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FATHER BERNARD LANE

Priest: Touching was therapy, never abuse

Files reveal Lane's response to charges

By ANNMARIE TIMMINS

Monitor staff *Cormack (1/29/99)*

BARNSTEAD - Father Bernard Lane, whom local residents supported in January after a man accused him of sexual abuse, admitted to church officials in 1999 that he had fondled boys in the 1970s but defended his actions as therapy, according to recently released church documents.

"He denied there was mutual masturbation but did admit to nude hugging, fondling, touching and sexual arousal," a church official wrote in Lane's personnel file in August 1999. "He said there was touching of genital areas along with touching of all other parts of the body. He reaffirmed that this was accepted therapy at the time."

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Lane, who retired after making the admission to Massachusetts church officials, lives in Barnstead. Neither he nor his attorney, his nephew Gerard Lane of Massachusetts, could be reached for comment.

The January abuse allegation stemmed from the mid-1970s, when Lane was director of a group home for troubled boys in Littleton, Mass., that was supported in part by the Archdiocese of Boston.

Several residents of that home have since accused Lane of molesting them there and at his Barnstead cottage, where he sometimes took boys from the group home. The church settled at least three claims in the 1990s, Gerard Lane has said.

He has defended his uncle, saying the priest was a victim of a church that was so desperate to avoid a scandal that it paid money to accusers without corroborating their facts.

Gerard Lane has denied that any misconduct took place, and he particularly disputed one accuser's claim that Lane kept mirrors on the ceiling of the Barnstead cottage.

Lane did keep mirrors in his cottage - on the walls, not the ceilings - according to church records released by a Massachusetts judge this week as part of a lawsuit against the Archdiocese of Boston. (The mirrors, Lane told his superi-

ors, made the place look bigger.) The records detail sexual abuse allegations against 10 priests, their responses and the church's reaction.

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Lane's file begins with an accusation in 1978 and follows his gradual admission that he had behaved improperly.

It also includes the 35-page defense Lane prepared for church officials of his unusual treatment therapies, which included massaging and lying next to boys while they were naked. Erections, Lane wrote, were not discouraged but praised as signs of masculinity.

"It was not out of bounds to hold a youth even while naked who came needing some reassurance, stroking . . . body to body warmth, or contact," Lane wrote. "We felt we were filling these youths with fresh air to breathe. Today it would be considered unorthodox and even harmful to the client and be considered sexual abuse."

A young resident of the home considered the practice inappropriate in 1978 and told the police then that Lane had invited him into his room, asked him to disrobe and then touched him inappropriately.

Lane admitted touching the boy while he was naked but denied it was for sexual reasons.

The legal authorities didn't pursue the case because it appeared the boy had accused Lane out of vindictiveness, the church file reads. It does not elaborate. Still, the home's coordinator asked for Lane's resignation, and he gave it.

Lane took a few months off, and Cardinal Bernard Law reassigned him to develop a youth program for the archdiocese and later to oversee a parish with a grammar school in Massachusetts, according to the records.

For reasons that are not clear in the file, church officials revisited the allegation in 1993 and concluded again that it was not credible.

New Hampshire's Bishop John McCormack, then in charge of handling sexual abuse allegations for the Boston archdiocese, read the interview of a woman who defended Lane and a letter from a priest who suspected something was amiss, and decided the matter should be dropped.

"In light of the fact that we can uncover no evidence that points to Fr. Lane acting irresponsibly or in a way that points to sexual misconduct, I recommend that the matter

not be pursued." McCormack wrote in May 1993.

In the following months, several men reported similar abuse.

Lane defended himself each time, telling church officials that nudity was not discouraged but that he didn't touch the boys inappropriately. He offered to resign for health reasons. The church sent him for treatment to one of its often-used centers for accused priests.

Two doctors who examined Lane in the mid-1990s found that he had suffered from ephebophilia, attraction to older teenage boys, in the 1970s but had recovered, according to the records.

Church officials restricted Lane's parish responsibilities in Massachusetts and kept him from working with kids. Meanwhile, accusations and settlement demands continued to come to the archdiocese; the lawyer for one alleged victim demanded \$2.4 million.

Lane's last defense of his treatment strategies contained in the file is dated 1999. He acknowledged the existence of mirrors around a bed in the Barnstead cottage and the presence of several *Playboy* magazines in the room, which boys in the group home were allowed to have, the records said.

He again defended allowing, even encouraging, clients to be comfortable with their bodies and close to one another and to staff.

"Fr. Lane responds that it was not uncommon for staff to get into bed with clients as a way of affirming the value of physical touch," a May 1999 memo reads. "He says that direct sexual activity . . . was prohibited by the rules."

Lane, who had asked to retire a few years earlier but wasn't old enough, was finally old enough in 1999. He turned 65 on Aug. 14 and retired with the benefits provided a senior priest.

Boston priest accused

05/10/79
By CAROL ROBIDOUX
Union Leader Staff

Eight lawsuits were filed yesterday in Massachusetts alleging sexual abuse of minors by the Rev. Bernard J. Lane of the Boston Archdiocese.

The alleged abuse occurred in the 1970s while the minors were under Lane's care at Alpha Omega in Littleton, Mass., a detention home for youth offenders, according to the suits.

The suits were filed yesterday in Suffolk County Superior Court by attorney Nance Lyons of the Halstrom Law Offices in Boston. The suits allege that most of the abuse, including group nudity and inappropriate physical and sexual conduct, took place at Lane's residence in Barnstead, N.H., which served as a retreat for youngsters being rewarded for good behavior, Lyons said.

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According to a published report in March, the Boston Archdiocese had previously settled at least six sex abuse cases against Lane, many involving allegations of rape by former residents of Alpha Omega at his Barnstead home. Reportedly, Lane is now retired.

Despite the settlements, Lane denied all allegations through his attorney at that time. Lyons said Lane will receive notice of the new lawsuits this week.

All the plaintiffs in the suits have chosen to protect their identities with the exception of David Lemieux, 40, of Littleton, who said he'd never told anyone about the alleged abuse until six weeks ago.

"My father read an article in the newspaper about Bernard Lane in connection with the sex abuse cases, and he questioned me. He put two and two together," said Lemieux. "I think it finally provided some answers in helping my parents understand why so much of my life had been troubled."

After reading the article for himself and learning Lane had denied any wrongdoing, Lemieux was outraged. "That's when I decided to come forward," said Lemieux.

He said his life finally started coming together 13 years ago when he checked into a Christian rehabilitation center for drug and alcohol abuse. He's now married and has three young children.

"I want to see Father Lane pay for what he's done to myself and scores of other young men. I lost a good portion of my life because of what happened," said Lemieux.

Please ~~to~~ make a
priest file for father
Bernard Lane

-Will
Please make a copy
for Belknap C.A.

Boston priest accused

05/10/89
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From: [REDACTED]
To: "AttyGnr1_NH Philip McLaughlin" <kspath@doj.state.nh.us>
Date: 3/25/02 10:46AM
Subject: the state and the Archdiocese of Boston decided it was better to transfer Lane to avoid public embarrassment

Dear Attorney General McLaughlin:

Is this the type of behavior that you are being guilty of and which the citizens of New Hampshire and of the nation will read about years from now? If so, your name will be in the gutter! I am copying below a copy of an article from the Boston globe.

Your primary duty is to the citizens of the State of Massachusetts and not to the Church, or worse to some friendship.

[REDACTED]

State action on priest fell short, DYS team says
By Matt Carroll, Globe Staff, 3/25/2002

The passage of time is likely to make it difficult to prosecute many priests who allegedly molested children - even the Rev. Bernard J. Lane, who allegedly raped teenage boys at Alpha Omega, a Littleton facility for troubled youths that he ran under state contract in the 1970s.

Back then, however, state officials missed a chance to bring an early end to the alleged abuse. And once they stumbled upon evidence of inappropriate sexual behavior, the state and the Archdiocese of Boston decided it was better to transfer Lane to avoid public embarrassment, according to documents and interviews by the Globe Spotlight Team.

At the time, the state could have launched a broader inquiry that might have led to criminal charges. As for the archdiocese, it simply assigned Lane to St. Peter's parish in Lowell, where he continued to have access to children. And to replace Lane at the center, the Church selected the Rev. C. Melvin Surette. In the 1990s, the archdiocese settled a claim after a boy from the center accused Surette of sexual abuse. Surette's attorney has said that Surette denies the allegations.

In January, the Globe reported that the archdiocese settled at least six sex abuse cases against Lane, many of them involving allegations he raped boys at the facility or at a family summer home in New Hampshire. Despite the settlements, Lane has denied the allegations through his attorney. But since January, several men who spent time at Alpha Omega when they were teenagers have come forward with similar allegations.

Much of the abuse might have been prevented, according to members of a state Department of Youth Services evaluation team. The team members told the Globe that in either 1976 or 1977 - a year or two before Lane's 1978 removal - the team arrived at Alpha Omega for an intensive review that would have involved several days of interviews with the staff and teenage patients. But Lane refused to let the team in for the state-mandated review. When the team alerted its superior, John Isaacson, then the DYS assistant commissioner, he refused to intercede.

