

The State of New Hampshire

SUPERIOR COURT

10255

() COURT

(X) JURY

CHESHIRE COUNTY

WRIT OF SUMMONS

COPY



v. Roman Catholic Bishop of Manchester, Inc.
153 Ash Street
Manchester, NH 03105
AND
Gordon MacRae
c/o New Hampshire State Prison
P.O. Box 14
Concord, NH 03301

The Sheriff or Deputy of any County is ordered to summon each defendant to file a written appearance with the Superior Court at the address listed below by the return day of this writ which is the first Tuesday of February, 1995
YEAR MONTH

The PLAINTIFF(S) state(s):

- See attached PLEA -

and the Plaintiff(s) claim(s) damages within the jurisdictional limits of this Court.

William W. Cleary, Esq.
INDORSER (sign and print name) William W. Cleary, Esq.

12/08/94
DATE OF WRIT

NOTICE TO THE DEFENDANT

The Plaintiff listed above has begun legal action against you. You do not have to physically appear in Court on the return day listed above since there will be no hearing on that day. However, if you intend to contest this matter, you or your attorney must file a written appearance form with the Clerk's Office by that date. (Appearance forms may be obtained from the Clerk's Office.) You will then receive notice from the Court of all proceedings concerning this case. If you fail to file an appearance by the return day, judgment will be entered against you for a sum of money which you will then be obligated to pay.

Witness, JOSEPH P. NADEAU, Chief Justice, Superior Court.

Stillman D. Rogers
Stillman D. Rogers, Clerk
NH Superior Court Cheshire County
12 Court St PO 444
Keene NH 03431
(603) 352-6902

William W. Cleary, Esq.
SIGNATURE OF PLAINTIFF/ATTORNEY
William W. Cleary, Esq.
PRINTED/TYPED NAME
PARENT & CLEARY
206 Roxbury Street
ADDRESS
Keene, NH 03431 / (603) 357-3928
PHONE

RETURN OF SERVICE

_____ COUNTY _____ DATE _____, 19 _____

10256

I summoned the within named _____ by

giving in hand to _____

leaving at the abode of _____

at _____

an attested copy of this Writ/Petition to Attach at _____ a.m./p.m. this date.

SIGNATURE

TITLE

AGENCY

FEES: Service: \$ _____
Travel: _____
Other: _____
TOTAL: \$ _____

IN A PLEA OF LAW IN ACCORDANCE WITH THE ATTACHED DECLARATION

PARTIES

1. Plaintiff [REDACTED] is a resident of Cheshire County. His date of birth is [REDACTED]
2. Defendant Gordon MacRae was, at the time of the events alleged in this Writ, an employee and agent of the Roman Catholic Church, Arch Diocese of Manchester. He is presently a resident of the New Hampshire State Prison serving 33 1/2 to 67 years on convictions of aggravated felonious sexual assault and felonious sexual assault.
3. Defendant Roman Catholic Bishop of Manchester, Inc. is and has been at all times pertinent to this action, a non-profit corporation with its principal place of business in the City of Manchester, New Hampshire, and administers Our Lady of Miraculous Medal in Hampton, New Hampshire, St. Bernard's Parish in Keene, New Hampshire and Sacred Heart Church in Marlborough, New Hampshire.

JURISDICTION AND VENUE

4. Jurisdiction is vested in this Court pursuant to N.H. R.S.A. 491:7.
5. This court is the proper venue for this matter since the Plaintiff [REDACTED] resides in Cheshire County and the causes of action arose primarily in Cheshire County.

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BACKGROUND FACTS

6. Plaintiff ██████████ was adopted and came to New Hampshire as an infant. He was raised by his family as a devout Catholic with great respect, deference and reverence for Catholic priests.

7. Prior to 1981, while attending St. Mary's Seminary in Baltimore, Maryland, the Defendant Gordon MacRae became friendly with Plaintiff ██████████'s family and began to visit and stay with them at their home in ██████████ ██████████ after making gifts to Plaintiff ██████████ and his siblings.

8. In 1982 while a deacon at the St. Francis Parish in Groveton, New Hampshire, the Defendant Gordon MacRae counseled Plaintiff ██████████ and his brother ██████████ concerning the separation of their parents.

9. During the period of 1982 to 1984 while Defendant Gordon MacRae was an associate priest at Our Lady of Miraculous Medal in Hampton, New Hampshire and at St. Bernard's Parish in Keene, New Hampshire, he continued to counsel Plaintiff ██████████ concerning his relationship with his parents.

10. At all times during the relationship between Plaintiff ██████████ and Defendant Gordon MacRae, Father MacRae was under the supervision and authority of the Bishop of Manchester.

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11. From approximately June 1982 through June of 1983, Defendant Gordon MacRae was employed by and in the services of Defendant Roman Catholic Bishop of Manchester as Associate Pastor of the Hampton Church under the direct supervision of Monsignor Gerard Boucher, who was directly employed by and in the service of the Catholic Bishop of Manchester serving as Pastor of The Hampton Church.

