



Complaint File – Mark A. Fleming  
(Confidential Envelope)

**CONFIDENTIAL**



303

NEW HAMPSHIRE CATHOLIC CHARITIES, INC.

215 MYRTLE STREET, P.O. BOX 686  
MANCHESTER, NEW HAMPSHIRE 03105  
TELEPHONE (603) 669 3030  
TOLL FREE 1-800-562-5219

MOST REV. DOORE J. GENDRON, D.D.  
PRESIDENT

REV. JOHN P. QUINN  
DIOCESAN DIRECTOR

November 10, 1983

PERSONAL AND CONFIDENTIAL

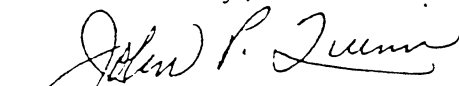
Sylvio Dupuis, Commissioner  
Health and Welfare Department  
Health and Welfare Building  
Hazen Drive  
Concord, N. H. 03301

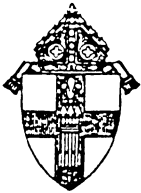
Dear Commissioner Dupuis:

As per our conversation this afternoon, I am writing to inform you as required by the Child Protection Act of 1979 (RSA 169-c:29) that Bishop Gendron has reported to me as the Executive Director of New Hampshire Catholic Charities that he has a reasonable suspicion that Rev. Mark K. Fleming has sexually abused a minor male in the town of Hudson, N. H.

On our recommendation, the Bishop has required Fr. Fleming to enter into counseling as the Clergy and Religious Counseling Office with Dr. Henry Guertin-Ouellette, a Doctor of Psychology. Fr. Fleming has agreed to undertake and to continue in therapy with Dr. Guertin-Ouellette. On Dr. Guertin-Ouellette's advice, Fr. Fleming will be transferred to another assignment within the Diocese and his actions will be closely monitored. Should there be any change in his status, or should there be any further activity of a similar nature, you will be notified immediately by this Agency, and appropriate action will be discussed with your Department representatives.

Sincerely,

  
(Rev.) John P. Quinn  
Diocesan Director



DIOCESE OF MANCHESTER

CHANCERY OFFICE  
153 ASH STREET  
P.O. BOX 310  
MANCHESTER, NEW HAMPSHIRE  
03105-0310

November 15, 1983

PERSONAL AND CONFIDENTIAL

TO: File

RE: Father Mark K. Fleming

On Thursday, November 10th, Father Stephen Scruton, the Pastor of Saint John the Evangelist Parish in Hudson, came to the Chancery Office concerning an incident involving Father Mark Fleming, the Associate Pastor of that parish.

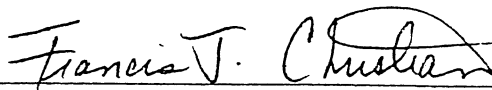
Father Scruton reported that Father Fleming had become very friendly with a family in the parish which has three young boys. These young men, ranging in age from approximately 8 to 12 or 13, had become very friendly with Father Fleming, to the point of visiting him regularly in the rectory. Father Scruton had become afraid that there might be something unhealthy in the relationship. This was triggered by the fact that Father Fleming allegedly was seen by the parish secretary kissing one of the young boys; and that on another occasion when with Father Scruton's permission one of them had stayed overnight in a guest room. The next morning the young man was seen in Father Fleming's bedroom. One day, at the end of August when the boy was again staying overnight in the guest room, Father Scruton, in walking by the guest room, walked in to find the boy naked on the bed with Father Fleming sitting on the bed touching the young boy in the genital area. Father Scruton forbade Father Fleming to have the young boy stay around any longer, and required that he see Doctor Henry Ouellette at the Clergy Counseling Service. The reason that he was reporting this incident to the Chancery at this time was his concern that Father Fleming might not be taking the whole thing seriously enough, particularly since his relationship with the family in question had remained quite close.

As a result, Father Francis Christian, the Chancellor, arranged to meet with Father Fleming on Thursday afternoon, on that same date. At that meeting Father Fleming admitted that he had been experiencing ambivalent feelings toward the young man in question. He admitted that on the one occasion that Father Scruton saw him he had touched the young boy immodestly. He claimed, however, that this was the only time there had been anything of a sexual nature between them. Upon questioning, he denied that the kissing of the young boy or the fact of him being in his bedroom in the morning had any significance. He denied any serious sexual involvement with the boy, and upon questioning denied that he had ever had any sexual involvement of the same sort with anyone in the past. He claimed that he was working these feelings out with Dr. Ouellette, and felt that he was getting control over them.

Father Christian pointed out the serious legal problems that could result if Father Fleming was not able to overcome whatever problem he was facing. He also pointed out that to protect himself legally the Bishop could not give him a pastoral assignment unless we had some assurances from a competent doctor that the problem was in fact under control. As a result of this conversation, the following was agreed upon.

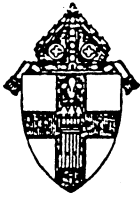
1. In order to protect Father Fleming and the Diocese, the Diocese would notify the Department of Welfare of the State of New Hampshire of the incident, as is required by law. It was hoped that this could be done in a discreet way.
2. Father Fleming would willingly go to Dr. Ouellette and accept any referrals for further treatment that Dr. Ouellette would require.
3. Father Fleming's ministry at St. John's in Hudson is terminated. He is to go on a month's vacation and when he returns he will probably go to his home in New Bedford, Massachusetts, until the January transfers. In January, assuming the reports from the doctors are positive, he will be reassigned.
4. He will take every precaution with the children of the family involved [REDACTED], and make sure that he is not alone with any of them. Once he is reassigned he should gradually terminate the relationship.

Father Fleming was agreeable to all of these conditions and recognized the seriousness of the problem, both for himself and for the Church.



---

Rev. Francis J. Christian, Chancellor



DIOCESE OF MANCHESTER

CHANCERY OFFICE  
153 ASH STREET  
P.O. BOX 310  
MANCHESTER, NEW HAMPSHIRE  
03105-0310

December 14, 1983

I met today with Fr. Mark Fleming. Fr. John Quinn, the Director of Catholic Charities, assisted at the meeting. The following points were discussed in regard to the child abuse case involving the [REDACTED] children from Hudson.

