system of addressing all the ills that are attendant to accusations of sexual abuse and other crimes. A code of conduct should be instituted for compliance in addressing alleged wrongdoing by priests, diocesan employees, volunteers, other personnel and agents of the diocese, all clerics within the hierarchy of the Catholic Church as well as contractors performing work for the diocese.

Consequently, a vital prerequisite in the procedure of handling complaints from the inception, should be a mandated requirement of **contemporaneously memorializing** every step undertaken, by whatever employee or other individual, engaged in the process. In that regard, the suggested handbook would serve as a guide that must be utilized on a step-by-step basis in order to ensure efficacy of the investigative process.

Everybody involved in the sphere of anything relevant to the complaint should be fully cognizant of the entire process as set forth in the handbook that delineates each step taken by the recipient and the sequential persons in the process. The importance of this cannot be stressed enough as **transparency and independence** are the foundation upon which the diocese can mount a solid and substantive response to a direct or inferential accusation. A delay and denial pattern of investigative conduct might suggest a cover-up on the part of the Diocese, the usual refrain of critics when an allegation is disclosed to the general public.

The procedure should be monitored and overseen by a specified **outside person or entity**, Administrative Supervisor of Investigations (ASI), independent of the cleric realm, as designated by the Director of the Office of Safe Environment and Victim Assistance (OSEVA) with the approval of the Bishop of the Diocese (See Appendix B). That person or entity shall confirm the adherence and compliance to the requirement and be responsible to report to the Bishop and/or his designee, the substance of such compliance in a contemporaneous manner as timely as possible. The importance of the Bishop being familiar with, briefed, and continuously updated,

as to the content of records kept and the status of complaints cannot be stressed enough. This is an imperative nucleus to the system of **checks and balances**.

This mandated procedure is particularly vital with respect to any investigator or investigator's work product responsible for the scrutinization of any complaint of any nature. This is not to trivialize or exclude the importance and obligations regarding the mandate of other individuals (non-investigators) involved in the process, whose endeavors are relevant in any way to the integrity of a system of **checks and balances**.

This system of **checks and balances** is emphatically suggested as a viable concept to remedy the insufficient systemic variables that currently exist in the complaint process. The current system does not consistently ensure a functionally proper, just, compassionate, considerate, empathetic, and effective method of resolving the consequential effects of allegations of sexual abuse and other crimes perpetrated on youthful victims. It must be understood by all relevant parties to the complaint process that this includes vulnerable adults (a category of individuals that must be fully defined and understood in accordance with the law and common sense).

Consequently, it is imperative that any task force responsible for effectuating the mechanics and implementation of a **checks and balances** system and its features, be cognizant of the *procedural* steps at every level to be undertaken from the inception of a complaint by all persons and entities involved in the process. This must be understood from the perspective of accountability, transparency, and responsibility in adhering to the **code of conduct** established by the Diocese through the auspices of the Bishop and or his designee, the Director of OSEVA.

This responsibility includes amongst other things, an understanding of and adherence to both Canonical Law, essential norms approved for the United States, laws of the United States, and the statutes of the Commonwealth of Massachusetts. In that regard, suggested resources to be consulted and utilized should include Legal Counsel for the Diocese, an expert in Canon law, and relevant district attorneys.

It is quite apparent that there was a lack of consistency in the investigative reports by Kevin Murphy with respect to the allegations regarding Weldon. There existed four separate reports; all of them were undated and only one was signed, the one Murphy asserted he adopted. There was a modification made by Murphy on September 4, 2018 on the report (1b) that he ostensibly adopted. That modification removed the accusation of molestation on the part of Weldon to comport with the report the Board ultimately received for its consideration on June 13, 2018. On its face, a lack of consistency and cohesiveness can present inferentially potential deception and expose the diocese to deserved criticism of the highest order.

After the meeting of June 13, 2018, in early August of 2019 when the Board members were presented with the four reports by Investigator O'Connor and me, they came to different conclusions regarding the credibility of the Complainant respecting the allegations of sexual abuse against Weldon.

It would have been a better practice and should be the future procedure and protocol for investigators to be confined to relevant fact gathering and discovery, and ultimately present their work product in the form of one final, signed, and dated report with supportive data to the Board.

The supportive data will reflect any inconsistencies in findings of investigators, from which and upon which the Board is served in arriving at conclusions. Occasions will arise where the work product report should be *just that* and not contain any indicia of the investigator's opinion in any manner whatsoever in that final report. That should be the sole function of the Board. They, not the investigators are the fact finders in the context of having sole responsibility of determining the credibility of any accusation. Clearly, the Board should be, and *shall be*, the judge of the facts determined to support the ultimate conclusion. Under no circumstances should any Board member ever inquire of any independent source regarding their opinion of a victim's credibility including any investigator.

Turning to the specifics and mechanics of any investigation of any allegation of wrongdoing allegedly committed by an employee of the Diocese, or anyone to whom the Bishop may grant or rescind faculties, including Order Priests, the following suggestions should be adopted in the investigative process by the diocese's any newly and future hired investigative teams.