Isaacson's decision, members of the team said in recent interviews, was a serious lapse by the agency. "If we had been able to do the work we should have done at the time, there might have been some kids who weren't harmed," said Jean Bellow, one of the survey team members. She said they believed the

DYS was afraid to offend the archdiocese.

Isaacson said he does not recall discussing Alpha Omega with the team, but does not dispute the account by members. However, he said he had little faith in the evaluation team. He described them as well-meaning but "nuts, and you can quote me."

He said they were unreliable, ideological, and mostly interested in shutting down programs. "They were constantly crying wolf," he said.

Isaacson denied giving the Church favorable treatment.

Robert Watson, who was the director of contracts for the DYS, said Isaacson's criticism of the team is without merit.

Attorney Nance Lyons, who has represented several of Lane's victims, said she was dumbfounded when she recently learned from the Globe about the state's inaction. "What were these people thinking of?" Lyons said. If, she said, the state "had gone and interviewed clients, my other clients would not have been abused. It is beyond the ability of any reasonable person to understand."

But 25 years ago, Isaacson noted, the Church was treated differently. "We were more respectful of priests than we would be today. It was a different era," he said.

Because priests were dedicated to service and poverty, Isaacson said, "they got a lot of respect ... When we encountered a priest in a home, the original assumption was that this was a good man. The commitment in those days was they would take care of the kids. That was very powerful."

In the late 1970s, Alpha Omega had two homes in Littleton, each housing 15 boys between the ages of 14 and 17. The homes were for youths with "serious acting-out problems," which included drug or alcohol abuse and car theft or worse crimes, according to Alpha Omega literature.

At the time, Alpha Omega was not an archdiocesan facility. It was run by a secular nonprofit in Malden called Adolescent Counseling in Development Inc., which Lane had helped found. (The facility is still open under the same name, but operated by Life Resources Inc., a separate corporation under the archdiocese.)

Scott Surrey, a member of the DYS evaluation team, said he did not anticipate a problem when he knocked on the door of the Alpha Omega home in 1976 or 1977. He and his team had done more than 30 inspections and expected to spend four or five days at the Littleton house, talking to staff, boys, and examining records.

But Lane refused to let the team in, even though blocking the team was in direct violation of his state contract, according to Surrey and Bellow.

Surrey said in an interview that Lane told him he didn't think it was appropriate for the team to observe group therapy. That, Surrey said, was "a ridiculous argument."

Upset and seeking the backing of superiors to get into the facility, Surrey and Bellow met with Isaacson. But he refused to help, said Surrey, Bellow, and David Danforth, a third member of the team.

The team never returned.

In 1978, the DYS received an allegation that Lane had fondled a boy from Alpha Omega at Lane's cottage in Barnstead, N.H., according to Watson and Dr. Stephen Howard, the center's medical director. Isaacson, in an interview, recalled that the accusation was that boys at Alpha Omega were rolling around on the floor in the nude, with maybe nude touching. When Lane was questioned about the charge, Isaacson said, "Lane made claims it was therapeutic and the kids were being honest with each other."

Isaacson said he found that explanation incredible.

But even when the DYS was confronted with the 1978 allegations, it participated in a resolution that allowed Lane to escape culpability,

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according to documents and interviews with the officials involved.

The DYS worked on the issue with the state Office for Children, which handled licensing of the facilities. On Oct. 20, 1978, the Office for Children wrote to Alpha Omega House and threatened to pull its license for "unusual treatment practices."

But at about that time, DYS officials met with officials from the Archdiocese of Boston. The state officials said they could not recall which Church officials were involved.

"My sense," said Watson, who was at the meetings, "was they [the archdiocese] knew they had a problem, and they were looking to minimize the exposure of the archdiocese and Bernie Lane."

Two other officials, one of them Isaacson, offered similar recollections.

Isaacson said the DYS didn't want publicity, either. Despite the problems, he said he believed the program was one of the better ones and he wanted to keep it open. Isaacson said he preferred ousting Lane.

By Nov. 15, the state and Alpha Omega had hammered out an agreement to keep its license, but Lane and Howard were forced to quit. One of the two houses at the Littleton facility was closed.

Howard, now a psychiatrist in Atlanta, believes the state overreacted.

"They jumped to the conclusion that all sorts of sex things were going on. I think it was greatly overblown," he said.

Asked whether he believed any of the people who have received settlements from the archdiocese, he replied, "I have no reason to believe any of that."

Alpha Omega's parent, Adolescent Counseling in Development, was also soon out of the picture, replaced by another nonprofit, Life Resources Inc.

Surette was put in charge and remained there until 1990.

Attempts to reach Lane were unsuccessful. Surette said he would not comment.

"Bernie messed with a lot of kids," said one man, who says he was molested by Lane when he was at Alpha Omega as a 17-year-old but has not filed a claim.

But his feelings are mixed about the place. A counselor helped straighten him out, and he is very grateful. "There was just one sour man who was taking advantage of kids there."

Lane, after leaving Alpha Omega for the Lowell parish, was later transferred to St. Maria Goretti in Lynnfield; St. Charles in Waltham, where he was in charge of altar boys and catechism classes; St. Anthony's in Cambridge; and Our Lady of Grace in Chelsea.

He went on sick leave in 1993, and then worked at Regina Cleri, the Boston home for retired priests, until he retired in the late 1990s. Some staff members at Alpha Omega were mystified by his departure, saying they heard rumors that the archdiocese thought Lane had gone too "secular," and wanted him to return to parish work.

Cornelius Coco, Alpha Omega's staff psychologist during the 1970s, said he did not learn the reason for Lane's departure until the accusations against him became public in January, and was shocked to read them.

Still, there had been clues to problems, he said. "There were occasions where Bernie would tell the staff that one of the boys had crawled into his bed, he had talked to the boy for a while, and then had sent him back to his own bed," said Coco.

Another staff member confirmed the account. Coco said he talked with the boys about the "inappropriateness" of this, but he added, "No one ever mentioned if it was the other way around."

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This story ran on page A1 of the Boston Globe on 3/25/2002.

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March 5, 2002

N. William Delker
New Hampshire Department of Justice
Office of the Attorney General
33 Capitol Street
Concord, NH 03301

Personal and Confidential

Re: Reverend Father Bernard J. Lane

Dear Mr. Delker:

After our conversation the other day, I did some research on the New Hampshire criminal statute of limitations on the matters we discussed. I do not believe based on my research (please refer to the enclosed documents) that my client and uncle would be subject to prosecution, even upon the exception mentioned in the newspapers here in Boston regarding out-of-state perpetrators.

My uncle has maintained a residence in New Hampshire for approximately thirty-eight years. He was stationed here in Massachusetts during most of that time and I suppose Massachusetts would be considered his domicile state, however he spent every weekend in Barnstead, NH, and all his vacations there year round throughout the past thirty-eight years. Since his retirement in 1999 New Hampshire has been his domicile state.

The civil allegations that have been brought against him here in Massachusetts all stem from a home for severely troubled and drug dependent teenage boys of at least 14 years of age, and usually older, back in the mid-nineteen-seventies. I therefore do not believe that any accuser would not have reached his fortieth birthday by this time, as I understand the statute of limitations to require. The current allegation is from a prisoner in the Souza-Baronowski Correctional Center, Shirley, Massachusetts where he is serving a life sentence.

In spite of the above, I want to continue to extend my invitation for a meeting if you should feel that it is or would be at any time appropriate. You must, and I am sure do, have a legitimate concern over the presence of any predators of teens or children living in your state, statute of limitations notwithstanding. I would welcome the opportunity, as would my client, to put those

N. William Delker
March 5, 2002
Page 3

Omega house. These people stand by Fr. Lane as a "solid man", in whose integrity they have no doubts (their words, not mine). I have received calls from a former state senator, and a prestigious lawyer (speaking on behalf of himself and his Malden Catholic classmates), who know Fr. Lane had ample opportunity to prey upon them at various times during his ministry when they were vulnerable, but he showed no such interest because he is not that type of priest or man.

The hysteria that has taken a strangle hold on the Archdiocese of Boston, and on Boston itself is frightening. This is no place currently to wear the collar. Mere accusation is as good as conviction. That worries me. Fr. Lane sees New Hampshire as a place of refuge where he is known and loved and trusted and where the people in a word are more sensible, and are more critical and skeptical of what they read in the papers. He was never a part of, nor did he ever visit, the camp referenced in the Herald, Camp Fatima.


He never loaned his house out to anyone besides family. Teenagers from parishes were invited on weekends and vacations both before and after the Alpha-Omega house to the home in Barnstead to get away for skiing etc. I personally brought dozens of my friends to the house for its beautiful lake view, thrilling skimobiling, and convenient access to Gunstock Mountain. It was a place of retreat and fun, not of sexual deviancy. As I recall all the many great times I shared there as a youth from about age seven until twenty, the mere thought of the accusations enrages me even now. Fr. Lane's family - brothers and sisters-in-law, and his nieces and nephews, were always present. I can vouch for that personally.

As a sudden after-thought, I will tell you that I plan to be at his house for a much needed retreat of my own this weekend. I will be with my wife. If you would care to join us for an informal visit, I feel I can offer such an invitation on his and my own behalf. I will also have my full file with me and I could show you credible evidence of the scam (and crime) that is being committed against Fr. Lane from within the prison walls of Shirley.