12. Upon information and belief, during the spring of 1983, a young man by the name of [REDACTED] went to Monsignor Boucher and told Monsignor Boucher that something was not right with his relationship with Defendant Gordon MacRae. Monsignor Boucher responded to [REDACTED] by telling him not to worry, that Defendant MacRae would be leaving soon anyway. After this conversation, but before Defendant Gordon MacRae was transferred, Defendant MacRae fondled the sexual organs of [REDACTED] at least three or four more times.

13. In June of 1983, the Defendant Roman Catholic Bishop of Manchester, Inc. authorized the transfer of Defendant MacRae to Saint Bernard's Parish, in Keene, New Hampshire.

14. On or about September 1983, [REDACTED] went to Father Jim Watson, who was then employed by and in the service of Defendant Roman Catholic Bishop of Manchester, serving as Pastor of The Hampton Church. [REDACTED] told Father Watson that Defendant MacRae had done things to him that made him feel uncomfortable. In response, Father Watson told [REDACTED]

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[REDACTED] that these were very serious allegations and that [REDACTED] might want to reconsider.

15. At all times pertinent to this action, Defendant Roman Catholic Bishop of Manchester was the supervisory authority responsible for Defendant MacRae, Monsignor Boucher and Father Watson.

16. Upon information and belief, which information Plaintiff [REDACTED] believes to be true, at all times pertinent to this action, prior to Defendant MacRae's ordination as a Priest in the Roman Catholic Church, Defendant Roman Catholic Bishop of Manchester was also the supervisory authority responsible for other Priests in its service within the State of New Hampshire. Said other Priests had allowed Defendant MacRae admission into churches throughout the State of New Hampshire with unidentified teenagers, even after they had received notice of concerns about Defendant MacRae's appropriateness for Priesthood, based on evidence of psychological dysfunction. Through their actions, such priests had facilitated Defendant MacRae in his sexual molestation of said unidentified teenagers, including the aforementioned [REDACTED] and [REDACTED] and [REDACTED] brothers of Plaintiff [REDACTED] [REDACTED]

17. At the time of his assignment to Saint Bernard's Parish, Father Gordon MacRae was under the supervision of the Roman Catholic Bishop of Manchester, Inc., who had actual knowledge

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of Defendant MacRae's sexual interest in young boys as evidenced by a 1983 report to Bishop Odore Gendron, the then acting Bishop of Manchester, by the New Hampshire Division of Children and Youth Services and by the previously alleged conversations between [REDACTED] and Monsignor Boucher and Father Watson.

18. In the spring of 1982, while on a trip to Our Lady of Miraculous Medal, in Hampton, New Hampshire, Defendant MacRae supplied [REDACTED], then 13 years old, with alcohol, which he consumed and then became sick on. Defendant MacRae then had [REDACTED] remove his clothes and shower in his presence.

19. After showering, Defendant Gordon MacRae laid [REDACTED] down on a bed and fondled Plaintiff [REDACTED] genitals with his hands and kissed him all over his body.

20. This incident culminated with Defendant MacRae performing fellatio on [REDACTED]

21. During this same trip to Hampton, New Hampshire, Defendant MacRae removed [REDACTED] clothes and attempted to engage in anal sex with him.

22. During the years from 1982 until 1985, this pattern of attack was repeated on [REDACTED] approximately 20 times.

23. During the years from 1979 until 1985, Defendant MacRae plied [REDACTED] with gifts and money in an attempt to gain his continued cooperation.

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24. In the summer of 1985, Plaintiff [REDACTED] was informed he was to report to Saint Bernard's Church Rectory in Keene, New Hampshire for his reconfirmation counseling session with Father Gordon MacRae.

25. When Plaintiff [REDACTED] arrived for this session, he was led upstairs by Defendant Gordon MacRae. There Defendant Gordon MacRae again supplied Plaintiff [REDACTED] with alcohol, which Plaintiff [REDACTED] did consume.

26. While Plaintiff [REDACTED] was under the intoxicating influence of the alcohol, Defendant Gordon MacRae undressed Plaintiff [REDACTED] and performed fellatio on Plaintiff [REDACTED]
[REDACTED]

27. Defendant Gordon MacRae then left the room. A short time later, another person entered the room and also performed fellatio on Plaintiff [REDACTED]. Afterwards this person left and Defendant MacRae returned to the room. Defendant MacRae then attempted to perform anal intercourse on the person of Plaintiff [REDACTED]. However, he was unsuccessful in this attempt.

28. During the period of time of 1985 through 1987, Defendant MacRae solicited [REDACTED] for continued sexual activity as well as for the purpose of prostitution.

29. Plaintiff [REDACTED] was particularly vulnerable to inappropriate sexual advances, as he was a minor at the time of the incidents alleged in this Writ.

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30. During all sexual acts Defendant Gordon MacRae told Plaintiff [REDACTED] that they were doing nothing wrong because of their close relationship. At all times during such acts Plaintiff [REDACTED] was confused and conflicted because of the position of Defendant MacRae as a Roman Catholic Priest. It was not until counselling in 1993 that Plaintiff [REDACTED] realized that such acts were wrong and has caused him severe emotional, psychological and sexual harm.

31. At all times during this time period Defendant MacRae abused his influence and authority over the then minor [REDACTED].