It is the understanding of our investigative team that the diocese currently has employed four investigators charged with the task of investigation of alleged misconduct that may or may not rise to the level of a criminal offense or constitute a basis to support a civil action for damages. This would also take into account disciplinary measures to be implemented against any clergy and/or any employees of the diocese.

Moreover, it is the understanding of our team that the diocese has selected investigators for that purpose, who, through their knowledge, training, and experience derived from current or former

employment, are familiar with and possess the competence to conduct intense investigations. These investigations are ones focused on potential prosecution of criminal and civil offenses, on any level involving “sexual abuse, attempted sexual abuse of any person (s), and/or sexual misconduct by any priest, other clergy of whatever order, official, or employee of the diocese or any person volunteering with or otherwise acting under the auspices of the diocese and/or the diocese’s direction or control, or any priests, other clergy of whatever order, official, employee of, or volunteer with any subdivision of the Roman Catholic Church living or working within the geographic confines of the Diocese.” (See Exhibit 40). However, it should be clear that the same protocol of investigations and/or the product of investigations, can, and should apply to crimes of a non-sexual nature as well as boundary issues.

Consequently, the investigative team reposes the utmost confidence in the diocese’s current investigators that they possess knowledge of the concept and examples of inculpatory and exculpatory evidence. That evidence is derived from facts ascertained in the investigatory process. Investigators should be aware of the attendant obligations to ensure that the offices of the District Attorney are furnished with any and all relevant work products. This will help refute and fend off any criticism of the diocese so often expressed as an accusation of a *cover-up*, *protection of their own*, *delay*, and *denial*, not to mention the obvious- ***complete transparency***.

When permitted by the District Attorney’s offices, it is imperative upon the investigators to conduct a thorough, unbiased, and industrious investigation. That investigation will commence upon notice from OSEVA and/or the Bishop and delivery of an intake report. It is incumbent

upon the investigators to be in contact with the relevant district attorneys as new evidence unfolds and is uncovered.

It is stressed that the relevant jurisdictional Office of the District Attorney where the alleged reported incident occurred **shall** be immediately notified by OSEVA of a complaint and commencement of any investigation conducted by diocesan investigators.

It is a vital prerequisite that investigators participating directly or indirectly in an investigative process, be familiar with basic, general techniques related to the principles of Massachusetts Evidentiary law, and proper investigative protocol respective to criminal and administrative procedure.

It must be remembered that the protocol of evidence gathering includes the wide spectrum of direct and (critically) circumstantial evidence, as the latter is the most common type of evidence, historically, surrounding allegations of sexual abuse with which investigators have been confronted. Direct evidence (percipient witnesses) is rarely available, excepting statements of alleged victims and the accused.

Examples of circumstances that involve the proper administration of critical forensic techniques are as follows:

- 1) The taking of statements from accusers and other witnesses and follow-up with acquiring information related to the substance of the accusations for purposes of evidentiary corroboration, consistency, and inconsistencies.

- 2) Memorializing of all statements with video and audio recordings were consented to, along with a written narrative by the alleged victim, signed and dated by the alleged victim and any and all investigators present.
- 3) At least two investigators should be assigned to conducting interviews with the alleged victim, the accused, and any relevant witnesses. There should never be less than two present.
- 4) All interviews should be conducted at a location agreed upon by all parties.
- 5) Any interviews to which the victim is subjected shall never be conducted in an atmosphere of religious connotations, e.g. church, diocese, and/or appurtenant dwellings. This would include any location where religious artifacts are displayed- as credibility, substance, accuracy, and clarity are potentially impacted. When victims of sexual abuse are subject to some emotional distress and/or physical trauma it consequently could affect the recall and reliability of the statement in an attempt to ascertain where allegations of misconduct carry an uncertainty or other relevant prohibitive questions that can only be clarified and determined by a site visit that includes the victim's presence, countenancing the alleged victim's feelings and emotional fragility.
- 6) Moreover, the premise regarding the location of interviews also pertains to the accused. The location of the interview should be a neutral site removing the accused

from his comfort zone which has proven to be an effective technique in reaching the truth in the customary practice of investigative procedures.

Of paramount importance are the procedures and guidelines that investigators must follow at all times during the conduct of an investigation. It must be understood that diocesan investigators, in keeping with the purposes of their role as employees of the Diocese, and although having a considerable background in criminal investigations, are quasi-criminal investigators, more accurately described as administrative investigators. The following are further instructive in that regard:

- There should always be a **minimum of two investigators** assigned to each case unless circumstances are presented that require assistance of a third or fourth investigator. However, no statements should ever be taken from a victim, accused, or any other witness, without at least two investigators present. Examples of situations requiring more than two investigators include: (a) geographical locations that must be identified and visited for purposes of substantiating any circumstantial or direct evidence ascertained from the victim and/or witnesses, (b) when time is of the essence regarding exigent circumstances that may result in destruction and/or loss of evidence, either intentionally or otherwise, such as arson; inadvertence; negligence; purging or altering of documents; removal, destruction, or secreting of property, (c) when there is witness intimidation or various methods of obstruction.
- Investigator's **reports** should be clear, concise, accurate, and timely. Any statements taken from the victim or any witness whether through video recording or otherwise, must

accurately reflect the precise narrative of the interviewee and under **NO** circumstances be a paraphrasing, or direct or indirect opinion and/or characterization of the entire narrative or any portion thereof. In that regard, respecting a video and/or audio record, no investigator, unless absolutely necessary, should interrupt a narrative being given by the interviewee and run the risk of suggesting an answer that was either not intended by the witness, or becomes the product of a leading question.