1. Father Christian indicated his disappointment with Fr. Fleming for withholding information concerning his attempted abuse of [REDACTED] and [REDACTED] and lying about the extent of his involvement with [REDACTED]. Fr. Fleming admitted he had lied but had done so out of fear. Both Fr. Christian and Fr. Quinn indicated that we needed this information to help Fr. Fleming and that any concealment would harm him. Fr. Fleming then indicated that he had done nothing more than fondle the children and that there had never been any other cases of this in Hudson or in any other place.
2. Father Christian questioned Fr. Fleming about his relationship with the man whose house he lives in in New Bedford. Father Fleming denied any homosexual relationship and claimed that the man in question is not homosexual himself nor are any of the friends that on occasion frequent the house. Fr. Christian pointed out that Fr. Fleming was very lucky that he legally was not being prosecuted under the Mann act.
3. Fr. Quinn indicated that the State of N.H. is being as helpful as possible in this case. While we cannot yet guarantee that the state will not seek legal action, we are hopeful that it will not. He indicated that Fr. Fleming's complete cooperation with us was required for us to have the best chance of avoiding prosecution. Fr. Fleming agreed to give it.
4. Fr. Christian indicated that the Diocese had arranged for residential treatment beginning Dec. 21, 1983 at the House of Affirmation in Webster Groves, Missouri. He is to go to St. Anselm's College on December 15 to make a retreat until he departs from Webster Groves and is under no conditions to have any contact with the [REDACTED] family or to set foot in Hudson. Fr. Scruton will arrange for the packing of his belongings and they will be stored for him. He is expected to cooperate fully with the program at Webster Groves. Fr. Fleming agreed to all of this and welcomed the chance at a residential program.
5. The seriousness of what he had done was stressed again with emphasis being placed on the trauma to the children, the effect on [REDACTED] and the potential harm done to the marriage relationship itself given Mrs. [REDACTED] own history of child abuse as a child. Fr. Fleming appeared to understand this and was very contrite and anxious to work out his problem to avoid any repetition of it in the future.

*Francis T. Christian*  
Chancellor

January 16, 1984

Roger L. Gennari, Ph.D.  
Staff Psychologist  
House of Affirmation, Inc.  
4 Joy Avenue  
Webster Groves, Missouri 63119

Dear Dr. Gennari:

Thank you for your recent letter in regard to Father Mark Fleming. I am certainly grateful to you and the House of Affirmation for the prompt attention you are giving to this case, which has put Father Fleming and the Diocese of Manchester at tremendous legal risk. We still do not have complete assurance that no legal action will be taken, but are hopeful that it can be avoided.

I understand that Father Francis J. Christian, the Chancellor of the Diocese, spoke at length with Sister Kathleen Kelley regarding the facts of the case, and that she in turn has made you aware of all the details. If you require any more information, please do not hesitate to be in contact with Father Christian in this regard.

It is my hope that with your good help, Father Fleming will be able to understand and control his problem. Otherwise, and I trust he understands this since it was made very clear to him by Father Christian, there is no possibility of him functioning as a priest in the future. I stand ready to help him in any way that I can, and look forward to receiving your progress reports in the weeks ahead.

Assuring you of my prayerful good wishes, I am

Cordially in Christ,

Bishop of Manchester



March 15, 1984

PERSONAL/CONFIDENTIAL

Dr. Roger L. Gennari, Ph.D.  
House of Affirmation  
4 Joy Avenue  
Webster Groves, MO 63119

Dear Doctor Gennari:

Thank you for your recent report on the progress being made by Father Mark Fleming.

I realize the difficulty of the therapy involved, but I am hopeful that Father Fleming will continue to respond positively to it. If there is any assistance that the Diocese of Manchester can provide to you for him now or in the future, please do not hesitate to call upon me.

With every good wish, I am

Cordially in Christ,

Bishop of Manchester

## House of Affirmation

Webster Groves, Mo. 63119

May 16, 1984

Dear Bishop Genebra,

Having now been at the House of Affirmation for five months and having worked extensively with Dr. Genner. During that time, I have felt the need to communicate with you the substance of what has been happening with my life. Please excuse the handwritten format, as it is difficult to come by a typewriter for personal use. Please also understand that I am writing in consultation with Dr. Genner.

I am deeply grieved & ashamed at what I have put you through personally & the diocese through collectively. Much time & suffering has gone into my wrestling with the consequences of my actions of the last year. Frankly, I feel a great sense of embarrassment & loss because of what I have done. I am sorry that

I have violated your confidence & the trust that was placed in me at ordination.

As I have worked through the House of Affirmation program, I have discovered the deep emotional hurts that I've carried all my life. Much of the love & support that I needed growing up was denied me at home, so I've sought it elsewhere. Perhaps it is that love & support, through its absence, that has caused me the greatest suffering as an adult. Here in Missouri I have learned that I can relate to adults on a meaningful & supportive level.

I have learned about the good that is within me while emerging from the suffering & darkness that has left me afraid for so many years. I feel very good because there is no more darkness - nothing left to hide. I cannot express the freedom that comes as a result of that.

I am grateful for your support in allowing me or, in fact, in sending me to the House. You have given me the opportunity to deal with my hurts so that I need not hurt anyone else again. You have, in a very real way, given me the freedom to become untapped from my inadequacies & to realize myself as a worthwhile & good person.

The heart of my struggle has been a strong sense of the presence of our loving, healing & forgiving God. It is He who has given me the motivation to work hard at overcoming my inappropriate behaviors. Consistently I have felt the continuing call to priesthood, have examined it painstakingly, & had it affirmed by many others here. It really does seem right.

I have also felt a great sensitivity to you & to the Diocese. I do not wish to cause you

any hardship beyond what I have already done. I do not wish to cause further scandal by my presence, or to be unable to function because of the fear of meeting the people who were involved in the case, or those who may have some knowledge of the circumstances. Therefore I am willing to serve in another Diocese if that is suitable to you. Needless to say, I would be upfront about my circumstances to any prospective Bishop.

Dr. Gorman & I look forward to a visit from you, Bishop Melroe or whomever you might designate. Be assured that I am grateful for your ongoing support. I look forward to continuing in this program, which has been a blessing, & to continued communication with you for a fruitful & beneficial resolution to all these issues.

God Bless You!