32. Gordon MacRae's conduct, as described above, was malicious and wanton under the law of New Hampshire.

33. Roman Catholic Bishop of Manchester, Inc., was reckless and/or negligent under the law of New Hampshire.

34. The allegations set forth above apply to each and every one of the counts and causes of action set forth below.

COUNT IBATTERY

35. At all times pertinent to this writ, Defendant MacRae had a duty to Plaintiff [REDACTED] to refrain from engaging in intentional unpermitted sexual contact.

36. From approximately 1979 through 1987, Defendant MacRae did engage in repeated, intentional, unpermitted sexual

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contact with Plaintiff [REDACTED] which was offensive to Plaintiff [REDACTED] in that he disrobed Plaintiff [REDACTED] without his consent and performed fellatio on the body of Plaintiff [REDACTED] without his consent.

37. Such contact was harmful to Plaintiff [REDACTED] in that it caused him to suffer from fear, humiliation and shame.

38. Such contact was not consented to by Plaintiff [REDACTED] or otherwise privileged.

39. As a proximate cause of Defendant MacRae's intentional, unpermitted sexual contact with Plaintiff [REDACTED] Plaintiff [REDACTED] was caused to suffer severe sexual, psychological and emotional damage and will continue to suffer such damage in the future in an amount within the jurisdictional limits of the court.

40. Defendant MacRae is therefore liable to the Plaintiff for the intentional tort of battery.

COUNT IIASSAULT

41. At all times pertinent to this Writ, Defendant MacRae had a duty to Plaintiff [REDACTED] to refrain from threatening Plaintiff [REDACTED] with intentional, unpermitted and offensive contact.

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42. At all times material to this Writ, Plaintiff [REDACTED] was in apprehension of Defendant MacRae's immediate harmful and offensive physical contact with him.

43. This threatened action was not consented to by Plaintiff [REDACTED] or otherwise privileged.

44. As a proximate cause of Father MacRae's threat of intentional, unpermitted contact with Plaintiff [REDACTED] Plaintiff [REDACTED] was caused to suffer severe sexual, psychological and emotional damage and will continue to suffer such damage in the future in an amount within the jurisdictional limits of the court.

45. Defendant MacRae is therefore liable to the Plaintiff for the intentional tort of assault.

COUNT III

INVASION OF PRIVACY

46. At all times material to this Writ, Defendant MacRae had a duty to respect the privacy rights of Plaintiff [REDACTED]

47. Plaintiff [REDACTED] enjoys the right to be free from intrusion on his physical and mental solitude, as well as his sexual organs.

48. From approximately 1979 through 1987, on at least twenty different occasions, Defendant MacRae intruded on Plaintiff [REDACTED] right to solitude in a manner that would be considered objectionable to a reasonable person, namely that

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of disrobing Plaintiff [REDACTED] wholly without his permission and then performing fellatio on his person.

49. As a proximate cause of Defendant MacRae's invasion of Plaintiff [REDACTED] right to physical and mental solitude, Plaintiff [REDACTED] was caused to suffer severe sexual, psychological and emotional damage and will continue to suffer such damage in the future.

50. Defendant MacRae is therefore liable to the Plaintiff for the tort of invasion of privacy.

COUNT IVBREACH OF STATUTORY DUTYENDANGERING THE WELFARE OF A CHILD

51. At all times material to this Writ, Defendant MacRae had a duty to obey the laws of the State of New Hampshire, including RSA 639:3 (Endangering the Welfare of a Child), in his relationship with Plaintiff [REDACTED]

52. Defendant MacRae breached his statutory and common law duties to Plaintiff [REDACTED] by deliberately providing alcohol, engaging in sexual contact with the Plaintiff, soliciting the Plaintiff for prostitution and otherwise violating RSA 639:3 and engaging in harmful and unlawful offensive and unpermitted physical contact with the Plaintiff.

53. As a proximate cause of Defendant MacRae's breach of said duty, the Plaintiff was caused to suffer severe sexual, psychological and emotional damage and will continue to suffer

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such damage in the future in an amount within the jurisdictional limits of the court.

54. Defendant MacRae is therefore liable to Plaintiff [REDACTED] for this breach of his statutory duty.

COUNT VBREACH OF STATUTORY DUTYPROVIDING ALCOHOL TO A MINOR

55. At all times material to this Writ, Defendant MacRae had a duty to obey the laws of the State of New Hampshire, including RSA 179:5 (Prohibited Sales of an Alcoholic Beverage), in his relationship with Plaintiff [REDACTED]

56. Defendant MacRae breached his statutory and common law duties to the Plaintiff by deliberately providing alcohol to the Plaintiff, who was a minor at all times material to this complaint.

57. As a proximate cause of Defendant MacRae's breach of said duty, the Plaintiff was caused to suffer severe sexual psychological and emotional damage and will continue to suffer such damage in the future in an amount within the jurisdictional limits of the court.