- Investigators must **memorialize** their findings as to each and every product of their work, immediately, or as close as possible, through whatever method is most efficient—handwritten notes, computerized notes or reports, an audible record that the witness was videotaped voluntarily or refused, and any record of visual and auditory recordings. This material must be kept in a case file, folder, book, or a reasonable facsimile; labeled for identification; and preserved with any and all other data and reflective of the product of the investigation.
- Each case file shall contain an **evidence log** setting forth a specific chain of custody that demonstrates who has accessed the file, when they accessed it, any items added, removed, or copied. This element of evidence record-keeping assures the integrity of the case file. It shall be maintained and kept in a locked compartment or other depository, with restricted access to the Director of OSEVA and/or his designee only, excepting those other individuals to whom access is allowed in the discretion of, and approval of OSEVA. Electronically created material shall also be kept as an additional means of memorializing the product of the investigation separate and apart from the case file. This

material should accurately contain an exact replica of the case file, and moreover, shall be kept in a separate repository in a different location, dwelling or otherwise, with the same required access protocol.

- Moreover, a copy of the designated file shall be made available to the Diocese at the discretion of the legal counsel, when an alleged victim is potentially a source of future civil litigation and/or a possible damage claim settlement. In such instance, diocesan legal counsel shall have access to the file in its entirety, including a copy of the electronic version, when, in his discretion, all or part of its contents are necessary for the defense of any claim and other features of civil litigation.
- Any and all documents and other products taken by counsel shall be returned to the respective repository when no longer necessary for the purposes of litigation. In compliance with, and in keeping with the concept and protocol of a prescribed checks and balance system (the paramount feature of the entire investigatory process), it is incumbent upon diocesan counsel, in conjunction with the Administrative Supervisor of Investigations (ASI), to ensure that the entire original case file be returned and deposited, except in instances where only a portion is returned for reason that a part thereof is **necessarily** retained for purposes of continuing litigation.
- An ASI shall also be additionally responsible to confirm a copy of the entire file has been sent to the respective office of the district attorneys. Legal counsel for the diocese shall

also confirm the district attorney's receipt of the same, through affirmation of the ASI, and shall record it by entry in a log kept by the ASI.

- As referenced above, there shall be an ASI whose duties are functionally equivalent to, and in compliance with, the concept and principles of the governing system of investigations, as an integral part of the checks and balances proposal. The ASI shall be solely responsible for overseeing the *entire* investigative process. This includes a familiarization with all facets of the investigation. The supervisor must possess solid credentials with a minimum attainment of a Bachelor's Degree in Criminal Justice, strong administrative skills, investigative and strong communication skills, including the competence and specific ability to counsel and guide an investigation. He shall have the authority to determine whether or not the objectives of an investigation have been wholly achieved, and, if he determines they have not, then advise and instruct what further activity is necessary.
- When the investigation is final and the compilation of all its products is complete, the entire case file **shall** be copied by the ASI, and **shall** be immediately transferred to OSEVA. At that point, the director of the Office of Safe Environment and Victim Assistance, in concert with the ASI, **shall** present the report to the Bishop for his examination, and questions he may have and/or clarifications he may seek.
- Subsequent to that exercise, a *copy* of the file in its entirety **shall be transferred to the Board members** at least ten days prior to any Board hearing on the matter.

- The repository folder and the like electronic file shall chronicle the entire case from the inception of a complaint through the investigative process, including the Board findings and conclusions. Additionally, the case file shall reflect any and all incidentals of each step ultimately taken by the Bishop in the disposition of the matter.
- The entire process shall countenance the conduct of all diocesan employees, including the Bishop, whenever an allegation arises. The strictures and principles set forth shall include the order priests, diocesan priests, women of religion, and any other employees, volunteers, or contractors working for the diocese.
- All **memorialized** reports, statements, and other data, records (including 51A mandates) must be signed, dated, preserved, and accurately kept and maintained in an orderly manner by the ASI. Additionally, there should be a document specifying what has been transferred to the Office of the District Attorney (s) and any other relevant administrative agencies. A copy of that document should also be immediately forwarded to the director of OSEVA and/or his designee.
- The ASI shall be responsible for obtaining a written and corroborating **electronic receipt** of the work product given to the district attorneys' offices and any other agency immediately upon submission. Receipts must particularize the specific items transferred (similar to acknowledgement of receipt of information requested in the form of a Bill of Particulars) and kept with all other records related to the subject case.