I have enclosed several articles that might interest you. A prison inmate sent me the more recent ones. The message was clear. The older ones I enclose merely to show you the type of courageous and decent man Fr. Lane really is.

Fr. Lane has nothing to hide. He is not flawless, and he has made mistakes of the past as we all have, but none of those, and I repeat none of those, includes sexually preying on children, young adults, or teenagers. When this hysteria passes, as it will someday, he merely wants his life back.

Very truly yours,



Gerard F. Lane II

TITLE LXII

CRIMINAL CODE

CHAPTER 625

PRELIMINARY

Section 625:8

625:8 Limitations. –

I. Except as otherwise provided in this section, prosecutions are subject to the following periods of limitations:

- (a) For a class A felony, 6 years;
- (b) For a class B felony, 6 years;
- (c) For a misdemeanor, one year;
- (d) For a violation, 3 months.
- (e) For an offense defined by RSA 282-A, 6 years.

II. Murder may be prosecuted at any time.

II-a. [Repealed.]

III. If the period prescribed in paragraph I has expired, a prosecution may nevertheless be commenced:

(a) Within one year after its discovery by an aggrieved party or by a person who has a duty to represent such person and who is himself not a party to the offense for a theft where possession of the property was lawfully obtained and subsequently misappropriated or for any offense, a material element of which is either fraud or a breach of fiduciary duty; or

(b) For any offense based upon misconduct in office by a public servant, at any time when the defendant is in public office or within 2 years thereafter; or

(c) For any offense under RSA 208, RSA 210, or RSA 215, within 3 years thereafter; or

(d) For any offense under RSA 632-A or for an offense under RSA 639:2, where the victim was under 18 years of age when the alleged offense occurred, within 22 years of the victim's eighteenth birthday.

IV. Time begins to run on the day after all elements of an offense have occurred or, in the case of an offense comprised of a continuous course of conduct, on the day after that conduct or the defendant's complicity therein terminates.

V. A prosecution is commenced on the day when a warrant or other process is issued, an indictment returned, or an information is filed, whichever is the earliest.

VI. The period of limitations does not run:

(a) During any time when the accused is continuously absent from the state or has no reasonably ascertained place of abode or work within this state; or

(b) During any time when a prosecution is pending against the accused in this state based on the same conduct.

Source. 1971, 518:1. 1973, 370:45. 1989, 97:1. 1990, 153:2; 213:2. 1993, 215:3, eff. Jan. 1, 1994. 2000, 173:1, eff. May 24, 2000.

Chapter 1-A: Sexual Assault and Related Offenses

Section 17-101. [Faint text]

Section 17-102. [Faint text]

Section 17-103. [Faint text]

Section 17-104. [Faint text]

Section 17-105. [Faint text]

Section 17-106. [Faint text]

Section 17-107. [Faint text]

Section 17-108. [Faint text]

Section 17-109. [Faint text]

Section 17-110. [Faint text]

Section 17-111. [Faint text]

Section 17-112. [Faint text]

Section 17-113. [Faint text]

Section 17-114. [Faint text]

Section 17-115. [Faint text]

Section 17-116. [Faint text]

Section 17-117. [Faint text]

Section 17-118. [Faint text]

Section 17-119. [Faint text]

Section 17-120. [Faint text]

[Repealed]

[Repealed]

Man jailed for false claims made against Archdiocese

LINN — A Lynn man has been sentenced to 23 months in the Essex County House of Correction for his role in attempting to defraud the archdiocese of Boston by submitting false claims of sexual abuse against a Catholic priest, Attorney General Tom Reilly said.

Sean Murphy, 37, pleaded guilty last week to conspiracy, attempted larceny, and soliciting others to commit larceny by re-

cruiting them to submit false claims.

Murphy, his mother, Sylvia, and Byron Worth, 43, of Ashburnham, falsely claimed that Worth, Sean Murphy, and his brother were sexually abused by a priest when they were children.

Sylvia Murphy has since died. Worth received a two-year sentence.

GLOBE STAFF

Handwritten note:
Murphy's role to
the

This story was virtually buried by The Boston Globe. It was only by accident that this fraud came to light. Sean Murphy and Byron Worth were inmates at MCI-Shirley when they read news reports of an accused priest and concocted their own claims.

Murphy's brother also claimed to have been accused, and the brothers convinced their (late) mother to help corroborate the charges. In their lawsuit, they cited their time in prison as "evidence" of how seriously impacted their lives were because of the priest's abuse.

These accusers and their attorney were in the process of demanding an out-of-court settlement from the Archdiocese of Boston in the amount of \$850,000.00. Before the settlement was reached, however, another inmate, who had served time with the accusers, exposed the scheme in his own deal with prosecutors.

Trio tried church scam Lynn mom, son charged in \$850G sex abuse fraud

BOSTON (AP) — Three people, including a mother and son, were indicted Thursday for allegedly trying to bilk the Archdiocese of Boston out of \$850,000 by falsely claiming sexual abuse against a priest, authorities said.

No money was ever paid.

Sean Murphy, 35, and his mother, Sylvia, 57, both of Lynn, were indicted by a Suffolk County grand jury on a charge of conspiracy and two counts of attempted false personation.

Archdiocese of Boston out of \$850,000 by falsely claiming sexual abuse against a priest, authorities said.

No money was ever paid.

Sean Murphy, 35, and his mother, Sylvia, 57, both of Lynn, were indicted by a Suffolk County grand jury on a charge of conspiracy and two counts of attempted false personation.

Attorney General Tom Reilly said the trio claimed that Worthy, Sean Murphy and his brother were sexually abused by a priest when they were children.

"We allege that those three took advantage of the existing and very real course of child abuse for their own financial gain, and that amounted to fraud against the Catholic church, not abuse," said Jerry Lesno, chief of Reilly's criminal division.

On April 7, 1999, Sean Murphy submitted two false claims seeking a total of \$850,000 from the Archdiocese, claiming he and his brother were abused as children.

FRAUD

FROM PAGE 1

would not leave the town.

To support the scheme, Sean Murphy had his mother create phony school records showing that the family had lived in the town more than two decades ago, Reilly's office said.

Worth also stated that he was abused there too, even though he was not living in that community either.

The brother whose name was released, was not charged.

Archdiocese spokesman John Papp said church officials have had no contact with the family since the indictments Thursday.

"It is important to note that we did not intend to prosecute Sean Murphy or his brother because they had been notified of their involvement by the Archdiocese of Boston," said Papp.

State police also noted that at the time of the alleged abuse, Murphy, Lynn and not in the community where he claimed a priest abused him. Murphy's attorney, John Papp, said the charges were filed in Lynn.

The charges of larceny and conspiracy each carry a maximum jail term of 2½ years. The charge of solicitation to commit larceny, which Sean Murphy also faces, carries a maximum one-year jail term.

Phone numbers for the three facing charges could not immediately be obtained and they could not be reached for comment.

They were scheduled for arraignment March 8 in Suffolk Superior Court.

Priest's accuser has record

Man was convicted of armed robbery six times, assault charges

BARNSTEAD (AP) — A man accusing a New Hampshire priest of sexually assaulting him nearly 25 years ago has a long police record.

Paul Cipperly was convicted of armed robbery six times, assault with a dangerous weapon, and assaulting a police officer, among other crimes. He is serving a life sentence in Massachusetts for armed robbery.

Cipperly claims to have been sexually abused by Rev. Bernard Lane of Barnstead while the priest directed the Alpha Omega House in Littleton, Mass., in the 1970s. He has been accused of abusing several teens during that time.

As the lawsuit against Lane works its way through court, both sides are citing Cipperly's record as compelling evidence.

Lane's supporters say the criminal record undermines Cipperly's credibility and the legitimacy of his claims. Meanwhile, Cipperly's lawyers contend it shows the sexual abuse led to Cipperly's troubled life.

Cipperly is eligible for parole in six months, and Lane's supporters believe that somewhat explains his lawsuit.

"If you look at his criminal record, he was an opportunist who was always trying to make a buck," Henry Smith, a friend of Lane's, told the Concord Monitor. "Now the guy's sitting in prison and he's still doing it."

But Cipperly's lawyers argue it's no surprise Cipperly has a criminal record. Lane met Cipperly — and the three to six other victims who have already settled allegations of sexual abuse against Lane — at the home he ran for troubled youths.

"At age (13) my client stole a car and was sent to Alpha Omega to be steered into the path of righteousness," said Nancy Lyons of Boston, Cipperly's lawyer. "He came out of there and committed armed robbery. I think you could argue both sides, but believe me, these clients are asking, 'If I wasn't abused, would my life be different today?'"

Lane has denied all the charges, both those pending and settled.

Details about the previous allegations are not available because the Archdiocese settled them before reaching the courts. Neither church officials nor lawyers will comment.

Lane's lawyer, Gerald Lane, who also is his nephew, said he knows of only three settled cases.

He also said the church resolved them without Lane's permission or an investigation to avoid a public scandal.

Gerald Lane also has questioned Cipperly's motive and timing. Cipperly was serving time with someone else who won a settlement against Lane, he said.