58. Defendant MacRae is therefore liable to Plaintiff [REDACTED] for this breach of his statutory duty.

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COUNT VIBREACH OF STATUTORY DUTYAGGRAVATED FELONIOUS SEXUAL ASSAULTRSA 632-A:2 (I) (b) - INABILITY TO RESIST

59. At all times material to this complaint, Defendant MacRae had a duty to obey the laws of the State of New Hampshire, including RSA 632-A:2 (I) (b) (Aggravated Felonious Sexual Assault When Victim is Unable to Resist), in his relationship with Plaintiff ██████████

60. Defendant MacRae breached his statutory and common law duties to the Plaintiff by disrobing and performing fellatio on the body of Plaintiff ██████████ after he had plied Plaintiff ██████████ full of alcohol to the point that Plaintiff ██████████ was unable to resist.

61. As a proximate cause of Defendant MacRae's breach of said duty, the Plaintiff was caused to suffer severe sexual psychological and emotional damage and will continue to suffer such damage in the future in an amount within the jurisdictional limits of the court.

62. Defendant MacRae is therefore liable to Plaintiff ██████████ for this breach of his statutory duty.

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COUNT VIIBREACH OF STATUTORY DUTYAGGRAVATED FELONIOUS SEXUAL ASSAULTRSA 632-A:2 (I) (f) - INVOLUNTARY INTOXICATION

63. At all times material to this complaint, Defendant MacRae had a duty to obey the laws of the State of New Hampshire, including RSA 632-A:2 (I) (f) (Aggravated Felonious Sexual Assault When Victim is Involuntarily Intoxicated), in his relationship with Plaintiff [REDACTED].

64. Defendant MacRae breached his statutory and common law duties to the Plaintiff by plying Plaintiff [REDACTED] full of alcohol when Plaintiff [REDACTED] was unable to consent as he was under the legal age to consent and then by disrobing Plaintiff [REDACTED] and performing fellatio on his body.

65. As a proximate cause of Defendant MacRae's breach of said duty, the Plaintiff was caused to suffer severe sexual psychological and emotional damage and will continue to suffer such damage in the future in an amount within the jurisdictional limits of the court.

66. Defendant MacRae is therefore liable to Plaintiff [REDACTED] for this breach of his statutory duty.

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Page 14COUNT VIIIBREACH OF STATUTORY DUTYAGGRAVATED FELONIOUS SEXUAL ASSAULTRSA 632-A:2 (I) (k) - POSITION OF AUTHORITY

67. At all times material to this complaint, Defendant MacRae had a duty to obey the laws of the State of New Hampshire, including RSA 632-A:2 (I) (K) (Aggravated Felonious Sexual Assault When Perpetrator is in a Position of Authority), in his relationship with Plaintiff [REDACTED]

68. Defendant MacRae breached his statutory and common law duties to the Plaintiff by using his position of authority as Plaintiff [REDACTED] priest and counselor to engage in acts of sexual penetration with a person under the age of eighteen (18) namely Plaintiff [REDACTED]

69. As a proximate cause of Defendant MacRae's breach of said duty, the Plaintiff was caused to suffer severe sexual psychological and emotional damage and will continue to suffer such damage in the future in an amount within the jurisdictional limits of the court.

70. Defendant MacRae is therefore liable to Plaintiff [REDACTED] for this breach of his statutory duty.

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COUNT IXBREACH OF STATUTORY DUTYFELONIOUS SEXUAL ASSAULTRSA 632-A:3

71. At all times material to this complaint, Defendant MacRae had a duty to obey the laws of the State of New Hampshire, including RSA 632-A:4 (Sexual Assault by Having Sexual Contact with a Minor), in his relationship with Plaintiff [REDACTED]

72. Defendant MacRae breached his statutory and common law duties to the Plaintiff by engaging in sexual contact with a person under the age of eighteen (18) namely Plaintiff [REDACTED]

73. Defendant Gordon MacRae entered a negotiated plea to a criminal charge under this statute in Cheshire County Superior Court, Docket No. 93-S-0228.

74. As a proximate cause of Defendant MacRae's breach of said duty, the Plaintiff was caused to suffer severe sexual psychological and emotional damage and will continue to suffer such damage in the future in an amount within the jurisdictional limits of the court.

75. Defendant MacRae is therefore liable to Plaintiff [REDACTED] for this breach of his statutory duty.

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COUNT XBREACH OF STATUTORY DUTYPROSTITUTION AND RELATED OFFENSESRSA 645:2 I (a)- SOLICITATION

76. At all times material to this complaint, Defendant MacRae had a duty to obey the laws of the State of New Hampshire, including RSA 645:2 I (a) (Prostitution and Related Offenses), in his relationship with Plaintiff [REDACTED]

77. Defendant MacRae breached his statutory and common law duties to the Plaintiff by soliciting Plaintiff [REDACTED] to engage in sexual contact and penetration with Defendant MacRae and others, for consideration.

78. As a proximate cause of Defendant MacRae's breach of said duty, the Plaintiff was caused to suffer severe sexual psychological and emotional damage and will continue to suffer such damage in the future in an amount within the jurisdictional limits of the court.