- All records of any work product, logs, receipts of records, and acknowledgement of those receipts turned over to relevant agencies, kept in any repository shall be collected, configured, and subject to a computerized system of cross referencing. This shall be based on a nucleus containing the name of the accused and all individuals allegedly victimized by that particular person. This will enable investigators' access to all evidentiary factors including motive, modus operandi, locations of alleged violations, patterns of misconduct, opportunity, intent, identity, psychological and medical evaluations, and a record of the accused's assignments.
- Turning to the particular concept of the ASI, an outside person or entity shall be designated as the ASI of the entire investigative process, as it pertains to the established system of **checks and balances**. The ASI shall be selected by the Director of OSEVA with the approval of the Bishop of the Diocese. In the event an ASI fails or ceases to serve, as determined by the director of OSEVA, a replacement shall be determined and selected by the director.
- Additionally, the ASI shall be responsible for assessing whether **follow-up investigation** needs to be accomplished, and in short, whether every variable has been examined and addressed in the investigative process. This serves the mandate of the diocese through Bishop Rozanski, that a high-quality investigation is absolutely imperative in arriving at the "Truth". Moreover, and most importantly, it ultimately provides a substantive bulwark of defense from the quotidian, accusations of incompetence, delay, denial, and

frankly, cover-up on the part of the diocese. It must be fully understood that the ASI should be solely responsible for strict adherence to reporting requirements to OSEVA and other authorities as well as compliance with all protocol and procedures. Immediately, steps should be taken to remedy any occasion or situation that indicates otherwise, in the actions of any individual involved in the complaint process and investigation.

- The diocesan function of checks and balances is analogized and characterized generally with the common checks and balances system that obtains in our criminal justice system: the police investigate; the district attorney reviews the work product, determines charges, and prosecutes; and ultimately, the Judicial authority ensures compliance with relevant and governing law. This element of oversight, similar to the criminal justice system, is the salient objective (of checks and balances) to be achieved in the administrative investigation process of the diocese.
- The distinction between the criminal justice system and the diocesan system of administrative justice, in terms of **checks and balance**, is as follows: diocesan investigators present their work product (evidentiary facts); both OSEVA and the ASI review the product of the investigation for presentation to the Review Board, who then determine the issue of credibility; a report of that finding is made to the Bishop for ultimate disposition.
- In compliance with the concept of **checks and balances**, the ASI must be active during the entire investigative process from the inception of the complaint to the Board's final

conclusion. He should specifically oversee responsibilities, that includes, among other things, keeping the investigative records safe, secure, and confidential, to respect the privacy of the accused and the alleged victim.

- Under no circumstances shall any investigator or anyone else, *including* the ASI, in any form or manner, directly or indirectly, inferentially or otherwise, through testimony, reports, letters, or any form of communication or expression, share with anyone other than relevant personnel any information regarding anything relative to the objectives of the investigation.
- Nor shall the investigators **state an opinion**, or conclusion, of any kind, in writing or otherwise, respecting the credibility of allegations, to the Board or any other party. This includes any employee of the Diocese, its agents, or anyone not related to the investigative process. Confidentiality of the entire process should *never* be violated.
- In the event of any violation or the attempted violation of investigative protocol or procedure, an investigator shall be subjected to imposed sanctions, up to, and including, termination from employment, at the discretion the Director of OSEVA with the approval of the Bishop and consultation with diocesan legal counsel.
- Additionally, it is of the utmost importance that investigators adhere to a strict policy specifically regarding the collection and preserving of evidence that unfolds in the course of an investigation. Particularly when an investigator discovers evidence relevant,

remotely relevant, extrinsic, or otherwise, to an accusation of wrongdoing that can be identified as potentially inculpatory or exculpatory. In this instance, they are required to take the following course of action: 1) Immediately notify the district attorney's office of the discovery. Notice shall be given to investigators assigned by the DA. 2) Simultaneously notify the ASI of compliance with this dictate. 3) Follow the directive of the District Attorney's investigators as to the protocol for the immediate collection and preservation of said evidence, unless exigent circumstances exist, such as environmental contamination and/or undue influence, and various forms of alteration, destruction, confiscation, sequestration of graphic artifacts and documents, and most compelling, personal calendars. 4) However, in instances where it is possible and particular under exigent circumstances for the investigators to procure the guidance of the District Attorney's office, they *shall* notify them of the exigency and strictly adhere to the instructions provided. 5) Under such circumstances, the following procedures should be implemented immediately: (a) photograph evidence in place, (b) chart topographically and contemporaneously document and memorialize through note taking, (c) collect and preserve evidence in the manner prescribed by the established standards, including, scientific protocol. (d) Upon transfer of evidence to the District Attorney's investigator, a receipt confirming transfer of **all** evidence collected **shall**, and must be obtained from that investigator, in keeping with, and preserving the chain of custody.

- It is imperative that there be a complete and thorough analysis of all work products ultimately produced by the investigators collectively, with a mindset that there be safeguards against potential for third party criticism of the ultimate disposition of the

matter by the Bishop. That analysis serves as a prophylactic measure against the usual refrain, accusing the diocese of acting in a dissembling fashion by its conduct, which on its face, could present a misleading appearance of what *really* happened in an investigation, including, if any, sanctions imposed on the wrongdoer. It must be remembered that the nucleus of all public criticism redounds to the investigatory process and the steps and procedures taken by the diocese following the conclusion of the Board. Pursuant to Canonical Law, the Bishop has “The executive power of governance, within the parameters of the universal law of the church”, provided he observes the various provisions of canon law.” (Canons) (See Appendix A).