Cipperly, who was about 15 when he stayed at the Alpha Omega House in 1975, says he didn't recall the abuse until October 1999, when he was 37 and five years into his life sentence. He filed suit nearly two years later, after Boston church officials didn't respond privately to his complaint against Lane, Lyons said.

15 not 14

Priest Dissuades Man From Slaying, Suicide

The Boston Globe—Wednesday, November 3, 1943

LITTLETON—A 26-year-old man peacefully surrendered to his parish priest Tuesday after terrorizing his wife with a revolver and a hunting knife for more than an hour. Police said he threatened to kill her and then commit suicide.

Rev. Bernard J. Lane of St. Anne's Church persuaded William H. Horton to hand over the .32 calibre revolver and the knife, and to release his wife, Audrey, also 26. While they talked, more than a dozen armed state and local police surrounded the Goldsmith st. home of Horton's mother-in-law, Mrs. D. Duggan.

After Horton—an employee of the state Fish and Game Dept. at East Acton—surrendered, police drove him to the State Hospital at Gardner for observation.

Littleton Police Chief Donald Leighton said he and two men were called about 4 p.m. by Mrs. Duggan. They found Horton menacing his wife with a revolver and knife in a bedroom, Leighton said.

Horton shouted that he intended to kill her and then

himself, according to the chief.

State Police barracks at Concord was called and 10 troopers, armed with shotguns and tear gas soon arrived.

Meanwhile, Fr. Lane, Horton's parish priest, drove up. Seeing the police, he went inside. The priest said he told police to leave the bedroom, then started trying to persuade Horton to free his wife and give himself up.

While they talked, Mrs. Horton was led to safety by two Littleton policemen. When Horton discovered that she was gone, he surrendered.

"I don't know how long I talked or exactly what I said," Fr. Lane said. "I just kept talking about the domestic problems that were bothering him, and assured him that he could get help."

REV. BERNARD J. LANE
PREVENTED SLAYING

ARMED MAN'S WIFE SPARED

Priest Thwarts Tragedy

By JOHN J. COUGHLIN and JOHN J. LEE

PHILADELPHIA—The account of a Roman Catholic priest's thwarted possible tragedy were yesterday with the death—was not happy with to be passing by—killed an armed, 22-year-old man late on Sunday night.

Investigation indicated that the priest, who is not a priest's name on Griffith st. W. 11th and 12th and State Police officers indicated the Rev. Bernard J. Sullivan, 400 North 11th st., St. Mary's Church, Philadelphia, was in the house at the time of the shooting.

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PHILADELPHIA (AP)—A Roman Catholic priest, who is not a priest's name on Griffith st. W. 11th and 12th and State Police officers indicated the Rev. Bernard J. Sullivan, 400 North 11th st., St. Mary's Church, Philadelphia, was in the house at the time of the shooting.

1985

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MARK C. ROGERS

CHARLES J. DUNN (1901-1983)
OF COUNSEL:
JOHN F. DUNN

June 4, 2002

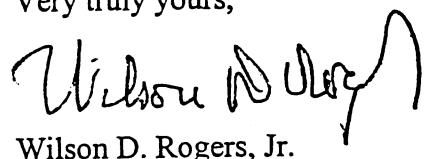
District Attorney Martha Coakley
Middlesex County
Superior Courthouse
40 Thorndike Street
Cambridge, MA 02141

Dear District Attorney Coakley:

In accordance with the letter agreement which this office signed on behalf of the Roman Catholic Archbishop of Boston, a Corporation Sole with the Attorney General's Office dated March 1, 2002, enclosed please find a copy of a claim letter which we have now received on behalf of [REDACTED] who has alleged that he was sexually abused by Rev. Bernard J. Lane.

Thank you for your attention to this matter.

Very truly yours,



Wilson D. Rogers, Jr.

WDR/ec
Enclosure

cc: Kurt N. Schwartz, Esquire

MAY 17 2002

1986

LAW OFFICES

RODRIGO L. SAAVEDRA, JR., P.A.

3000 NORTH FEDERAL HIGHWAY

BUILDING TWO, SUITE 200

FORT LAUDERDALE, FLORIDA 33308

TELEPHONE (954) 564-0503

TELECOPIER (954) 563-2546

RODRIGO L. SAAVEDRA, JR.

MICHAEL I. PUGLIESE

May 13th, 2002

Wilson D. Rogers, Jr., Esquire
The Rogers Law Firm
One Union Street
Boston, MA 02108

VIA CERTIFIED MAIL

RE: Claimant - [REDACTED]

Dear Mr. Rogers:

I contacted the Archdiocese of Boston, which suggested that this letter be routed to you.

This office represents [REDACTED] in connection with a number of sexual abuse incidents that occurred during either the summer of 1969 or the summer of 1970 involving the Reverend Bernard J. Lane. The incidents occurred in both New Hampshire and Massachusetts. It may have occurred in other states. At that time, [REDACTED] was an in-patient at an adolescent substance abuse facility located on Pleasant Street in Malden, Massachusetts next to the YMCA. He was an in patient at the facility for approximately six months. His recollection is that the program was abbreviated to ACID. The incidents of sexual abuse which will be detailed below occurred at the facility and also at the lake side home of Reverend Lane in Barnsted, New Hampshire. Apparently, Reverend Lane would take selected boys there on weekends.

My client recalls other patients such as [REDACTED] [REDACTED] being victims. My client also recalls a boy named [REDACTED] (last name unknown) who was sexually molested by Reverend Lane and as a consequence hung himself while at the facility.

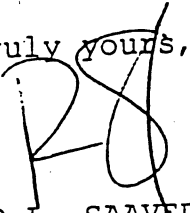
Wilson D. Rogers, Jr.
May 13th, 2002
Page 2

Father Lane's methods began with the boys attending group therapy while naked. Father Lane would assure them that this was a natural spiritual experience. Soon came back rubs. My client recalls being inappropriately touched in his genital area and buttocks and being made to lay face down naked while Father Lane rubbed his back. While on top of him, naked, Father Lane would masturbate and ejaculate over his buttocks and back. These incidents occurred both at the Malden, Massachusetts facility and at Father Lane's home in Barnsted, New Hampshire. Not surprisingly, [REDACTED] treatment program did not work and he went on to have a history of substance abuse.

My client's memories of the incident were suppressed and came to light when reading the articles in the *Boston Globe*.

I request that you contact me to discuss settlement of this claim within ten days of your receipt of this letter.

Very truly yours,


RODRIGO L. SAAVEDRA, JR.

RLS:nhc

cc: [REDACTED]

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MARK C. ROGERS

CHARLES J. DUNN (1901-1983)
OF COUNSEL:
JOHN F. DUNN

April 23, 2002

District Attorney Martha Coakley
Middlesex County
Superior Courthouse
40 Thorndike Street
Cambridge, MA 02141

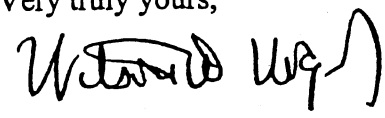
Dear District Attorney Coakley:

In accordance with the Letter Agreement which this office signed on behalf of the Roman Catholic Archbishop of Boston, a Corporation Sole with the Attorney General's Office dated March 1, 2002, enclosed please find a copy of a claim letter which we have received on behalf of [REDACTED] who has alleged that he was sexually abused by Rev. Bernard Lane.

By copy of this letter to Kurt Schwartz, I trust that you will notify the appropriate authorities in New Hampshire in this regard..

Thank you for your attention to this matter.

Very truly yours,



Wilson D. Rogers, Jr.

WDR/c
Enclosure

cc: Kurt N. Schwartz, Esquire

LAW OFFICE OF
CARMEN L. DURSO

Suite 3232
100 Summer Street
Boston, MA 02110-2104
TEL. (617) 728-9123
FAX (617) 426-7972
E-MAIL dursolaw@tiac.net

Carmen L. Durso
Rosanne Zuffante
Paralegal

Kenneth I. Kolpan, P.C.
Pamela K. Sutherland
Robert C. Gabler
Of Counsel

April 14, 2002

Wilson D. Rogers, III, Esquire
The Rogers Law Firm
1 Union Street, 3rd Floor
Boston, MA 02108

Re: [REDACTED]
Vs. Bernard Lane, et al

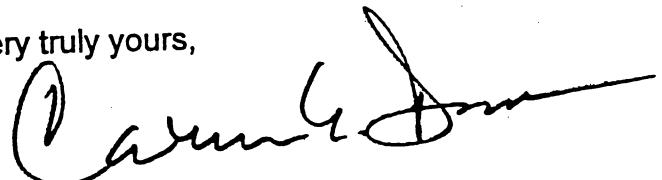
Dear Mr. Rogers:

I represent [REDACTED] in his claim against Bernard Lane and the Roman Catholic Archbishop of Boston, a Corporation Sole.

[REDACTED] s sexually abused by Bernard Lane, on multiple occasions, starting in 1976, when he was 15 years, through 1977. The abuse occurred at Alpha Omega, Littleton, MA, and in New Hampshire, and consisted of anal intercourse, oral intercourse, digital penetration, genital fondling, and sado-masochistic behaviors.

Kindly advise me if you need additional information, and please inform me at your earliest convenience as to the manner in which you expect to address this claim. Thank you for your courtesy in this matter.