79. Defendant MacRae is therefore liable to Plaintiff [REDACTED] for this breach of his statutory duty.

COUNT XIINTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

80. At all times material to this Writ, Defendant MacRae had a duty in his relationship with Plaintiff [REDACTED] to refrain

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from intentionally engaging in conduct that he knew or should have known would cause emotional distress to Plaintiff [REDACTED]

81. From 1979 until 1987, Defendant MacRae did engage in an intentional course of conduct, including sexual assaults, and harassment, directed at Plaintiff [REDACTED]

82. As a proximate cause of Defendant MacRae's course of conduct, the Plaintiff was caused to suffer severe sexual, psychological and emotional distress and will continue to suffer such distress in the future in an amount within the jurisdictional limits of the court.

83. Defendant MacRae is therefore liable to Plaintiff [REDACTED] for the intentional tort of intentional infliction of emotional distress.

COUNT XIIVIOLATION OF TRUSTCLERGY MALPRACTICE

84. Plaintiff [REDACTED] was a parishioner first of Sacred Heart Parish in Marlborough, New Hampshire and then of Saint Bernard's Parish in Keene, New Hampshire.

85. Defendant MacRae, as a deacon of Sacred Heart and then a priest at Sacred Heart and Saint Bernard's Parish, had a duty of care to act responsibly toward all parishioners, including Plaintiff [REDACTED]

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86. Defendant MacRae, as a deacon and priest of said Parishes, had a duty to exercise the influence of his position in a reasonable, benign and constructive manner.

87. Defendant MacRae breached the said duties of care and responsibility toward Plaintiff [REDACTED] by engaging in illegal and unpermitted sexual activities with Plaintiff [REDACTED] and inducing Plaintiff [REDACTED] to engage in harmful sexually oriented activities.

88. As a direct and proximate cause of Defendant MacRae's breach of care, Plaintiff [REDACTED] suffered severe sexual, psychological and emotional damage, and will continue to suffer such damage into the future.

89. Therefore, Defendant MacRae is liable to Plaintiff [REDACTED] for the tort of Violation of Trust, Clergy Malpractice.

COUNT XIIIGROSS NEGLIGENCE

90. In 1983, as stated above, Father Gordon MacRae was involved in an episode of sexual abuse with a minor while in the discharge of his duties as a parish priest in Hampton, New Hampshire. At that time, Defendant Catholic Bishop of Manchester, Inc., through its agent, Monsignor John P. Quinn, was informed of this incident by the State of New Hampshire Division of Children and Youth Services. However, Defendant Catholic Bishop of Manchester had knowledge of this incident

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even prior to this official report as it came to them directly from the minor involved, [REDACTED]

91. Yet wholly unmindful of the harm that could and would be caused, Gordon MacRae was transferred to Saint Bernard's Parish of Keene, New Hampshire by the Defendant Catholic Bishop of Manchester, Inc., where subsequent acts of sexual abuse of Plaintiff [REDACTED] occurred.

92. Catholic Bishop of Manchester, Inc. had a duty to use reasonable care to act in a manner that would not create foreseeable and unreasonable risks of harm to the Plaintiff [REDACTED] and others and to avoid damaging the Plaintiff [REDACTED] health, safety and welfare.

93. The failure of the Roman Catholic Bishop of Manchester, Inc. to notify the appropriate officials of the church in Keene, New Hampshire of Defendant MacRae's dangerous propensities when it learned of them or taking other action to prevent Defendant MacRae from coming into contact with children, was extreme and outrageous conduct.

94. As a direct, proximate and foreseeable result of the above described conduct of the Roman Catholic Bishop of Manchester, Inc., the Plaintiff [REDACTED] was caused severe sexual, psychological and emotional abuse and damage and will continue to suffer the same in the future.

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95. Therefore, the Defendant Roman Catholic Bishop of Manchester, Inc. is liable to Plaintiff ██████████ for the tort of gross negligence.

COUNT XIVRESPONDEAT SUPERIOR

96. At the time of the alleged improper conduct with the Plaintiff ██████████ by Defendant MacRae, Defendant Roman Catholic Bishop of Manchester, Inc., conducted its business through various parishes within the State of New Hampshire.

97. The Defendant Gordon MacRae was an agent of the Defendant Roman Catholic Bishop of Manchester, Inc. in that he was employed and worked for the interest of the diocese as its agent at Saint Bernard's Parish.

98. Part of Defendant MacRae's duties at Saint Bernard's and Sacred Heart's Parishes was administration of the religious education activities of the church, and Defendant MacRae was a particular favorite of many of the children of the parish.

99. At the time Defendant MacRae committed the acts alleged herein, he was acting within the scope of his employment and in furtherance of his employment by the Roman Catholic Bishop of Manchester, Inc.

100. The Defendant Roman Catholic Bishop of Manchester, Inc., owes a duty to the parishioners of Saint Bernard's Parish and the Plaintiff ██████████ as it is aware that its agents and

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representatives are accorded special trust, confidence and respect from their respective parishioners.

101. At the time of the acts alleges herein, Defendant MacRae was subject to the direct supervision, control and discretion of the Roman Catholic Bishop of Manchester, Inc.

102. The Defendant Roman Catholic Bishop of Manchester, Inc. has breached its duty to care to the Plaintiff [REDACTED] by the acts of its agent, Father Gordon MacRae while in the discharge of his duties as a priest and agent of the Roman Catholic Bishop of Manchester, Inc., as previously set forth in this writ.