- In terms of the hierarchy of oversight with checks and balances, the issue of lawsuits against the diocese and/or individual employees, must be addressed. Albeit diocesan legal counsel is responsible generally for defense of the diocese and its employees against civil process, the issue of particular and specific litigation against the investigators and/or OSEVA, its director, and employees, including the ASI, demands attention. The concept of legal counsel **independent** of diocesan legal counsel being retained for service on an as needed basis, should be explored. The diocesan counsel understandably has taken the position that its workload related to civil matters is abundant, which compels him to be extricated from legal questions and issues that may emanate from situations related to criminal investigations. Diocesan counsel, Jack Egan, has prudently stated, “I’m taking a hand-off approach to investigations.” Consequently, the idea of independent adjunct counsel must be seriously considered.

- When, and if, civil process is brought against OSEVA and/or its director or employees, including investigators, it is recommended that an adjunct legal counsel be on retainer to provide **exclusive** services on behalf of the Director of OSEVA and its staff, including investigators.
- Particular reference is made to the Order Priests, as opposed to Diocesan priests and Women of Religion. In the global picture of the investigatory process, from the inception of a complaint lodged against them where the authority to discipline is outside the authority of the diocese. The existing universe of complaints that addresses the Orders presents a problem to the diocese, regarding the investigatory process and formal methodology of accepting and processing complaints. In short, it can be described as a **parallel universe**, wholly detached from the diocese's methods, approach, and the Diocese of Springfield's protocol of investigation and discipline.
- It is vitally important that serious consideration be carefully given to developing a coherent, cohesive, definitive codification of procedures regarding complaints lodged against Order priests variable. There should be a common methodology and system of controls that best serves the interests of the diocese and the Roman Catholic Church as a whole.
- The currently existing **parallel universe** structure and its method of dealing with complaints, juxtaposed with the diocese methods and protocol, is a haven for criticism from the general public. It gives an appearance of a lack of cohesiveness and a fractious,

disjointed, and dissembling approach to, and in, the investigatory process. It further engenders a consequential lack of trust and faith in the clergy amongst parishioners and the general citizenry.

- Of utmost importance, there should be a clearly defined approach and structure, developed by consensus of the Order and diocesan priests, Women of Religion, and the District Attorneys. The Bishop should designate an individual to serve as a **convenor**, who should immediately summon all factions, to develop a **construct** that serves as a unified model for investigation and reporting obligations.
- In addition, to ensure a complete, comprehensive, and orderly effectiveness in dealing with the complaints involving all factions of orders, it is incumbent upon the convenor to summon the forces in unity, and endeavor to solicit with their consent, an agreement in compliance with the established Memorandum of Understanding of the Bishop of the Diocese and prosecutorial authorities. This should be done in association with relevant district attorneys and include an orderly memorialized exchange of investigators' work product, amongst and between the Diocese, Orders, and prosecutors. They should be supervised at the sole discretion of the relevant district attorneys.
- The current status of dealing with complaints is clearly lacking, and presents what has been described as a myriad of problems that has developed in a **parallel universe**, operating independently, and not under any significantly meaningful method or ability of the Bishop to control, except his authority to suspend faculties within the diocese.

Diocesan Review Board

Now, turning to the concept of the currently existing Review Board. The Review Board is a vital function in the mechanical operation of the diocese, regarding the procedure attendant to addressing complaints. In essence, they function as a quasi-judicial body with a suggested concomitant authority limited to making recommendations to the Vicar for clergy, and the Bishop regarding the accused, but *not* the alleged victim. The Board is cloaked with authority of deciding the ominous fate of at least two entities: an alleged perpetrator of sexual offense or other offenses, and a victim of that behavior. This concept of the victimization of vulnerable persons in a sacred environment creates shock waves throughout the world and is extremely deleterious to the church's existence. This conduct was prevalent in years past, but hopefully, with strict policies and procedures in place to address complaints of abuse, it will be curtailed.

The wave of accusations against priests regarding sexual abuse has, unfortunately, been an anathema to the existence of the Roman Catholic Church, and moreover, to an extent, morally unjustifiable. It is often said of so many entities from lawyers to doctors, teachers to trades' people, office holders to public officials, ethnic groups to religions, that, although there may be some bad ones in their respective professions, the greater number exist honorably. The rash of accusations of clergy abuse and their tactical defenses, ranging from denial to cover-ups, has so inundated the masses that the Catholic Church has been vilified, determined and portrayed in today's world as being shamefully dishonorable.

All the good shed upon the world from the domain of the Roman Catholic Church and its clergy has been overshadowed by stereotypical broad-brush painting of all priests as being bad. Their good has been jaundiced by the ill thoughts of so many, engendered by an aura of moral depravity surrounding the Church. Both issues must be sternly and profoundly addressed.