Very truly yours,



Carmen L. Durso

CLD/sf

[REDACTED]

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CHARLES J. DUNN (1901-1983)
OF COUNSEL:
JOHN F. DUNN

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PETER POMMERSHEIM
MICHAEL J. FAZIO, JR.
WILSON D. ROGERS, III
FRANCIS J. O'CONNOR
MARK C. ROGERS

March 28, 2002

District Attorney Daniel F. Conley
Suffolk County
One Bullfinch Place
Boston, MA 02114-2997

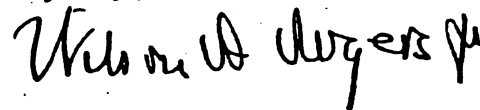
District Attorney Martha Coakley
Middlesex County
Superior Courthouse
40 Thorndike Street
Cambridge, MA 02141

Dear District Attorneys Conley and Coakley:

In accordance with the letter agreement which this office signed on behalf of the Roman Catholic Archbishop of Boston, a Corporation Sole with the Attorney General's Office, dated March 1, 2002, enclosed please find a claim letter which we have now received on behalf of [REDACTED] and [REDACTED] who have alleged that they were sexually abused by Rev. Bernard J. Lane, Rev. Melvin Surette and Dr. Scott Ward.

Thank you for your attention to this matter.

Very truly yours,



Wilson D. Rogers, Jr.

WDR/ec
Enclosures

cc: Kurt N. Schwartz, Esquire

HALSTRÖM LAW OFFICES, P.C.

ERIC N. HALSTRÖM, A.B., J.D.

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132 BOYLSTON STREET
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(617) 262-1060

AND

BOSTON FACSIMILE (617) 426-4791

OF COUNSEL

CHRISTOPHER G. KALTSAS, A.B., J.D.
GEOFFREY G. NATHAN, B.A., J.D.
BENGT STERNUNG, SWEDEN (1949-2000)

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CONSUMER TRIAL LAWYERS

CARLISLE FACSIMILE (978) 369-8298

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NAT'L TOLL FREE 1-800-442-9855

February 28, 2002

Reverend Bernard Cardinal Law
Cardinal Archbishop
Archdiocese of Boston
2121 Commonwealth Avenue
Brighton, MA

Re: Claim of Sexual Abuse of a Minor by Farther Bernard J. Lane

Dear Cardinal Law:

This office has been retained to represent [REDACTED]

[REDACTED] who allege that they were victims of sexual abuse by Father Bernard J. Lane at the Alpha Omega Center in Littleton, Massachusetts, in New Hampshire, and at the homes of Lane when in his custody.

[REDACTED] had been referred to Alpha Omega by the Division of Youth Services of the Commonwealth of Massachusetts. [REDACTED] or about 1975 at the age of 14. [REDACTED] or about 1976 at the age of 15. While clients of the program [REDACTED] and [REDACTED] allege they were repeatedly sexually abused by Lane. They allege further that after completion of the Alpha Omega program, Lane convinced them not to return home and to live with him at his home in Littleton. He told the boys he had obtained custody of them. He introduced them as his "two adopted sons".

[REDACTED] allege that they were also sexually abused by Father Melvin Surette, a friend of Lane's who visited the program and took the boys on boating trips or to his cabin in Nova Scotia. They allege further, that they were sexually abused by Dr. Scott Ward, a psychologist at Alpha Omega at his home on Beacon Hill in Boston and his cottage in Wellfleet, Massachusetts.

[REDACTED] aver that they had never told anyone of the events at Alpha Omega until they spent the weekend together last year and discovered that each had been abused by Lane.

HALSTRÖM LAW OFFICES, P.C.

[REDACTED] allege that Lane built up a trusting relationship with him by being sympathetic to [REDACTED] and [REDACTED] family turmoil and offering them a home with their own rooms, stereos, and clothes. Lane also had a cottage in New Hampshire with snowmobiles, boats, a lake and other amenities. This was also a site of sexual abuse.

Lane got them into Littleton High School. However, when they grew older, Lane took up with younger boys from the program and left them to their own devices in Littleton.

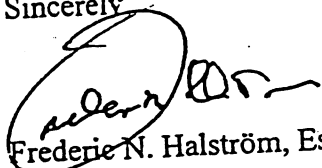
[REDACTED] alleges that on a re-awakening of the abuse by Lane, they realized that the abuse had caused them permanent psychological damages that have affected their relationships with others, engendered a sense of shame and secrecy that interfered with their ability to trust others and to maintain successful relationships with women.

Demand is hereby made for \$5,000,000.00 for each victim as compensation for the damages caused by the abuse of Lane, Surette and Ward.

A lawsuit will be filed in Suffolk Superior Court if this office does not hear from you within thirty (30 days) indicating the time frame you need to investigate this claim and propose an out of court settlement. If you have any questions or require additional information, we will try to be responsive to you.

The Law Office of Nance Lyons will serve as co-counsel in this matter.

Sincerely


Frederie N. Halström, Esq.

1993

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MARK C. ROGERS

CHARLES J. DUNN (1901-1983)
OF COUNSEL:
JOHN F. DUNN

June 13, 2002

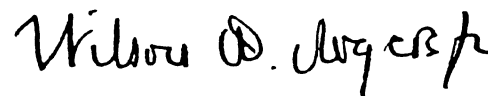
District Attorney Martha Coakley
Middlesex County
Superior Courthouse
40 Thorndike Street
Cambridge, MA 02141

Dear District Attorney Coakley:

In accordance with the letter agreement which this office signed on behalf of the Roman Catholic Archbishop of Boston, a Corporation Sole with the Attorney General's Office dated March 1, 2002, enclosed please find a copy of a Complaint which has been filed with the Suffolk Superior Court setting forth allegations of sexual abuse by Rev. Bernard J. Lane. We would request that you please secure the identity of John C. Doe from his Counsel.

Thank you for your attention to this matter.

Very truly yours,



Wilson D. Rogers, Jr.

WDR/ec
Enclosure

cc: Kurt N. Schwartz, Esquire

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK ss.

SUPERIOR COURT DEPARTMENT
CIVIL ACTION

JOHN C. DOE,
Plaintiff

v.

REVEREND FATHER BERNARD J. LANE,
ARCHDIOCESE OF BOSTON,
LIFE RESOURCES, INC. and ALPHA
OMEGA, INC.,

Defendants

COMPLAINT AND DEMAND FOR JURY TRIAL

PARTIES

1. The Plaintiff, John C. Doe, is an individual, residing at _____

2. Defendant Father Bernard J. Lane (hereinafter "Father Lane"), is a Roman Catholic priest, residing at 72 Lake Shore Drive, Barnstead, NH, 03225 and during 1973 through 1979 was assigned to the Alpha Omega in Littleton, (Middlesex), Commonwealth of Massachusetts. The incidents alleged herein occurred in Massachusetts and New Hampshire.
3. Defendant Archdiocese of Boston, ("Archdiocese") is a Corporation Sole organized and existing pursuant to Chapter 506 of the Massachusetts Acts of 1897, with a usual place of business at 2121 Commonwealth Avenue, Brighton (Suffolk) Massachusetts.
4. Defendant Life Resources, Inc is a not-for-profit corporation with its principal place of business at 140 Adams Street, Braintree, (Norfolk), Commonwealth of Massachusetts, and is engaged in the business of delivering services to youthful offenders referred by the Division of Youth Services of the Commonwealth of Massachusetts ("DYS").
5. Defendant Alpha Omega, Inc ("Alpha Omega") is a not-for-profit corporation with its principal place of business at 4 Omega Way, Littleton (Middlesex),

Commonwealth of Massachusetts, and is a subsidiary of Life Resources, Inc. and is engaged in the business of delivering services to youthful offenders referred by the Division of Youth Services of the Commonwealth of Massachusetts ("DYS").

STATEMENT OF FACTS

6. Plaintiff was referred by the Massachusetts Division of Youth Services to Alpha Omega for approximately seven (7) to nine (9) months from November, 1973 through July of 1974, at the age of fifteen.
7. Plaintiff resided at Alpha Omega for the term of his stay there.
8. Since his ordination, Defendant Father Lane was a priest in the Roman Catholic Church, incardinate to Archdiocese of Boston.
9. During the 1970's, Father Lane was assigned to Alpha Omega in Littleton, Massachusetts by Defendant Archdiocese.
10. Defendant Father Lane served as the Director of the program and supervised the Plaintiff during the Plaintiff's stay.
11. While Plaintiff resided at the Alpha Omega, in or about 1973-1974, Defendant Father Lane cultivated and maintained a close relationship with the Plaintiff.
12. During the time he was assigned to Alpha Omega, Defendant Father Lane initiated and engaged in a pattern and practice of explicit sexual behavior with the Plaintiff until Plaintiff left the program in 1974.
13. Plaintiff tried to escape from the program and Defendant Father Lane only to be returned by his parents.
14. After his return, Plaintiff was told the Defendant Father Lane that if he did not cooperate he would be sent back to a DYS facility.
15. The Alpha Omega Program, designed by Defendant Father Lane, and approved by the Defendant Archdiocese was sexually abusive in and of itself. It involved nudity, group nudity, dissemination of prurient magazines and encouragement of inappropriate physical conduct between the residents and with him. Defendant Father Lane told those in his charge that these behaviors would allow them to develop trusting relationships with others and help them open the door to their emotions. To encourage participation in these behaviors, Defendant Father Lane told his charges that there was nothing wrong with sexual arousal between or among males.