103. As a direct and proximate result of this breach of its duty of care, the Plaintiff [REDACTED] suffered severe sexual, physical and emotional damage as previously alleged.

104. Therefore, the Defendant Roman Catholic Bishop of Manchester, Inc. is liable to Plaintiff [REDACTED] for the torts committed by its agent under the doctrine of respondeat superior.

COUNT XVNEGLIGENT HIRING

105. The Roman Catholic Bishop of Manchester, Inc., had knowledge that in his capacity as a parish priest, the Defendant Gordon MacRae, would come into contact with minor children, especially alter boys, choir members, members of

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church youth groups and in his capacity as administrator of religious education in Saint Bernard's and Sacred Heart's Churches.

106. The Roman Catholic Bishop of Manchester, Inc. had knowledge that in his capacity as a parish priest, the Defendant, Gordon MacRae would occupy a place of special confidence and trust in the lives of numerous minors.

107. As reported in early psychological evaluations and as a result of prior episodes in the life of Defendant Gordon MacRae, of which the Roman Catholic Bishop of Manchester, Inc. had actual knowledge, the Defendant, Gordon MacRae had proven himself unworthy of that special confidence and trust and had proven an inability to conduct himself appropriately in this relationship with minor children.

108. The Roman Catholic Bishop of Manchester, Inc. had a duty to employ and retain as priests only those persons who could conduct themselves adequately in their relationships with children and were worthy of the place of special trust and confidence that priests hold in the lives of parishioners. Yet, wholly unmindful of said duty, and in breach thereof, the Defendant, Roman Catholic Bishop of Manchester, Inc. did employ and retain Gordon MacRae as a parish priest and as the administrator of religious education at Saint Bernard's Parish in Keene, New Hampshire.

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109. As a direct, proximate and foreseeable result of the negligence of the Roman Catholic Bishop of Manchester, Inc., the Plaintiff [REDACTED] suffered severe sexual, psychological and emotional damages and shall continue to suffer such damage in the future.

110. Therefore, the Defendant Roman Catholic Bishop of Manchester, Inc. is liable to Plaintiff [REDACTED] for negligent hiring.

COUNT XVINEGLIGENT SUPERVISION AND TRAINING

111. The Defendant Roman Catholic Bishop of Manchester, Inc. had knowledge that its agents gave counseling, supervision, direction and spiritual guidance to young people.

112. The Defendant Roman Catholic Bishop of Manchester, Inc. knew, or should have known, that the Defendant Gordon MacRae, would be involved in like activities at Saint Bernard's Parish, especially in his capacity as administrator of religious education.

113. The Defendant, Roman Catholic Bishop of Manchester, Inc. had a duty to properly train, supervise, and control its agent priests, to ensure that its agent priests did not have the ability or opportunity to inflict injury on a member of the parish, especially those priests such as Gordon MacRae, who

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were known to be risks to the mental and physical health of members of the parish.

114. Despite having knowledge that the Defendant Gordon MacRae was a threat to the physical and mental well being of young people, the Defendant, Roman Catholic Bishop of Manchester, Inc. breached its duty of care to properly train and supervise the Defendant Gordon MacRae in his activities as priest and administrator of religious education at Saint Bernard's Parish in Keene, New Hampshire, by failing to institute an adequate training program to teach its representatives and priests to refrain from engaging in sexual contact with children and to report such behavior to the proper authorities when it is witnessed and by failing to remove Defendant MacRae from his priestly duties at the first indication that Defendant MacRae was a threat to the health and well being to the young and vulnerable members of the church.

115. As a direct, proximate and foreseeable result of the Defendant, Roman Catholic Bishop of Manchester, Inc.'s breach of the above described duty of care, the Plaintiff [REDACTED] suffered severe sexual, physical, mental and emotional damage.

116. Therefore, the Defendant Roman Catholic Bishop of Manchester, Inc. is liable to Plaintiff [REDACTED] for the tort of negligent supervision and training.

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Page 25COUNT XVIIENHANCED COMPENSATORY DAMAGES

117. The actions of the defendants were malicious and wanton actions, and Plaintiff [REDACTED] is therefore entitled to enhanced compensatory damages with respect to each cause of action set forth herein.

COUNT XVIIIATTORNEY'S FEES

118. The Plaintiff [REDACTED] has been forced to seek judicial assistance to secure the clearly defined and established rights set forth herein, and therefore is entitled to an award of attorney's fees based upon the malicious and wanton actions and bad faith of the Defendant's.