Peace,  
Mark

FR M. Fleming 518

May 23, 1984

Reverend Mark Fleming  
House of Affirmation  
4 Joy Avenue  
Webster Groves, Missouri 63119

Dear Mark:

Thank you for your recent letter. It pleased me greatly to hear personally from you about your interior struggle and the progress you have made. I thank God that He has enabled you to make substantial progress in dealing with your problem. I pray that in the weeks ahead, that progress will continue. I appreciate your sensitivity to me and the diocese in your decisions concerning continuation in priestly ministry. Since Father John Quinn has been my liaison in this matter with the police and state officials, who were necessarily involved, I have asked him to visit with you in Webster Groves to discuss, in more depth, what options you may consider in making your final decision in this regard. I have discussed this at length with Father John, and am sure he will be of assistance to you.

In closing, let me assure you of my prayers that the Lord will bring you to full health so that you may serve Him according to His will.

With every good wish, I am

Cordially in Christ,

Bishop of Manchester

May 23, 1984

Roger L. Gennari, Ph.D.  
Staff Psychologist  
House of Affirmation, Inc.  
4 Joy Avenue  
Webster Groves, Missouri 63119

Dear Dr. Gennari:

Thank you for your letter of May 14 in reference to Father Mark Fleming. I have asked Father John P. Quinn, the Vicar for Community Affairs, who has been my liaison with the police and state officials in this matter, to make arrangements to visit with you in the near future. Father Quinn will be in touch with you in this regard so as to arrange suitable dates.

Assuring you of my prayerful best wishes,  
I am

Cordially in Christ,

Bishop of Manchester

cc/ Father John Quinn

FR. Mark Fleming

320

May 22, 1986

Most Reverend Edward J. O'Donnell  
Auxiliary Bishop of St. Louis  
The Catholic Center  
4445 Lindell Boulevard  
St. Louis, Missouri 63108

Dear Bishop O'Donnell:

Thank you for your letter of May 15th in reference to Father Mark Fleming, a priest of the Diocese of Manchester who has been serving in the Archdiocese of St. Louis during the past two years while he continued with out-patient therapy from the House of Affirmation.

I understand perfectly the decision of the Archdiocese to not renew Father Fleming's faculties there. Please be assured of my gratefulness for the hospitality and kindness you have shown him during the past many months. I know you join me in praying that Father Fleming will be able to arrive at a decision regarding future ministry that will be of benefit to him and to the Church as a whole.

With every good wish, I am

Cordially in Christ,

Bishop of Manchester



6/18/86

NEW ADDRESS FOR MARK FLEMING --

Mark Fleming

2362 Montezume Drive

Florissant, Missouri 63031

Mark K. Fleming

---

2362 Montezuma Lane  
Florissant, Missouri 63031

October 27, 1986

Dear Bishop Gordon,

After much reflection it is my decision to resign as a priest of the Diocese of Manchester. In good conscience I can no longer preach in harmony with many teachings of the Church.

I am truly grateful to you & the diocese for all of your help with the most difficult issues which arose in 1983. It is good to now live without the pain of those circumstances.

Since I do have a job that pays the rent and offers health insurance, I would ask that you terminate any health insurance at the end of November. I'm sorry that I do not have or do not earn enough money to offer you some return for your substantial investment. I am barely meeting expenses.

I sincerely wish you all the best for many years  
ahead. I thank you for always having been a  
gentleman in all dealings.

Sincerely,

Mark H. Fleming

Fr Marc Fleming

321

November 5, 1986

Mark K. Fleming  
2362 Montezuma Lane  
Florissant, Missouri 63031

Dear Mark:

I have received your letter of October 27 informing me of your decision to resign as a priest of the Diocese of Manchester. I recognize the long and difficult process that you have gone through which has prepared the way for this decision. I am sure it is something that you have made only after serious thought and prayer. I am certain, as well, that it was a painful decision at which to arrive. I pray that the Lord will bless this decision and enable you in the future to discern how you can serve Him in whatever way of life you choose.

As you request, I will terminate your health insurance at the end of November. Please do not worry about reimbursing the Diocese in any fashion. I was happy to be able to provide you with the help you needed so that you could arrive at your final decision. Do you wish to take your resignation one step further and apply to Rome for laicization? I would be happy to have our Chancery make this application for you, if you feel it would be helpful to you. If so, please be in touch with me in this regard.

In conclusion, let me once again assure you of my prayers for you in the months ahead. If you are in this area, please feel free to call my office and arrange for an appointment as I would be happy to see you.

With every good wish, I am

Cordially in Christ,

Bishop of Manchester

DONAHUE, McCAFFREY, TUCKER & CIANDELLA

525

ATTORNEYS AT LAW

WATER STREET PROFESSIONAL BUILDING

225 WATER STREET

P.O. BOX 630

EXETER, NEW HAMPSHIRE 03833

MICHAEL J. DONAHUE  
BRIAN F. McCAFFREY  
CHARLES F. TUCKER  
ROBERT D. CIANDELLA  
LIZABETH M. MacDONALD

TELEPHONE  
603-778-1717

FAX  
603-772-4454

BY CERTIFIED MAIL

PERSONAL AND CONFIDENTIAL

29 September 1993

The Most Reverend Leo E. O'Neil  
Bishop of Manchester  
153 Ash Street  
Manchester, NH 03104

Dear Bishop O'Neil:

I am writing on behalf of [REDACTED] and his family: [REDACTED].

[REDACTED] and [REDACTED]. This is a matter of the gravest importance to the [REDACTED] family and requires the highest degree of discretion and confidentiality.

During the early 1980's, the [REDACTED] family were parishioners of St. John the Evangelist R.C. Church in Hudson, New Hampshire. In October of 1983, Mr. and Mrs. [REDACTED] were summoned to a meeting at the St. John's rectory. There they were informed by representatives of the church that one of their sons had been sexually abused by Mark Fleming, who had been serving as associate pastor of the church and who had had a close relationship with members of the [REDACTED] family. Mr. and Mrs. [REDACTED] carried this burden home and soon learned that each of their sons had been sexually abused by Father Fleming. There ensued for the [REDACTED] anguished and torturous deliberations about what to do. The Office of Attorney General of New Hampshire was consulted and Mr. and Mrs. [REDACTED] had extensive discussions with Archdiocese representatives regarding this matter.