- First, it is of paramount importance to recognize that the guiding and controlling principles, currently in place, in the schematic pattern of the purpose and duties enumerated in the Essentials (Dallas Norms), and the by-laws of the Diocese, are imperative, in order to address the problem.
- A summary of the Essential Norms (Dallas Norms), amongst other things, sets forth the purpose of a Review Board, “to assist diocesan/eparchial bishops, each diocese/eparchy will also have a Review Board which will function as a confidential consultative body (Appendix A) to the bishop/eparch in discharging his responsibilities.”
- Regarding The Diocese of Springfield Review Board, reference is made to Article II of the By-laws, describing the purpose of the Review Board as “Assisting the bishop in assessing allegations and fitness for ministry of clergy or other church personnel.” These By-laws reflect the purpose of the Review Board as set forth in the Essential Norms (See Exhibit 41)

Refined to bare essence, the Essential Norms and the by-laws track each other respecting their related purpose in assisting the bishop with discharging his responsibilities. The concepts and principles of both should generally be adopted, to the extent possible, unless a designated task force viewing the global picture for good and productive reasons recommends otherwise.

A careful and strict examination of the contents of both the by-laws and the Essential Norms *directly* revealed no mention of the Review Board's authority to determine the credibility, non-credibility, inability or inconclusiveness except by inference, as follows, "An assessment of allegations." (See Exhibit 42)

The overall functioning and duties of the Review Board are effectively accomplished subsequent to the determination and conclusion options, the springboard to the entire process of addressing the behavior and conduct of the diocese after a complaint is processed, investigated, and adjudicated. This necessarily includes, "Offering advice on all aspects of these cases, whether retrospectively or prospectively", which indubitably entails, "Reviewing diocesan/eparchial policies for dealing with sexual abuse of minors." (See Appendix A). Moreover, it should be remembered, vulnerable adults are equally as important as any other potential victim notwithstanding the fact that historically abuse reflects predominantly *youthful* victims.

Consequently, the existence of a Review Board, its purpose, duties, composition, and other related functional variables and responsibilities, is as significantly meaningful as it

gets. Emanating from it, is the arduous task of rigorously and rightfully achieving the objective of competently managing a structure to effectively rid the Diocese of the ills that currently prevail in the syndrome of sexual abuse and boundary issues.

- The vital prerequisite of having a Review Board has been met; however, the following recommendations deserve the highest level of consideration as they relate to the variables relevant to the Board's purpose, function, and duties. The current by-laws of the diocese contain factors that clearly reflect the Review Board's purpose and duties. It is recommended that the task force review the by-laws with an objective of revision and modification to the extent consonant with the work product of the investigation set forth in this report.
- Significantly, based on fairness to be afforded to all involved in the determination process, including the accused and the accuser, in order to conduct a meaningful, informed, and just proceeding, the following prerequisites are advised: Board members shall be provided with the complete investigative file containing all pertinent materials necessary to sufficiently and adequately be informed, no less than **ten** days prior to any meeting related to their purpose, (b) OSEVA shall be required to address any additional requests for materials not contained in the file, and (c) steps shall be taken by OSEVA to ensure that all meetings are properly recorded, and provide whatever assistance is necessary to do so.

- Of particular note, it is *not* recommended that the Review Board make recommendations concerning counseling and/or other treatment protocols for *victims*, as that function is best served by the Office of Safe Environment and Victim Assistance (OSEVA) under the supervision of its director. However, the Board should make recommendations with respect to personnel regarding counseling or other treatment, as outlined in the existing by-laws (See Exhibit 41, Article III). To be clear, after reaching their determination, the Board shall not be responsible, nor shall they make any decisions, directly or indirectly, regarding the sanctions or other measures, including disciplinary action to be meted out against an accused.

However, they may make *recommendations* for “Appropriate action” to the Vicar for the clergy, and/or the Bishop. Final action rests *solely* with the Bishop.

The Review Board is in dire need of changes and modifications ranging from its composition to the requirements necessary for a determination and finding related to allegations of various offenses, and ultimate presentation to the Bishop for his disposition.

- The Board should be composed of no less than seven members, with two quorum requirements pertaining to separate and distinct functions, performed by the Board;
- *Five (a quorum)* present and able, are required to perform and decide administrative duties and functions of the Board for *all* business, except;

- *Seven (a quorum)* members are required to be present, hear, and examine *any and all* offers of evidence, in any form presented, relevant to an accusation of an offense of any nature, regardless of the method and/or source of production, including all records and documents, before voting on a determination or finding of *credible, not credible, or inconclusive*, which must, in all cases, be unanimous.
- The Board should submit written findings and its written conclusion to the Bishop and the Director of OSEVA and enter them into the case file.
- The Board shall elect a chairperson and vice chairperson, both of whom shall serve for a term of one year, unless otherwise for a longer term, at the discretion of the Board; but under no circumstances shall a chair or vice chair be allowed to serve in any capacity for longer than their five year limitation of service as a Board member.
- The seven member Board shall be composed of lay (Non-ecclesiastical) persons of any denomination, and diverse backgrounds. They shall not include any employee or contractor of the diocese, nor any member of the legal profession, except a person versed in canonical law will be available for advice upon request only, on any matter related to canon law. Under no circumstances shall that individual directly or indirectly offer a potential finding or determination regarding an issue of the credibility of an accusation.
- A committee designated by the Bishop and chaired by the Director of OSEVA or his designee shall appoint members to serve on the Review Board. All appointees shall be

subject to the Bishop's approval. His approval should be based upon, but not limited to, moral character, intellectual capacity, and unquestionable impartiality.