16. Defendant Father Lane frequently brought the Plaintiff into the Defendant's room or another room at the Alpha Omega or to his cottage in New Hampshire to engage in explicit sexual behavior.
17. The relevant sexual behavior in which Defendant Father Lane engaged with the Plaintiff during these visits included, but was not limited to statutory rape, repeated explicit sexual fondling and rubbing of the Plaintiff's body, including the Plaintiff's genitals, and having the Plaintiff fondle and perform fellatio on Father Lane. Lane also encouraged Plaintiff to engage in sexual conduct with other children assigned to Alpha Omega. This was criminal conduct under Massachusetts law.
18. At all material times relevant to the explicit sexual behavior alleged herein, Defendant Father Lane was supervised by Defendant Archdiocese of Boston.
19. On information and belief, Defendant Father Lane had committed sexual assaults on several other children prior to or concurrently with sexually assaulting the Plaintiff.
20. On information and belief, Defendant Father Lane's sexual activity with minors was reported to the Defendant Archdiocese of Boston.
21. On information and belief, Defendant Archdiocese of Boston knew or should have known that Defendant Father Lane was sexually abusing minors.
22. Despite such knowledge, Archdiocese of Boston took no action to restrict his activities with or access to minors.
23. As a result of the criminal rape and repeated sexual assaults and psychological abuse of the Plaintiff, committed by Defendant Father Lane, the Plaintiff has suffered extreme pain and suffering and psychological damage, including but not limited to depression, alcohol and drug addiction, feelings of guilt and confusion, anger, irritability, difficulty establishing and maintaining relationships with others, feelings of utter worthlessness and loss of self.
24. The criminal rape and repeated sexual assaults of the Plaintiff and emotional and psychological abuse by Defendant Father Lane caused the Plaintiff to repress his memories of the sexual assaults from the time of the events until February, 2002
25. Not until February 2002, did the Plaintiff have knowledge that his pain and suffering and psychological damage resulted from the sexual assaults and rape by Defendant Father Lane.

COUNT I
PLAINTIFF V. LANE
(ASSAULT)

26. The Plaintiff repeats and re-alleges the allegations contained in paragraphs one (1) through twenty-five (25) as if fully set forth herein.
27. By his sexual attacks, Defendant Father Lane intentionally placed the Plaintiff in apprehension of an imminent unwanted touching and thereby committed assaults upon him.
28. As a direct and proximate cause of Defendant Father Lane's assaults on the Plaintiff, the Plaintiff has suffered and will continue to suffer severe and permanent emotional and psychological injuries, financial losses for medical care and treatment, diminution of earning capacity, loss of enjoyment of life and other damages.

WHEREFORE Plaintiff demands judgment in his favor against DEFENDANT FATHER LANE in an amount to be determined, plus interest and costs, together with such other relief that the court deems just and equitable.

COUNT II
PLAINTIFF V. LANE
(BATTERY)

29. The Plaintiff repeats and re-alleges the allegations contained in paragraphs one (1) through twenty-eight (28) as if fully set forth herein.
30. By his sexual contact with the Plaintiff, Defendant Father Lane acted intentionally so as to cause harmful, offensive, and unpermitted physical contact with the Plaintiff, thereby committing batteries upon him.
31. As a direct and proximate result of Defendant Father Lane's battery of the Plaintiff, the Plaintiff has suffered and will continue to suffer severe and permanent emotional and psychological injuries, financial losses for medical care and treatment, diminution of earning capacity, loss of enjoyment of life and other damages.

WHEREFORE Plaintiff demands judgment in his favor against DEFENDANT FATHER LANE in an amount to be determined, plus interest and costs, together with such other relief as this court deems just and equitable.

COUNT III
PLAINTIFF V. LANE
(BREACH OF FIDUCIARY DUTY)

32. The Plaintiff repeats and re-alleges the allegations contained in paragraphs one (1) through thirty-one (31) as if fully set forth herein.
33. The Plaintiff, who was a minor when he was sexually assaulted and raped by the Defendant, was a vulnerable, impressionable child who, prior to the sexual assaults and rape, had great confidence in Defendant Father Lane.
34. Defendant Father Lane served as the Director of Alpha Omega and owed the Plaintiff a duty of care and faithfulness amounting to a fiduciary duty toward him.
35. By his conduct, Defendant Father Lane breached the fiduciary duty owed to the Plaintiff.
36. As a direct and proximate result of Defendant Father Lane's breach of his fiduciary duty to the Plaintiff, the Plaintiff has suffered and will continue to suffer severe and permanent emotional and psychological injuries, financial losses for medical care and treatment, diminution of earning capacity, loss of enjoyment of life and other damages.

WHEREFORE, Plaintiff demands judgment in his favor against DEFENDANT FATHER LANE in an amount to be determined, plus interest and costs, together with such other relief as this court deems just and equitable.

COUNT IV
PLAINTIFF V. LANE
(OUTRAGE)

37. The Plaintiff repeats and re-alleges the allegations contained in paragraphs one (1) through thirty-six (36) as if fully set forth herein.
38. By his conduct, Defendant Father Lane intended to and did inflict emotional distress upon the Plaintiff, who was then only a teenager. Defendant Father Lane knew or should have known that severe emotional distress was the likely result of his conduct.
39. Defendant Father Lane's conduct was extreme, outrageous, beyond all reasonable bounds of decency, and utterly intolerable in a civilized community.
40. The mental distress and emotional injuries which the Plaintiff suffered and continues to suffer are severe and of such a nature that no reasonable person could be expected to endure them.

41. As a direct and proximate result of the conduct of Defendant Father Lane, the Plaintiff suffered and will continue to suffer severe and permanent emotional and psychological injuries, financial losses for medical care and treatment, diminution of earning capacity, loss of enjoyment of life and other damages.

WHEREFORE Plaintiff demands judgment in his favor against DEFENDANT FATHER LANE in an amount to be determined, plus interest and costs, together with such other relief as this court deems just and equitable.

COUNT V
PLAINTIFF V. LANE
(NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS)

42. The Plaintiff repeats and re-alleges the allegations contained in paragraphs one (1) through forty-one (41) as if fully set forth herein.
43. When the Plaintiff was a teenager, Defendant Father Lane cultivated a close personal bond with him. Father Lane owed the Plaintiff a duty to exercise reasonable care in his relationship with the Plaintiff.
44. Defendant Father Lane failed to exercise reasonable care in his relationship with the Plaintiff, engaged in unlawful sexual conduct toward him, and was emotionally and psychologically abusive towards him.
45. Defendant Father Lane knew or should have known that his conduct would inflict harm on the Plaintiff.
46. A reasonable person in the Plaintiff's position would have suffered extreme mental distress and emotional injuries under these circumstances.
47. As a proximate result of Father Lane's conduct in forcing the Plaintiff, who was then a teenager, to submit to unlawful and outrageous sexual conduct, the Plaintiff suffered and will continue to suffer severe and permanent emotional and psychological injuries, financial losses for medical care and treatment, diminution of earning capacity, loss of enjoyment of life and other damages.

WHEREFORE Plaintiff demands judgment in his favor against the DEFENDANT FATHER LANE in an amount to be determined, plus interest and costs, together with such other relief as this court deems just and equitable.

COUNT VI
PLAINTIFF V. LANE
(NEGLIGENCE)

48. The Plaintiff repeats and re-alleges the allegations contained in paragraphs one (1) through forty-seven (47) as if fully set forth herein.

49. Defendant Father Lane owed the Plaintiff a duty of reasonable care to do nothing that would harm him. This duty included reasonable care during the period that Defendant Father Lane supervised the Plaintiff at Alpha Omega and whenever he took the Plaintiff to New Hampshire, or any other location away from Alpha Omega.
50. Defendant Father Lane breached his duty of reasonable care by engaging in the unlawful sexual conduct described above.
51. As a direct and proximate result of the conduct of Defendant Father Lane, the Plaintiff suffered and will continue to suffer severe and permanent emotional and psychological injuries, financial losses for medical care and treatment, diminution of earning capacity, loss of enjoyment of life and other damages.

WHEREFORE Plaintiff demands judgment in his favor against DEFENDANT FATHER LANE in an amount to be determined, plus interest and costs, together with such other relief as this court deems just and equitable.

COUNT VII
PLAINTIFF V. LANE
(VIOLATION OF PLAINTIFF'S CIVIL RIGHTS)
(M.G.L. c, 12 § 11H and 11I)

52. The Plaintiff repeats and re-alleges the allegations contained in paragraphs one (1) through fifty-one (51) as if fully set forth herein.
53. Defendant Father Lane was in a position of authority as a Roman Catholic priest and as Director of Alpha Omega when he sexually abused Plaintiff. Defendant Father Lane told Plaintiff that no one would believe him if he complained about the abuse; that only he or his family would be hurt by reporting the behavior; and, by stating that the behavior was appropriate between a boy and a man in order to coerce Plaintiff to engage in inappropriate sexual behavior.
54. By these statements and his behavior Defendant Father Lane engaged in threats, intimidation, and coercion in violation of Plaintiff's civil rights.
55. As a direct and proximate result of the conduct by Defendant Father Lane, Plaintiff has suffered and will continue to suffer severe and permanent emotional and psychological injuries, financial losses for medical care and treatment, diminution of earning capacity, loss of enjoyment of life and other damages.