Recently, there has been widespread publicity regarding sexual misconduct by priests of the Archdiocese. The Archdiocese possesses correspondence, documents and, presumably, internal memoranda regarding the sexual abuse of the [REDACTED] brothers. The [REDACTED] family expects that this information will remain confidential and I am notifying you that any breach of this

The Most Reverend Leo E. O'Neil  
Page 2  
29 September 1993

confidentiality will grossly invade the privacy of the [REDACTED] family. If the Archdiocese is advised by its counsel that it is legally compelled to release any of this information, the [REDACTED] family must be provided reasonable notice to insure that its rights are fully protected. Notice may be provided through this office by a writing directed to the undersigned and clearly marked "Confidential." I cannot overstate the importance with which the [REDACTED] family views this matter.

This in no way releases the Archdiocese from its responsibilities in this matter. The publicity and public attention focused on this issue has for the members of the [REDACTED] family brought back into focus the torment, pain and suffering they have endured. The family, Mr. and Mrs. [REDACTED], are struggling to put this matter to rest.

Yours truly,

DONAHUE, McCAFFREY, TUCKER & CIANDELLA

  
Robert D. Ciandella

RDC/klb

cc: Mr. and Mrs. [REDACTED]

SHEEHAN  
PHINNEY  
BASS +  
GREEN  
PROFESSIONAL  
ASSOCIATION

WRITER'S DIRECT DIAL (603) 627-8110



ATTORNEYS AT LAW

October 1, 1993

1000 ELM STREET  
P.O. BOX 3701  
MANCHESTER  
NEW HAMPSHIRE  
03105-3701  
FAX 603-627-8121  
603-668-0300

Robert D. Ciandella, Esquire  
Donahue, McCaffrey, Tucker & Ciandella  
Water Street Professional Building  
225 Water Street  
P.O. Box 630  
Exeter, NH 03833

Re: Roman Catholic Bishop of Manchester/  
[REDACTED]

1 HARBOUR PLACE  
SUITE 325  
PORTSMOUTH  
NEW HAMPSHIRE  
03801-3356  
FAX 603-433-3126  
603-433-2111

Dear Mr. Ciandella:

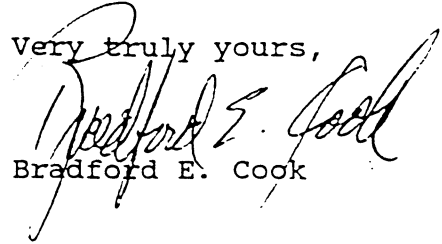
Your letter of September 29, 1993 to the Bishop of Manchester, Leo E. O'Neil has been received by the Bishop's office and referred to me as counsel for the Diocese of Manchester. The concern of your clients concerning their children and the confidentiality of any matters which may have occurred between them and the church in the past is understandable.

In short, I can assure you and your clients that should any request for information be received by the Diocese in any matter, the identity of any victims, individuals who have consulted with the Diocese, or other matters which may have arisen will be resisted and the confidentiality of any matters will be sought to be protected to the full extent available at law. To that end, we will both seek to protect identity by requiring a court order to reveal any information, seek protective orders, and, most importantly, inform you when any such request has been received so that you can protect your clients' interests.

If there is any further information that you require or if you have any questions concerning

these matters, please feel to contact me or James E. Higgins, Esquire of this office who is the litigator in charge of such matters.

Very truly yours,



Bradford E. Cook

BEC:jed

cc: The Most Reverend Leo E. O'Neil  
Monsignor Francis J. Christian



**CONFIDENTIAL MEMORANDUM**

**TO:** Bishop Francis J. Christian  
**FROM:** Msgr. Norman P. Bolduc  
**DATE:** December 16, 1997  
**RE:** Father Mark K. Fleming

I received notice today that Mark Fleming passed away sometime last month. He had been seriously ill for some time. My understanding is that he had returned to the area only recently, shortly before his death.

I will make a note of this news for the file.



125

THE STATE OF NEW HAMPSHIRE

ATTORNEY GENERAL  
GREGORY H. SMITH

DEPUTY ATTORNEY GENERAL  
PETER W. MOSSEAU

ASSISTANT ATTORNEYS GENERAL  
JOHN T. PAPPAS  
ANNE R. CLARKE  
MARC R. SCHEER  
DONALD J. PERRAULT  
MARTIN R. JENKINS  
BETSY S. WESTGATE  
EDWARD L. CROSS, JR.  
PETER C. SCOTT  
MICHAEL A. PIGNATELLI  
BRIAN T. TUCKER  
PAUL BARBADORG  
BRUCE E. MOHL  
JOHN A. MALMBERG  
DOUGLAS L. PATCH  
LORETTA S. PLATT  
ROBERT P. CHENEY, JR.



JAN 11 1984

ASSISTANT ATTORNEYS GENERAL  
LESLIE J. LUDTHE  
ANDREW L. ISAAC  
RONALD F. RODGERS  
G. DANA BISBEE  
PETER T. FOLEY  
STEVEN M. HOURAN  
JEFFREY R. HOWARD  
EVE H. OYER  
GREGORY W. SWOPE  
JAMES D. CAHILL, III  
CHARLES W. GRAU  
DANIEL J. MULLEN  
T. DAVID FLOURDE

THE ATTORNEY GENERAL

STATE HOUSE ANNEX

25 CAPITOL STREET

CONCORD, NEW HAMPSHIRE 03301-6397

ATTORNEYS  
EDNA M. CONWAY  
AMY L. IGNATIUS  
DAVID K. MULHERN  
JAMES A. SWEENEY  
ROBERT B. MCH

January 6, 1984

Paul M. Gagnon, Esquire  
Hillsborough County Attorney  
Hillsborough County Courthouse  
300 Chestnut Street  
Manchester, New Hampshire 03101

Re: Child Sexual Abuse

Dear Paul:

I am enclosing a copy of a child sexual abuse report that this office received on December 30 regarding [REDACTED]

This report was forwarded to us by the Division of Welfare pursuant to RSA 169-C:38. Although a Hudson police officer apparently discussed this case with the Division of Welfare on December 20, 1983, I am not aware of any further police investigation that has been conducted.

I am forwarding this report along to you for whatever further investigation and/or prosecution you believe is appropriate.

Sincerely yours,

Peter W. Mosseau  
Deputy Attorney General

PWM/der

Encl.

cc: Ms. Jeannette Gagnon



CHILD SEXUAL ABUSE REPORT TO ATTORNEY GENERAL'S OFFICE

(CONFIDENTIAL)

Name of Victim: [redacted] age 11  
Hudson, N.H.