COUNT XIXDEMAND FOR A JURY TRIAL

119. The Plaintiff [REDACTED] demands a jury trial in this matter.

10:16PM FROM

KEENE P.D. - NH
P O L I C E

10

917720867 P.02
D E P A R T M E N T

S U P P L E M E N T R E P O R T

10282

CASE NUMBER : [REDACTED]
DATE PRINTED : 06/30/93
SUPPLEMENT OFFICER : JMCLAUGHLI 034

PAGE 001

SUPPLEMENT REPT DATE : 06/30/93
ORIGINAL DATE/TIME : 08/27/92 1237

* * * * N A R R A T I V E

14MAY93

I traveled with [REDACTED] to the Rockingham County Court House

[REDACTED] I met with Assistant County Attorney Robert Gainor. This meeting took place in Gainor's office and [REDACTED] was asked to relate specific information regarding his recall of events that took place in Hampton, New Hampshire. [REDACTED] first spoke about how he was able to fix the date of the incident. He recalled the season (out of school/summer) and related other facts recalled about the drive from Cheshire to Rockingham County. His parents were pending a divorce and the family's friend, Father Gordon Macrae, was turned to by [REDACTED]'s mother for assistance. Part of this assistance involved Father Macrae taking [REDACTED] on a short trip to Hampton. [REDACTED] would then be afforded the opportunity to be counseled by Father Macrae and would be out of the family setting.

[REDACTED] told how he was with Father Macrae as they traveled to Hampton. He recalled driving past Dublin Lake on Route #101 (major highway for east/west travel in southern New Hampshire). Father Macrae did speak with [REDACTED] about his father leaving the marriage. Once in Hampton they stopped at the Hampton church rectory. [REDACTED] was able to describe the first floor and the rooms later occupied for his overnight stay on the second floor. A maid also worked in the rectory and she served dinner. Both [REDACTED] and Father Macrae were at this dinner and [REDACTED] recalled that they had salmon to eat. Also at this dinner was another catholic priest and another adult male. [REDACTED] is not sure if this man was a priest or not.

After dinner and into the evening, [REDACTED] was on the second floor with Father Macrae. This second floor had a bar where Father Macrae served [REDACTED] alcoholic beverages. [REDACTED] recalls that these were mixed drinks. Father Macrae mixed them and he was given different types of hard liquor. Father Macrae did not have any alcohol to drink, [REDACTED] knew Father Macrae as a recovering alcoholic. [REDACTED] believes he spent about an hour drinking under Father Macrae's supervision and company. [REDACTED] states he became both drunk and nauseous from this drinking. He described how he was dizzy as well. [REDACTED] did not throw up but felt as if he might. This was [REDACTED]'s first experience with using alcohol.

Father Macrae assisted [REDACTED] in getting into his bed. [REDACTED] was in bed and dressed in only his undershorts. Father Macrae remained clothed. Father Macrae was at [REDACTED] bedside when he started to rub [REDACTED] body and this culminated with his fondling [REDACTED] genitals and then performing fellatio on [REDACTED] person. This act stopped when [REDACTED] ejaculated. [REDACTED] occupied a different bedroom than Father Macrae. After the sex Father Macrae spent the night in his own room.

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The next day ██████ got up and had breakfast with Father Macrae. This simply consisted of their having some juice and a donut at the rectory. They spent the day together in the Hampton area. ██████ recalled having lunch at a local McDonald's restaurant. After lunch Father Macrae drove to what appeared to ██████ as a very fancy, large and beautifully landscaped building. This was about a fifteen minute drive along the coast and north on Hampton. ██████ was instructed to wait outside as Father Macrae went into the building. Father Macrae returned after approximately fifteen minutes. It's unknown to ██████ as to what took place or the reason for the short visit.

They returned to Hampton and had dinner at a Pizza Hut restaurant which is located across the street from the rectory. The second night also involved time spent with Father Macrae on the second floor of the Hampton rectory. Again Father Macrae served ██████ alcoholic drinks from the bar. Again ██████ came under the influence of the drinks he was served by Father Macrae. ██████ then got dressed for bed, this being in his underwear. He was watching TV (same room as bar) with Father Macrae who started to kiss him and make other sexual advances. These advances included Father Macrae touching his genitals over his clothes. As a result of these advances ██████ decided to avoid contact with Father Macrae by going to bed.

When ██████ went to his bed he laid on his stomach so as to protect his genitals from being touched by Father Macrae. Father Macrae came into his room and started to massage his body. ██████ recalls Macrae as entering the room wearing a T-shirt and a pair of shorts, possibly boxer-type. ██████ recalled the room as being dark. Father Macrae also told ██████ that he wanted him to kiss him better, a reference to lip to lip kissing instead of the kiss to cheek that Father Macrae was performing earlier. ██████ avoided doing so. Father Macrae removed ██████'s underwear down to his knees. ██████ bent his knees to resist Father Macrae from removing them all together. Father Macrae continued to massage ██████ while in a straddled position over his person. From this straddle position Father Macrae continued to massage ██████ back. Father Macrae then pressed his penis against ██████ buttocks. ██████ further described Father Macrae's penis as going between his buttocks and against his anal opening. ██████ explained how he constricted his anal opening to thwart attempts by Father Macrae to enter him with his penis. ██████ states it seemed like Father Macrae was in his room for a long time, but that it was probably for about ten minutes before he left. ██████ speculates that Father Macrae left because he could detect the resistance shown.

The next morning ██████ got up and met with Father Macrae. Nothing was said at this point about the activities of the prior night. On the way back to Keene they stopped at the Mall of New Hampshire which is located in Manchester, New Hampshire. Father Macrae bought ██████ an expensive walkman tape player along with 3/4 tapes. After the purchase and while enroute to Keene Father Macrae asked ██████ to keep the activities of their weekend between them. Once they arrived at ██████ home Father Macrae came in with ██████ and spent a while there before leaving.