WHEREFORE Plaintiff demands judgment in his favor against DEFENDANT FATHER LANE in an amount to be determined and punitive damages, plus interest and costs, together with such other relief as this court deems just and equitable.

COUNT VIII
PLAINTIFF V. LANE
(INVASION OF PRIVACY)
(M.G.L. c 214 § 1B)

56. The Plaintiff repeats and re-alleges the allegations contained in paragraphs one (1) through fifty-five (55) as if fully set forth herein.
57. Defendant Father Lane's conduct in sexually abusing Plaintiff constituted an invasion of Plaintiff's privacy, violative of M.G.L. c. 214 § 1B.
58. As a direct and proximate result of the conduct of Defendant Father Lane's, Plaintiff has suffered and will continue to suffer severe and permanent emotional and psychological injuries, financial losses for medical care and treatment, diminution of earning capacity, loss of enjoyment of life and other damages.

WHEREFORE Plaintiff demands judgment in his favor against DEFENDANT FATHER LANE in an amount to be determined, plus interest and costs, together with such other relief as this court deems just and equitable.

COUNT IX
PLAINTIFF V. LANE
(FALSE IMPRISONMENT)

59. The Plaintiff repeats and re-alleges the allegations contained in paragraphs one (1) through fifty-eight (58) as if fully set forth herein.
60. Defendant Father Lane, by segregating Plaintiff from others and using his status as a priest, deprived Plaintiff of his liberty on every occasion of sexual molestation.
61. Because of Defendant's position of authority, Plaintiff believed that he could not escape, avoid, or report the sexual conduct perpetrated by the Defendant.
62. As a result of the conduct of the Defendant Father Lane, the Plaintiff was falsely imprisoned.
63. As a direct and proximate result of the conduct of Father Lane, Plaintiff has suffered and will continue to suffer severe and permanent emotional and psychological injuries, financial losses for medical care and treatment, diminution of earning capacity, loss of enjoyment of life and other damages.

WHEREFORE Plaintiff demands judgment in his favor against DEFENDANT FATHER LANE in an amount to be determined, plus interest and costs, together with such other relief as this court deems just and equitable.

COUNT X
PLAINTIFF V. ARCHDIOCESE OF BOSTON AND LANE
(CIVIL CONSPIRACY TO INTENTIONALLY INFLICT EMOTIONAL DISTRESS)

64. The Plaintiff repeats and re-alleges the allegations contained in paragraphs one (1) through sixty-three (63) as if fully set forth herein.
65. At all times material Defendant Archdiocese had a policy of disregarding allegations of sexual abuse of minors at the hands of its employee clergy. Said policy included, *inter alia*:
- i. Ignoring reports of abuse brought by other priests, diocesan employee or volunteers, or members of the laity;
 - ii. Failing to investigate allegations brought to them by victims or their families;
 - iii. Failing to keep records of allegations of sexual abuse in the personnel file of the charged priest;
 - iv. Re-assigning the offending priest to another parish or assignment with no notice of his record to those at the new parish or assignment;
 - v. Forcing victims and their families into secret agreements, settling their claims;
 - vi. Failing to search for additional victims of abusing priests
 - vii. Failing to notify or warn the laity participating in or being served by the abusing priests;
 - viii. Failing to report the abuse to officials who would prosecute the abusing priest criminally;
 - ix. Deterring victims and their families from making reports to officials who would prosecute the abusive priest criminally;
 - x. Deterring victims and their families from bringing and prosecuting civil claims against the abusing priests;
 - xi. Deterring its employees and agents from reporting incidents of abuse to appropriate civil authorities.
66. Defendant Archdiocese knew or should have known that Defendant Lane was engaging in inappropriate sexual conduct with children.
67. Despite said knowledge, and in furtherance of its policy to ignore allegations of sexual abuse by clergy, and specifically, Defendant Father Lane, Defendant Archdiocese along with Defendant Lane conspired to conceal material information from the victims, other children and their parents, and the laity of the Roman Catholic Church. In doing so, Defendant Archdiocese intentionally evaded prosecution, obstructed justice, avoided public scandal, and failed to protect the victim and future victims. Defendant Archdiocese therefore directly and/or indirectly aided and abetted Defendant Lane in engaging in sexual conduct and concealing his behavior from prosecuting authorities and the public. Further,

Defendant Archdiocese and Lane obstructed victims and their families in the exercise of their rights to bring civil complaints against them.

68. Defendant Archdiocese and Defendant Lane each acted in concert with the other to conceal the true nature of Defendant Lane's sexual abuse of Plaintiff and conspired to emotionally injure Plaintiff and prevent him from seeking recovery and healing.
69. Through the power of this conspiracy Defendants knowingly and willfully inflicted severe emotional distress and other damages on Plaintiff.
70. As a result of the Defendants conspiracy and the acts they took in furtherance thereof, Plaintiff suffered and will continue to suffer severe and permanent emotional and psychological injuries, financial losses for medical care and treatment, diminution of earning capacity, loss of enjoyment of life and other damages.

WHEREFORE Plaintiff demands judgment in his favor against DEFENDANT FATHER LANE AND DEFENDANT ARCHDIOCESE OF BOSTON in an amount to be determined, plus interest and costs, together with such other relief as this court deems just and equitable.

COUNT XI

PLAINTIFF V. ARCHDIOCESE OF BOSTON, ALPHA OMEGA AND LIFE RESOURCES, INC. (PREMISES LIABILITY-FAILURE TO PROTECT PLAINTIFF AGAINST ASSAULT)

71. The Plaintiff repeats and re-alleges the allegations contained in paragraphs one (1) through seventy (70) as if fully set forth herein.
72. Defendant Life Resources, Inc. is a successor in interest to Alpha Omega.
73. Defendant Life Resources assumed all of the liabilities of Alpha Omega on takeover.
74. On information and belief, at all times material hereto, Archdiocese of Boston or Alpha Omega owned, operated, and/or maintained, and/or controlled the premises where the abuse occurred.
75. At all times material hereto, Defendant Father Lane was permitted on the premises by and with the knowledge of the Archdiocese of Boston and Alpha Omega.

76. At all times material hereto and more specifically at the time of the sexual abuse of Plaintiff, Defendant Father Lane was retained in his position at the premises by Defendant Archdiocese of Boston and Alpha Omega.
77. Defendant Archdiocese of Boston and Alpha Omega knew or should have known the risk of harm to children lawfully on said premises, including the Plaintiff, and disregarded the risk.
78. Defendant Archdiocese and Alpha Omega intentionally and/or negligently failed to warn said children and failed to control or supervise Defendant Father Lane while on said premises.
79. Defendant Archdiocese of Boston and Alpha Omega thereby intentionally and/or negligently failed to make said premises safe from the sexual assault of Plaintiff, perpetrated by Defendant Father Lane.
80. As a direct and proximate result of the conduct of the Archdiocese of Boston and Alpha Omega, the Plaintiff suffered and will continue to suffer severe and permanent emotional and psychological injuries, financial losses for medical care and treatment, diminution of earning capacity, loss of enjoyment of life and other damages.

WHEREFORE Plaintiff demands judgment in his favor against DEFENDANTS ARCHDIOCESE OF BOSTON AND ALPHA OMEGA in an amount to be determined, plus interest and costs, together with such other relief as this court deems just and equitable.

COUNT XII

PLAINTIFF V. ARCHDIOCESE OF BOSTON, ALPHA OMEGA AND LIFE RESOURCES, INC.

(PREMISES LIABILITY-FAILURE TO PROTECT PLAINTIFF AGAINST RAPE)

81. The Plaintiff repeats and re-alleges the allegations contained in paragraphs one (1) through eighty (80) as if fully set forth herein.
82. Defendant Life Resources, Inc. is a successor in interest to Alpha Omega.
83. Defendant Life Resources assumed all of the liabilities of Alpha Omega on takeover.
84. On information and belief, at all times material hereto, the Archdiocese of Boston and Alpha Omega owned, operated, and/or maintained, and/or controlled the premises where the abuse occurred.

85. At all times material hereto, Defendant Father Lane was permitted on the premises by and with the knowledge of the Archdiocese of Boston and Alpha Omega.
86. At all times material hereto and more specifically at the time of the sexual abuse of Plaintiff, Defendant Father Lane was retained in his position at the premises by Defendant Archdiocese of Boston and Alpha Omega.
87. Defendant Archdiocese of Boston and Alpha Omega knew or should have known the risk of harm to children lawfully on said premises, including the Plaintiff, and disregarding the risk.
88. Defendant Archdiocese and Alpha Omega intentionally and/or negligently failed to warn said children and failed to control or supervise Defendant Father Lane while on said premises.
89. Defendant Archdiocese of Boston and Alpha Omega thereby intentionally and/or negligently failed to make said premises safe from the rape of Plaintiff perpetrated by Defendant Father Lane.
90. As a direct and proximate result of the conduct of the Archdiocese of Boston and Alpha Omega, the Plaintiff suffered and will continue to suffer severe and permanent emotional and psychological injuries, financial losses for medical care and treatment, diminution of earning capacity, loss of enjoyment of life and other damages.