Child of Mr. and Mrs. [redacted]  
[redacted]  
[redacted]  
[redacted]

Name of Perpetrator: Rev. Mark K. Fleming  
Diocese of Manchester  
now at St. Lukes Institute  
St. Louis, Missouri

Report of the Incident:

In a letter dated November 10, 1983, Father John P. Quinn, Diocese Director of N.H. Catholic Charities, Inc., confirmed in writing a verbal report made to Dr. Sylvio Dupuis, Commissioner of Health and Welfare Department. The report was "that Rev. Mark K. Fleming had sexually abused a minor male in the town of Hudson, N.H."

Commissioner Dupuis immediately made the report available to Division of Welfare Director Richard Chevrefils and Office of Social Services Administrator, Jeannette Gagnon.

Director Chevrefils met with Rev. Quinn on November 23, 1983 to obtain further information. The on-going investigation and report to law enforcement officials was assigned to Jeannette Gagnon.

Incident of Sexual Abuse:

The known incident occurred in early September 1983, just prior to the start of school. Rev. Fleming allegedly sexually abused [redacted]. The incident of abuse involved the eleven-year-old child lying naked on a bed in the rectory in Hudson, N.H. Rev. Fleming was discovered fondling the genitals of the boy. The incident was discovered by the pastor of the church, when he walked in on Rev. Fleming and the child, and discovered the fondling taking place.

Founded Abuse: Rev. Mark Fleming has admitted the act, having been confronted by his superiors. The incidents of abuse are believed to have been happening since January/February 1983.

Victim/Family:

Mr. and Mrs. [redacted] parents of victim, [redacted] are aware of the incident, having been informed by Rev. Quinn and Rev. Steve Scruton of St. John's Parish in Hudson, N.H. The [redacted] have had counselling made available through Catholic Social Services. The parents are understandably upset and very concerned over the incident. They have two other sons who were very friendly with Rev. Fleming.

The [REDACTED] have spoken to Officer DeMoura of Hudson Police Department. Officer DeMoura called the Division of Welfare on 12/20 to inquire into the Division's awareness and involvement in this matter and to express the family's concern and desire not to have legal prosecution of the perpetrator Rev. Fleming.

On 12/22, Jeannette Gagnon of the Welfare Division received a call from Mrs. [REDACTED] victim's mother, who expressed much concern and dissatisfaction in Rev. Fleming. She was firm in her statements that she wanted to be sure that all appropriate and required steps were being taken in this investigation. The family does not want to prosecute at the present time, but may reverse this decision if the situation changes relative to Rev. Fleming's removal from parish involvement.

Treatment/Outcome:

Prior to his removal from New Hampshire, Rev. Fleming was under mandatory therapy. He is now confined to St. Luke's Institute, a psychiatric hospital in St. Louis, Missouri.

Report to Legal Authority

This report is made under the requirements of RSA 169-C:38. The Division's Administrator of Social Services, Jeannette Gagnon and the reporter of the incident Rev. John Quinn of Catholic Social Services, Inc., are available to discuss this matter.

Report by

Jeannette Gagnon

Jeannette Gagnon, Administrator  
Office of Social Services  
Division of Welfare  
Hazen Drive  
Concord, N.H.  
Tel: 271-4386

Dated: December 27, 1983

Dear Mark.

It is late at night now, I have plenty of time to write, since I don't sleep very well anymore. I cry a lot and I try to do my work but it is hard to concentrate. There are so many questions I want to ask but haven't got the courage. The biggest question is simply; WHY?

We talked so many times about why we were here, about who we were, and the love of Jesus Christ. I supported you and believed in you inspite of all opposition.

We agreed that:

1. There is no greater love than the love of Jesus Christ.
2. That what matters in this world is NOT fame or fortune but the love and respect of one's family.
3. That a man, be he a king or a vagrant, is only as good as his word, his honor,

Honor and Glory of God. Can you tell me that you have acted for the honor and Glory of God or for the pleasure of Mark Flemming?

We talked of the love of one's family. Congratulations!!! You betting 1000. You have screwed that up also! The love and respect we shared with you has been destroyed and I fight a lot now, out of a sense of guilt. The boys are seeing a doctor for consulting now. will be there for a very long time. Thanks a lot! The tension, fear, fighting, and guilt you have brought my family is as opposite to that collar you wear as anything Satan could have devised.

I can not take away God's love for you. Now he probably loves



1101


What really hurts, is that you saw what was happening to my family, you saw it because we openly talked about it, and you cared so little, you were so selfish, as to continue your sick, perverted, self-centered ways. We could have worked on any problem you had together, if you had the courage to admit it and accept the Help. But I guess you were too interested in protecting your source of personal pleasure. The more truth that is uncovered the more disgusting and pitiful you become.

We talked of Honor and trust. I trusted you with my entire wealth, my family. You like a thief betrayed it. Perhaps, I am old fashion for looking for honor in men; but that is who I am and how I raise my family.

Loves me. If I am to be worthy  
of that love then I must forgive (not forget)  
you. So IN CHRIST'S NAME I  
FORGIVE YOU. I have asked people  
to pray for you, my sons are angry  
at this. BUT This forgiveness carries  
with it a warning. IF EVER I  
HEAR OF YOU HURTING ANOTHER  
CHILD (IN ANYWAY) I WILL DAMN YOU  
TO THE FIRES OF HELL. If this  
is being unchristian then God and  
I will discuss it!

For your own sake it is probably better  
that you are where you are. I do not  
believe that I could insure your safety  
if you were still in New Hampshire, I am  
not sure that I would want to insure  
your safety.

God is with us now, he is carrying my family. I have been reminded of the 23<sup>rd</sup> Psalm; he ~~is~~ sets a table for me before my enemies, His rod and staff shall comfort me and I will fear no evil. I will dwell in his house forever.

Tonight my wife and I will read 1 Corinthians 13 for the first time since all of this blew up. You read it, see what you could have been, see what you still could be. You have a chance to help 

1. Be honest No more lies
2. Give us the names of all the children you have hurt. We already know some of them.
3. Pray
4. You are lucky, you are being given the chance to be healed. Take it.

You can do no more damage to us, I will not allow it! You must now face your two most critical judges, Mark Flemming and Jesus Christ. Have the courage to do it.

I will Pray for you.