- Board of Review members should serve a term of no more than three years, and upon expiration of that period may serve an additional two years, at the discretion of OSEVA and the approval of the Bishop. Consequently, a member's total term of service is limited to five years. This limitation recommendation is based upon our investigation revealing that any amount of extended service results in apathy, potential bias based upon a jaundiced view of the subject matter, and most importantly, tendentious attitudes in ultimate decision making.
- A facile, unconstrained functioning of the Board is best served with implementation of a staggered term concept. Board members' terms should be staggered so as to ensure a full complement of members and avoid changing the entire Board all at the same time, thereby leaving members with experience to assist with integration of new members.
- The training of the Review Board members is an essential element in their role in the investigatory and deliberation process. Consequently, the background of each potential Review Board member is of vital importance respecting the qualifications and confidence they bring to the table, prior to determining the outcome of an alleged victim's allegations.

- It is advisable that they have some training in awareness of the protection of potential victims, children and vulnerable adults. One protocol suggested to be examined by the appointing authority for members of the Review Board is to assimilate the Virtus training program. The program essentially addresses “The signs of child sexual abuse, the methods and means by which offenders commit abuse,” and sets forth specific, “empowerment steps”, to be utilized to *prevent* child sexual abuse.”

The primary benefit to members of the Board of educational programs, similar to Virtus, is an informed ability to recognize various indicia of abusive behavior when assessing the narrative of an alleged victim and utilizing that knowledge to assist in the task and effort of determining credibility. This includes, amongst other things, psychological profiles of an alleged offender (pedophilia, anger issues, etc.) and impact of physical abuse on a victim from the perspective of trauma suffered at the hands of an abuser.

CONCLUSION

In conclusion, the process as it exists today is lacking and devoid of a cohesive functional operation that would ensure a full and substantive mechanism for fielding complaints. I was charged in this phase with identifying and enumerating concepts for consideration of a newly appointed Task Force to include recognizing defects and flaws, and suggestions to remedy the existing status of the entire undertaking from the inception of a complaint to a final determination of the Review Board and a disposition by the Bishop with appropriate action.

I strongly suggest that the Task Force fully familiarize themselves with the current circumstance regarding the complaint process so that they may fully understand the particular suggestions and recommendations contextually. Armed with an in-depth analysis of the status quo, they will be able to make substantive changes as they deem necessary. They should be guided by the precepts set forth in this report, and where relevant, afford them the attention they deserve and act accordingly.

Albeit, there are numerous maxims and guidelines suggested in developing policies, practices, and procedures to follow in the broad spectrum of development; certain essentials must be addressed and remedied that became salient in my investigation.

The initial complaint is the cornerstone of the entire process and the driving force in the rigorous steps to be taken in pursuing the investigation. Consequently, attention is directed to some of the following critical tenets:

- Intake forms must be available *at all times, at all* parishes, and personnel must be trained to process the relevant form.
- All complaints and completed intake forms must be immediately forwarded to the Office of Safe Environment and Victim Assistance to be reviewed by its Director. *Every* intake form must be signed by the original receiver, dated, and preserved.
- Immediate notification shall be made to the office of the relevant district attorney, pursuant to the terms of the Memorandum of Understanding (See Exhibit).
- Immediate notification must be given to the Bishop, Vicar of Clergy, the Chairperson of the Review Board, and Diocesan Counsel.

- When authorized by the District Attorney, a Diocese investigation shall be commenced in a timely manner.
- The Bishop, Director of OSEVA, and the Administrative Supervisor of Investigations (ASI) must be constantly updated and informed of the stages and progress of the investigation.
- The completed investigative report and all relevant material of any kind must be catalogued and preserved in accordance with the strictures enumerated in this report; the Bishop shall be the first person in the hierarchy to be given the report.
- The Director of OSEVA shall notify the chairperson or vice chairperson of the Review Board upon receipt of a completed investigation and transfer all necessary records to enable it to undergo the process.
- Concomitant with all of the above, most notably upon receipt of a complaint, the OSEVA director should supervise the implementation of the necessary healing protocols.

Adherence to these recommendations, if done properly, with a full understanding of their import, will result in a construct that will guide the Diocese towards a monumental achievement. A careful examination of the status quo regarding a complaint lodged against anyone related to the Diocese begs the implementation of the aforementioned, enumerated principles as a predicate for a solid, productive template of the policies, procedures, and practices the Diocese should adopt for the future.

It is my *firm belief and fervent hope* that accomplishing the recommendations fully set forth in this report will result in the beginning of a quest motivated to restore faith and integrity in the sacred entity of the Roman Catholic Church, lost as a result of the

mishandling of allegations of abuse. This will vitiate the plague of condemnation and rid the Church of the shame that today pervades its atmosphere. Most importantly, adherence to established recommendations will ultimately help validate credible victims and alleviate the present and future suffering of so many.

ACKNOWLEDGEMENT

I want to express my deep and profound gratitude for the investigatory services provided by Investigator O'Connor. His indefatigable work ethic coupled with his extraordinary skills have been an invaluable asset, without which the investigation would have been a much more arduous task. His highest level of competence manifested the likes of which are seldom seen in similar endeavors. Most of all, I will be eternally grateful for his constant adherence to ethics, integrity, and impartiality, all while manifesting himself as the honorable person he has demonstrated throughout his illustrious career.