WHEREFORE Plaintiff demands judgment in his favor against DEFENDANTS ARCHDIOCESE OF BOSTON, ALPHA OMEGA AND LIFE RESOURCES, INC., in an amount to be determined, plus interest and costs, together with such other relief as this court deems just and equitable.

COUNT XIII
PLAINTIFF V. ARCHDIOCESE OF BOSTON
(VIOLATION OF CIVIL RIGHTS)
M.G.L. c. 12 § 11H and 11I

91. The Plaintiff repeats and re-alleges the allegations contained in paragraphs one (1) through ninety (90) as if fully set forth herein.
92. Defendant Archdiocese of Boston, by its mission to provide religious service to all Roman Catholic laity in its jurisdiction, oversaw a diverse array of programs directed at and involving children.
93. At all times material Defendant Archdiocese had a policy of disregarding allegations of sexual abuse of minors at the hands of its employee clergy. Said policy included, *inter alia*:

- i. Ignoring reports of abuse brought by other priests, diocesan employee or volunteers, or members of the laity;
 - ii. Failing to investigate allegations brought to them by victims or their families;
 - iii. Failing to keep records of allegations of sexual abuse in the personnel file of the charged priest;
 - iv. Re-assigning the offending priest to another parish or assignment with no notice of his record to those at the new parish or assignment;
 - v. Forcing victims and their families into secret agreements, settling their claims;
 - vi. Failing to search for additional victims of abusing priests
 - vii. Failing to notify or warn the laity participating in or being served by the abusing priests;
 - viii. Failing to report the abuse to officials who would prosecute the abusing priest criminally;
 - ix. Deterring victims and their families from making reports to officials who would prosecute the abusive priest criminally;
 - x. Deterring victims and their families from bringing and prosecuting civil claims against the abusing priests;
 - xi. Deterring its employees and agents from reporting incidents of abuse to appropriate civil authorities.
94. Defendant Archdiocese knew or should have known that Defendant Lane was engaging in inappropriate sexual conduct with children.
95. Despite said knowledge, and in furtherance of its policy to ignore allegations of sexual abuse by clergy, Defendant Archdiocese concealed material information from the victims, other children and their parents, and the laity of the Roman Catholic Church. In doing so, Defendant Archdiocese intentionally evaded prosecution, obstructed justice, avoided public scandal, and failed to protect the victim and future victims. Defendant Archdiocese therefore directly and/or indirectly aided and abetted Defendant Lane in engaging in sexual conduct and concealing his behavior from prosecuting authorities and the public. Further, Defendant Archdiocese obstructed victims and their families in the exercise of their rights to bring civil complaints against them.
96. This conduct by Defendant Archdiocese of deliberate indifference to the welfare of the children in its care, their families and the laity of the Roman Catholic Church violated the Plaintiff's civil rights.
97. As a direct and proximate result of the conduct of Defendant Archdiocese, Plaintiff has suffered and will continue to suffer severe and permanent emotional and psychological injuries, financial losses for medical care and treatment, diminution of earning capacity, loss of enjoyment of life and other damages.

WHEREFORE Plaintiff demands judgment in his favor against DEFENDANT ARCHDIOCESE OF BOSTON in an amount to be determined and punitive damages, plus interest and costs, together with such other relief as this court deems just and equitable.

COUNT XIV
PLAINTIFF V. ARCHDIOCESE OF BOSTON
(BREACH OF FIDUCIARY DUTY)

98. The Plaintiff repeats and re-alleges the allegations contained in paragraphs one (1) through ninety-seven (97) as if fully set forth herein.
99. The Plaintiff, who was a minor when he was sexually assaulted and raped by Defendant Father Lane, was a vulnerable, impressionable child who was placed in the care of Defendant Father Lane at Alpha Omega by the Archdiocese.
100. Defendant Archdiocese, owed the Plaintiff a duty of care and faithfulness amounting to a fiduciary duty toward him.
101. By its conduct, Defendant Archdiocese breached its fiduciary duty owed to the Plaintiff.
102. As a direct and proximate result of Defendant Archdiocese' breach of its fiduciary duty to the Plaintiff, the Plaintiff has suffered and will continue to suffer severe and permanent emotional and psychological injuries, financial losses for medical care and treatment, diminution of earning capacity, loss of enjoyment of life and other damages.

WHEREFORE, Plaintiff demands judgment in his favor against DEFENDANT ARCHDIOCESE OF BOSTON in an amount to be determined, plus interest and costs, together with such other relief as this court deems just and equitable.

COUNT XV
PLAINTIFF V. ARCHDIOCESE OF BOSTON
(NEGLIGENT HIRING/SUPERVISION)

103. The Plaintiff repeats and re-alleges the allegations contained in paragraphs one (1) through one hundred and two (102) as if fully set forth herein.
104. The Archdiocese of Boston had a duty to supervise the work of Defendant Father Lane.
105. The Archdiocese of Boston negligently failed to properly supervise Defendant Father Lane in his operation of Alpha Omega.

106. The Archdiocese of Boston knew that the participants in the Alpha Omega program were children between the ages of thirteen and eighteen.
107. The Archdiocese of Boston had a duty to make sure that children involved in programs run under the auspices of the Archdiocese of Boston were not exposed to sexual abuse.
108. The Archdiocese of Boston had a duty to create a supervisory system to monitor the behavior of the priests under its supervision and control.
109. Defendant Father Lane's conduct was undertaken in the course of his employment as a priest of the Archdiocese of Boston. Defendant Father Lane told Plaintiff the inappropriate behavior was essential to the Alpha Omega program and part of its therapeutic goal of improving the plaintiff's trust of and intimacy with their fathers, mothers, and siblings. He further represented that the conduct he advocated in the program would foster the Plaintiff's ability to form and maintain intimate, trusting adult relationships.
110. By negligently failing to properly supervise Defendant Father Lane and by failure to put in place a policy for the investigation and resolution of allegations of sexual abuse by priests, the Archdiocese of Boston breached its duty to Plaintiff to properly supervise the activities of Defendant Father Lane
111. As a direct and proximate result of the Archdiocese's negligent and wrongful acts or omissions, Plaintiff has suffered and will continue to suffer severe and permanent emotional and psychological injuries, financial losses for medical care and treatment, diminution of earning capacity, loss of enjoyment of life and other damages.

WHEREFORE Plaintiff demands judgment in his favor against DEFENDANT ARCHDIOCESE OF BOSTON in an amount to be determined and punitive damage, plus interest and costs, together with such other relief as this court deems just and equitable

COUNT XVI
PLAINTIFF V. ARCHDIOCESE OF BOSTON
(RESPONDENT SUPERIOR)

112. The Plaintiff repeats and re-alleges the allegations contained in paragraphs one (1) through one hundred and eleven (111) as if fully set forth herein.
113. At all times relevant hereto Defendant Father Lane and the priests who were superior to him were agents, servants, and/or employees of the Archdiocese of Boston.

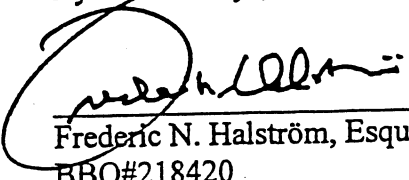
114. By creating the Alpha Omega Program Defendant Father Lane put himself in a position to gain exclusive access to Plaintiff and to use the powers and influence of his position and status as director of Alpha Omega to sexually abuse Plaintiff
115. Defendant Father Lane represented to Plaintiff that his actions were part of the rehabilitation program designed to assist wayward youth in more appropriate social behavior.
116. As a direct result of Defendant Father Lane's negligent conduct and the negligent conduct of superior priests in the ordinary course of their employment, the Plaintiff was damaged.
117. Defendant Archdiocese by its agents, servants and employees acting under the scope of their duties/employment was reasonably on notice that a priest could exploit the power of his position and his relationship with minors as a confidant and teacher to abuse and sexually molest them.
118. Despite this knowledge, Defendant Archdiocese did nothing to monitor, or supervise its agent Defendant Lane who assignment was one specifically related to the care of minors.
119. Defendant Archdiocese of Boston is vicariously liable for the negligent and intentional actions of its agent Defendant Father Lane, and the actions of the superior priests, all acting with the scope of their duties/employment.

WHEREFORE Plaintiff demands judgment in his favor against DEFENDANT ARCHDIOCESE OF BOSTON in an amount to be determined and punitive damage, plus interest and costs, together with such other relief as this court deems just and equitable

DEMAND FOR JURY TRIAL

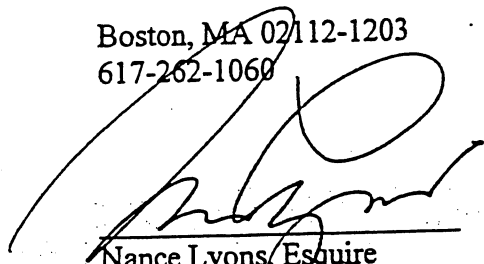
The Plaintiff demands a trial by jury as to all issues so triable.

Plaintiff,
By his attorneys,



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