1/16/84

Fr. Mark,

This has to be one of the hardest letters I've ever had to write. Just saying, 'Fr. Mark' makes me want to vomit. Do you realize the hurt and pain you have caused us? We put so much trust in you; we believed in you, we would have stood by you in anything. You chose to destroy a that. He wanted you to be part of our family, something I know you never really had. You also chose to destroy that. Why? Why? Why? I keep asking myself that. My boys loved you, yet you violated their personage, you took away their youth, their pain, their love of church and what you represented. Did you set out to destroy what we were as a family? Could you not comprehend what you were doing or did to us as human beings? You continue to tell us how much you loved us and what we meant to you, if that is love I would not want to know what your meaning of hate is.

You have destroyed us in so many ways. I feel your act of contempt was directed at us because of the love we share together as a family. You knew where I was coming from and yet you chose to continue to be deceitful. I was so proud to work with the Rape & Assault Committee. We discussed it so many times. Did you think that this was not for you?

You had the audacity to recuperate in our home and take part in our family while you molested my boys. You are sick. It has taken me years to believe in someone, to trust another

everything. My family is everything to me, and not even you will destroy it. If you choose to see your sister - go right ahead. If you want to lose your soul to him - go right ahead. In the pro of your vile ways leave the children alone. You a coward you probably never thought to do your devious acts on any consenting adult, of course not, they might have beaten the hell out of you. Instead you chose to do your work with young ones who have no means of retaliation. You a scum. Only by the grace of God and my love for Him can I forgive your devious acts NOT FORGET.

I believe what Jesus Christ says "All things work for good for those who trust Him" but let me say you will never be able to set foot in my home. Someday, as pure as I am sitting here, we will meet. BEWARE there is no telling what I will say or do.

You have taken a part of [redacted] that we never be the same. He gave all he had to being a good friend to you and stood by you in all ways. He was a very gentle, trusting man and you destroyed that. I would like to see you behind bars for the rest of your life.

The saddest part of all this - you are the biggest LOSER. You had so much going for you, you were a good priest and gave so much to us. You had a family who loved you, friends to stay by you yet you chose to give it all up to see your own pleasures. You lose. [redacted] and I still have each other and our boys, we will

I cannot pass judgement on you, only our Lord, Jesus Christ can. You will have to seek your peace with him. There is good in all men even you. I can only pray that God will enlighten you to your ways and that His healing power is within you working all things out for good. Someday you will realize the pain and anger you have caused us as a family and the many others you have hurt and perhaps you will find it in your heart to say, "I'm sorry and explain to us WHY?"

I don't think right now my boys can forgive you, perhaps with the love of Jesus in their hearts and the faith I hope they will hold onto that they will someday forgive you.

They don't care to ever see you again, they are relieved that it is over and hate you for everything you are. You are so hypocritical.

As a Christian I will continue to pray for complete healing. As a mother I hate you for the hurt you have caused this family. You have placed yourself among scum. Have the guts to face Mark Fleming and be the person you can be.

~~\_\_\_\_\_~~

2-2-84  
From: [unclear] [unclear]  
To: [unclear]  
Peter  
This case is [unclear]

100

THE STATE OF NEW HAMPSHIRE

ATTORNEY GENERAL  
GREGORY H. SMITH

DEPUTY ATTORNEY GENERAL  
PETER W. MOSSEAU



ASSISTANT ATTORNEYS GENERAL  
JOHN T. PAPPAS  
ANNE R. CLARKE  
MARC R. SCHEER  
DONALD J. PERRAULT  
MARTIN R. JENKINS  
BETSY S. WESTGATE  
EDWARD L. CROSS, JR.  
PETER C. SCOTT  
MICHAEL A. PIGNATELLI  
BRIAN T. TUCKER  
PAUL BARBADORO  
BRUCE E. MOHL  
JOHN A. MALMBERG  
DOUGLAS L. PATCH  
LORETTA S. PLATT  
ROBERT P. CHENEY, JR.

THE ATTORNEY GENERAL  
STATE HOUSE ANNEX  
25 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6397

ASSISTANT ATTORNEYS GENERAL  
LESLIE A. LUTHE  
ANDREW L. ISAAC  
RONALD F. HONGERS  
G. DANA BISEBE  
PETER T. FOLEY  
STEVEN M. HOURAN  
JEFFREY R. HOWARD  
EVE H. OYER  
GREGORY W. SWOPE  
JAMES D. CAHILL, III  
CHARLES W. GRAU  
DANIEL J. MULLEN  
T. DAVID PLOURDE

ATTORNEYS  
EDNA M. CONWAY  
AMY L. IGNATIUS  
DAVID K. MULHERN  
JAMES A. SWEENEY  
ROBERT B. MUH

January 23, 1984

Paul M. Gagnon, Esquire  
Hillsborough County Attorney  
300 Chestnut Street  
Manchester, NH 03101

Dear Paul:

Enclosed for your information is a copy of a letter I have recently received from [redacted] father of the children mentioned in the Department of Welfare report I sent to you. I am also enclosing a copy of my correspondence to Mr. [redacted] so that your file will be complete.

Sincerely yours,

Peter W. Mosseau  
Deputy Attorney General

PWM/der

Encls.





Office of the Attorney General  
Attn: Dept. Atty. Gen. Peter Mousseau  
State House Annex  
Concord NH 03301

Mr. Mousseau:

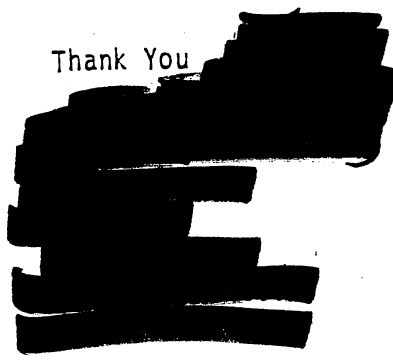
Jan. 12, 1984

We wish to file an update to the report filed with your office by Jeannette Gagnon of the State Department of Welfare. The report was dated December 27, 1983 and concerned the reported sexual abuse of a child. I have attached a copy of this report and wish to have it amended as follows:

1. The report identifies only one child and one known case of sexual abuse. Subsequent investigation has revealed that:
  - a.) Three children (at least) have been involved
    - ██████████ age 11 Hudson NH
    - ██████████ age 12 Hudson NH
    - ██████████ age 9 Hudson NH
  - b.) The abuse was forced on the children regularly over the period of at least one year. It included fondling the genitals, stripping the children and physically forcing the children into life threatening situations..
  