EXHIBITS

1. Charge for Independent and Outside Investigation Re: Bishop Christopher J. Weldon
1b. Engagement Memorandum: Atty. John Egan to Judge Velis.
2. Letter from Diocesan Review Board Chairman John Hale to the Complainant dated 9/18/2018.
3. Minutes of the Diocesan Review Board (Board) meeting from meeting June 13, 2018.
4. Memorandum to file by Jeffrey Trant Re: The Complainant (6/21/2019).
(Transcription of meeting from: 06/20/2019).
5. The Diocese's investigator's report from Kevin Murphy, Retired MA State Police Officer, the Board's investigator. Note: Additional reports were discovered during our investigation. (Four reports: 1a, 1b, 2a, 2b)
6. Email from Mary Ashe to John Hale, (9/13/18) (1:23 p.m.).
7. Draft of Letter from Diocesan Review Board Chairman John Hale to the Complainant, dated 9/18/2018.
8. Handwritten notes from Dr. LaChuisa, recorded during June 13, 2018 meeting.
9. Folder of Bonnie Moriarty, Review Board Agendas
10. Handwritten notes from John Hale
11. Complainant/Diocese of Springfield Timeline (Prepared by Jeffrey Trant- 07/23/2019).
12. Complainant's Needed Support Request from the Diocese of Springfield (09/12/2018) furnished by counsel for Complainant.
13. Sexual Abuse Victim Intake Sheet (Incomplete): Office of Child and Youth Protection/Diocese of Springfield (Prepared by Patricia McManamy) 2018.
14. Sexual Abuse Victim Intake Sheet (Complete): Office of Child and Youth Protection/Diocese of Springfield (Prepared by Patricia McManamy) 2018.

15. Personal notes of Patricia McManamy, electronically generated.
16. Computer Screenshot of Investigator Kevin Murphy (09/13/2019) (12:05 p.m.).
17. Email: Kevin Murphy to Patricia McManamy: "2 attachments" (09/07/2019) (10:43 a.m.)
18. Email: Reply from John Hale via Mark Dupont to Larry Parnass, Berkshire Eagle (05/31/2019) (5:11 p.m.).
19. Email: John Hale to Mark Dupont regarding questions from the Eagle (06/04/2019) (2:04 p.m.).
20. Email: Reply from John Hale to Mark Dupont (05/31/2019) (8:18 p.m.).
21. Questions from the Eagle regarding Bishop Weldon: Email: Larry Parnass to Mark Dupont (05/29/2019) (1:41 p.m.)
22. Email: Reply from Mark Dupont to Bishop Rozanski and others (May 30, 2019) (10:29 a.m.).
23. Email: Diocesan Policy regarding online Clergy listing: Mark Dupont to Larry Parnass and Kevin Moran (05/31/2019) (1:20 p.m.) Email response: Larry Parnass to Mark Dupont (05/31/2019) (1:53 p.m.).
24. Email: Mark Dupont to Larry Parnass and Kevin Moran re: article (05/30/2019) (7:43 p.m.).
25. Email: Mark Dupont to Larry Parnass re: Diocesan policy re: Online Clergy listing (05/31/2019) (1:20 p.m.).
26. Email: Atty. John Egan to Mark Dupont and Bishop Mitchell Rozanski (05/30/2019) (11:36 a.m.).
27. Email: Mark Dupont to Atty. John Egan (05/31/2019) (9:59 a.m.).
28. Email: Atty. John Egan to Mark Dupont (05/31/2019) (11:18 a.m.).
29. Email: Mark Dupont to Larry Parnass and Kevin Moran re: Reply from John Hale (05/31/2019) (5:11 p.m.).
30. Email: Bishop Rozanski to Mark Dupont re: Reply from John Hale (05/31/2019) (7:26 p.m.).

31. Email: John Hale to Mark Dupont (06/04/2019) (2:04 p.m.).
32. Other emails from Mark Dupont to Larry Parnass, Berkshire Eagle (06/04/2019).
33. Email: Bishop Rozanski to Mark Dupont (05/31/2019) (7:26 p.m.).
34. Property deeds: Lawrence E. Prunier to Roman Catholic Bishop of Springfield.
35. Registrar of Deeds/Chicopee Assessor's Office- Information.
36. Map of College Street Properties, Chicopee, MA (Owned by Roman Catholic Bishop of Springfield).
37. Letter from Fr. Scahill to Msgr. Daniel Liston (June 24, 2019).
38. Minutes of the Diocesan Review Board (Board) meeting: May 9, 2018.
39. Rozanski's Special Report – "How the Springfield Diocese has responded to the clergy abuse crisis"
40. Memorandum of Understanding- Between the Roman Catholic Bishop of Springfield and the Offices of the District Attorneys of the Berkshire, Hampden, and Northwestern Districts. (April 2020).
41. By-laws of the Diocese of Springfield Review Board, 2005.
42. Diocese of Springfield Review Board - *PROCEDURE FOR ASSESSING ALLEGATIONS*