2. The parents of the children wish to clarify their decision to postpone prosecution of Reverend Fleming. It is felt that:
  - a.) the likelihood of incarceration for a fist time offender is very low. This presented a potential threat to the security of the family and other children.
  - b.) Incarceration would not insure the intensive care needed to cure this problem. The church has offered to insure the following:
    1. Insured confinement of the offender
    2. Prompt long term, professional aid to Rev. Fleming in the hope of curing him.
    3. Assistance for the family and the opportunity for the offended to review the progress of Rev. Fleming to insure the security of the family.
  - c.) Prosecution would entail the cross examination of children in public on a devastating moral issue. This would be difficult and harmful to the children.
  
3. The parents have filed a report with the Hudson Police. The intent is to provide the ability to prosecute Rev. Fleming in the event that either he or the church become uncooperative in providing for the items detailed in section 2.

4. To our knowledge Reverend Fleming is physically resident at the:  
House of Affirmation  
4 Joy Ave  
Webster Grove MO 63119

Thank You



cc: Jeannette Gagnon

THE STATE OF NEW HAMPSHIRE

1001

ATTORNEY GENERAL  
GREGORY H. SMITH

DEPUTY ATTORNEY GENERAL  
PETER W. MOSSEAU

ASSISTANT ATTORNEYS GENERAL  
JOHN T. PAPPAS  
ANNE R. CLARKE  
MARC R. SCHEER  
DONALD J. PERRAULT  
MARTIN R. JENKINS  
BETSY S. WESTGATE  
EDWARD L. CROSS, JR.  
PETER C. SCOTT  
MICHAEL A. PIGNATELLI  
BRIAN T. TUCKER  
PAUL BARBADORO  
BRUCE E. MOHL  
JOHN A. MALMBERG  
DOUGLAS L. PATCH  
LORETTA S. PLATT  
ROBERT P. CHENEY, JR.



THE ATTORNEY GENERAL  
STATE HOUSE ANNEX  
25 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6397

ASSISTANT ATTORNEYS GENERAL  
LESLIE J. LUDTHE  
ANDREW L. ISAAC  
RONALD F. RODGERS  
G. DANA BISBEE  
PETER T. FOLEY  
STEVEN M. HOURAN  
JEFFREY E. HOWARD  
EVE H. OYER  
GREGORY W. SWOPE  
JAMES D. CAHILL, III  
CHARLES W. GRAU  
DANIEL J. MULLEN  
T. DAVID PLOURDE

ATTORNEYS  
EDNA M. CONWAY  
AMY L. IGNATIUS  
DAVID K. MULHERN  
JAMES A. SWEENEY  
ROBERT B. MUH

January 23, 1984



Dear Mr. [REDACTED]

This letter is in response to your January 12, 1984 correspondence. Thank you for writing to me and clarifying some of the facts raised in the December 27, 1983 Department of Welfare report regarding Reverend Fleming.

As you know, the offenses in this case occurred in Hudson, New Hampshire, which is located in Hillsborough County. The Hillsborough County Attorney, Paul Gagnon, normally prosecutes crimes of this nature that occur within his jurisdiction. Consequently, I forwarded the December 27 report to him for whatever action he deemed appropriate. I have also recently sent to him your January 12, 1984 correspondence. If you have any further inquiries about the status of this case, please contact Mr. Gagnon at 627-5605.

Sincerely yours,

Peter W. Mosseau  
Deputy Attorney General

PWM/der

cc: Paul M. Gagnon, Esquire



3-2-84  
AF



STATE OF NEW HAMPSHIRE  
DEPARTMENT OF HEALTH AND WELFARE  
DIVISION OF WELFARE

1202

Sylvio L. Dupuis, O.D.  
Commissioner  
Department of Health and Welfare

Richard A. Chevrefils  
Director  
Division of Welfare

Hazen Drive  
Concord, NH 03301  
603-271-4326

March 7, 1984

MAR 08 1984

Attorney Peter McDonough  
Hillsborough County Attorney Office  
300 Chestnut Street  
Manchester, N.H. 03105

Dear Peter:

In response to your request, I'm sending the enclosed. I am not certain if the attached is what you're calling "the supplemental report." The material was sent to Attorney Mousseau by Mrs. [REDACTED]

Please call me if you need further information.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Jeannette".

Jeannette Gagnon, Administrator  
Office of Social Services

JG/slc

Office of the Attorney General  
Attn: Dept. Atty. Gen. Peter Mousseau  
State House Annex  
Concord NH 03301

Mr. Mousseau:

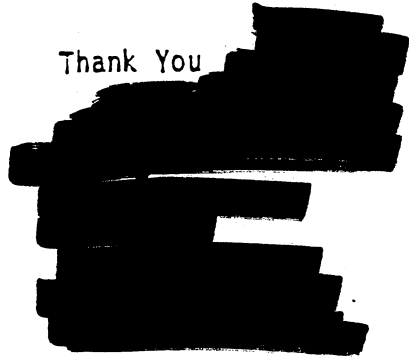
Jan. 12, 1984

We wish to file an update to the report filed with your office by Jeannette Gagnon of the State Department of Welfare. The report was dated December 27, 1983 and concerned the reported sexual abuse of a child. I have attached a copy of this report and wish to have it amended as follows:

1. The report identifies only one child and one known case of sexual abuse. Subsequent investigation has revealed that:
  - a.) Three children (at least) have been involved
    - [REDACTED] age 11 Hudson NH
    - [REDACTED] age 12 Hudson NH
    - [REDACTED] age 9 Hudson NH
  - b.) The abuse was forced on the children regularly over the period of at least one year. It included fondling the genitals, stripping the children and physically forcing the children into life threatening situations..
2. The parents of the children wish to clarify their decision to postpone prosecution of Reverend Fleming. It is felt that:
  - a.) the likelihood of incarceration for a first time offender is very low. This presented a potential threat to the security of the family and other children.
  - b.) Incarceration would not insure the intensive care needed to cure this problem. The church has offered to insure the following:
    1. Insured confinement of the offender
    2. Prompt long term, professional aid to Rev. Fleming in the hope of curing him.
    3. Assistance for the family and the opportunity for the offended to review the progress of Rev. Fleming to insure the security of the family.
  - c.) Prosecution would entail the cross examination of children in public on a devastating moral issue. This would be difficult and harmful to the children.
3. The parents have filed a report with the Hudson Police. The intent is to provide the ability to prosecute Rev. Fleming in the event that either he or the church become uncooperative in providing for the items detailed in section 2.

4. To our knowledge Reverend Fleming is physically resident at the:  
House of Affirmation  
4 Joy Ave  
Webster Grove MO 63119

Thank You



cc: Jeannette Gagnon



PAUL M. GAGNON  
COUNTY ATTORNEY

Hillsborough County  
State of New Hampshire

PETER McDONOUGH  
FIRST ASSISTANT  
ASSISTANT COUNTY ATTORNEY

DAVID A. BOJAN  
PAUL A. McDONOUGH  
FRANK J. MERRILL  
ROBERT J. VITTA  
SUSAN L. HOWARD  
RICHARD J. JOYAL  
GARY CASINGHINO

300 Chestnut Street, Manchester, N.H. 03101  
Telephone (603) 627-8605

March 9, 1984

Father Quinn  
Diocese of Manchester  
153 Ash Street  
Manchester, N.H. 03102

RE: State v. Mark Flemming

Dear Father Quinn:

I am sorry that County Attorney Paul Gagnon and I were unable to wait any longer than 15 minutes to meet with you and the Bishop today, but it was necessary for us to appear in the Hillsborough County Superior Court this afternoon.

We are in the process of determining what criminal actions will be brought against Mr. Flemming. Would you please forward at your earliest convenience a complete report of what action the Diocese of Manchester has taken with regard to this matter, including, but not limited to a complete description of the treatment plan in which we understand Mr. Flemming is now engaged.

Thank you for your anticipated cooperation. If you have any questions, please do not hesitate to contact me.

Very truly yours,

Peter McDonough, Esquire  
Assistant County Attorney

PM/lsl

1088

APR 11 1984

RANDALL E. WILBERT  
ATTORNEY AT LAW  
CITY PLAZA  
188 MAIN STREET  
NASHUA, NEW HAMPSHIRE 03060  
—  
TELEPHONE (603) 889-8443

April 6, 1984

Peter McDonough, Esquire  
Hillsborough County Attorney  
300 Chestnut Street  
Manchester, NH 03101

Re: The [REDACTED] Family

Dear Peter:

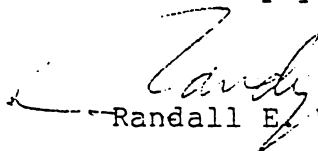
I appreciate your candor and concern expressed during our telephone conversation of April 4, 1984.

I met, at length, with Mr. and Mrs. [REDACTED] regarding the tragic situation. We discussed various matters including alternatives and the ramifications of different courses of action. After discussing the situation in depth, Mr. and Mrs. [REDACTED] have authorized me to inform the Hillsborough County Attorney's Office that they do not wish to pursue prosecution in this case. This decision is based upon what is in the best interest of their children.

If you have any questions, or further information is desired, please do not hesitate to contact me. I know I don't have to say this, but I would just like to ask that all contacts with the [REDACTED] family, including the children, be made through my office.

Thank you for your consideration.

Sincerely yours,

  
Randall E. Wilbert

REW/dlb

cc: Mr. and Mrs. [REDACTED]



1-18-84

18.84 Meety with Fr. Quinn: Re. Fr. Fleming  
1:30 PM. Sent to House of Affirmation

Location: Outside of St. Louis, Missouri

First Reaction: Sent to St. Anselmo

Quinn: Social Director

Immediate transfer to St. Louis

Page 4. Goals (Case + Resist)

Fr. Fleming: Can not leave House of Affirmation  
without permission of Bishop

Hd of A: Reasonable assured of Resolution

Quinn: Highly unlikely he'll be allowed  
to practice in moderate NT

Direction to Monastic type of life  
If Fleming leaves, it had be suspended.

He's been a priest for 5 or 6 years

30 years old.

If he were not cooperating they will call  
March 10 today

Quinn: feel Fleming is destined of success  
completely of program. He is  
extremely fearful. He has a  
conscience. His cooperation  
Ecclesial Threat is the  
motivating factor

Paul: Expects a written agreement, confident  
will waive all contractual rights  
to Speedy trial

Wesley want  $\Delta$  to agree to stay in Marthe  
life. No future child contact. Ever.



PAUL M. GAGNON  
COUNTY ATTORNEY

Hillsborough County  
State of New Hampshire

PETER McDONOUGH  
FIRST ASSISTANT

ASSISTANT COUNTY ATTORNEYS

DAVID A. HOBAN  
PAUL A. McDONOUGH  
FRANK E. MESMER, JR.  
ROBERT J. VERGA  
SUSAN L. HOWARD  
RICHARD J. JOYAL  
GARY CASINQUINO

300 Chestnut Street, Manchester, N.H. 03101  
Telephone: (603) 627-5605

June 25, 1984

Father Quinn  
Diocese of Manchester  
153 Ash Street  
Manchester, NH 03102

RE: Reverend Mark Fleming

Dear Father Quinn:

This is to confirm our earlier conversations with regard to the criminal matters involving the above-named Reverend Mark Fleming. Peter McDonough and I are currently in the process of analyzing and evaluating your recent proposals to have Reverend Fleming reassigned out-of-state upon his successful completion of the treatment program in which he is now enrolled. As you know, it is always a difficult process to balance the needs of all of the parties in a situation of this nature. However, I am hopeful that we will eventually be able to come up with a memorandum of understanding between the State of New Hampshire, the Diocese of Manchester and the defendant. Could you please contact this office upon return from your meeting with Reverend Fleming in order that we might further discuss this matter.

Very truly yours,

Paul M. Gagnon, Esquire  
Hillsborough County Attorney

PMG/pjb

6-25-84

1200

-84 Fr. Quinn : 669-3030  
Re: Fr. Fleming

1:35 PM. Told Fr. Quinn we'd be sending letter outlining negotiations existent to date with "Agreement" to follow. The letter will be there by today for Fr. Quinn who will leave tomorrow.

Fr. Quinn said Fr. Fleming will probably be reassigned to a western state where he will do "missionary" work. He can't be brought back to this area because, as Fr. Quinn says, the [redacted] have stored up so much heat that it would not work out.

Fr. Quinn said that the matter regarding Paul's Acule's plot is in the works with Mr. Forbes, the land manager, and he will be getting back to us in the near future. (next week)