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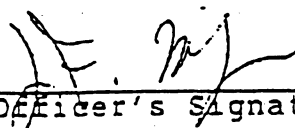
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[REDACTED] did not tell anyone about what had happened. He said he tried to put some efforts into forgetting about what had occurred. When he saw Father Macrae with other boys he would speculate to himself whether they also had the same type of things happening to them that he had experienced. [REDACTED] said at the time he was very confused over the sex with Father Macrae and questioned why his body would respond and troubled over his ejaculating and being erect. Due to this confusion [REDACTED] did not tell anyone about this.

30JUN93

I reviewed the above account with [REDACTED] and he confirmed that this is an accurate account.



Officer's Signature

Supr Intl

Approved By

S U P P L E M E N T R E P O R T

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SUPPLEMENT REPT DATE : 09/23/92
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* * * * N A R R A T I V E

22SEP92

1300HRS

As arranged ██████████ and his mother ██████████ came to my office for an interview. I had asked ██████████ to speak with his mother so some dates could be established. I was interested in what year MacRae came in contact with their family. The ██████████ believe this to be 1977. They came up with this date by way of two events. The first being a bicentennial celebration in Marlborough in 1976 which MacRae was not involved in. The second is the baseball world series involving Baltimore and Pittsburg. MacRae after knowing the family attended and bought T shirts for ██████████ and his brother. A check at the library revealed that these teams played each other in 1979. ██████████ is ██████████ older brother. ██████████ met MacRae first and through this meeting MacRae became friends with the family. ██████████ recalls that MacRae would show up at her home with donuts and juice for the kids. At times he also showed up with a bottle of hard liquor. ██████████ had to tell MacRae that she did not find this appropriate. The following year MacRae was involved in AA and his drinking stopped. ?

MacRae was not ordained at the time. He was a seminary student assigned to the catholic church in Marlborough and later at another church in Keene. ██████████ states she attended MacRae's ordination and believes this was in the early eighties and that his first assignment was at a church located in Hampton, New Hampshire.

██████████ believes he received his confirmation during the spring of 1986. This is a time that ██████████ was sexually solicited by MacRae for sex acts and prostitution. ██████████ would have been 17 years old at the time. Attempting to induce a subject under the age of 18 into prostitution is a class B felony. The statute would have lapsed on this charge in the spring of 1992. If charged under the sex crime section (RSA 632-A), then these incidents would still be in statute.

In 1987 ██████████ graduated from high school, lived away from home, and enlisted in the ██████████ ██████████ attended boot camp in ██████████ California. He also attended an ██████████ at the same base graduating in May of 1988. He was then assigned to the submarine base at ██████████ was discharged in January February of 1989. ██████████ states that his discharge was related to his ██████████ al abuse. Any time pressure was placed on him he would have ██████████ ash-backs of his abuse. This also occurred while he was on submarine missions. These missions involved being out to sea for three months and under water for 30 days at a time. While on leave just prior to going to sea ██████████ was also abusing alcohol and was arrested here in Keene for DWI. While visiting ports on sea duty ██████████ was calling his

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mother and reporting to her about his inabilities to perform his duties. When he brought this to the attention of his superiors he was processed and released from active service. This took place over a two week period. This process of discharge included psychological testing (from description MMPI), a talk with the chaplain, and a talk with the Captain of his vessel. [REDACTED] revealed his sexual abuse by a priests to this Chaplain who was also a catholic priest. *Notes?*

After [REDACTED] got out of the Navy he accompanied his brother [REDACTED] to MacRae's Keene apartment. [REDACTED] needed to get some of his possession from MacRae's apartment. [REDACTED] had spent a few weeks at MacRae's in between addresses. [REDACTED] speculates that MacRae saw them coming to his door. They knocked and MacRae asked who it was. They stated who they were and MacRae said they could come in and get the belongings but he would be in the shower. When they entered MacRae was in the bathroom and never came out. The shower was never on. [REDACTED] suspects that MacRae was scared that he and his brother meant him some physical harm. [REDACTED] states this was not the case and that he felt uneasy being in MacRae's apartment.

I asked [REDACTED] about MacRae involving him with other juveniles. I had heard from other children how MacRae had contact with each and that he was very careful about keeping his contacts separate. [REDACTED] was no exception. He explained that MacRae would explain to him that [REDACTED] was very jealous and that when he was visiting that [REDACTED] could not come in. [REDACTED] was also aware of MacRae's contact with [REDACTED] (foster child out of Berlin District Court). [REDACTED] went with MacRae on a visit to Groveton to pick [REDACTED] up on one occasion. [REDACTED] was told by MacRae that [REDACTED] gets jealous and that he was better off not discussing this with [REDACTED] since [REDACTED] would not admit to it. The same explanation was given for [REDACTED]. [REDACTED] explained that MacRae would not entertain two boys in his residence at the same time.

I asked [REDACTED] about MacRae photographing him. [REDACTED] has no recall of his being photographed naked. There is always the possibility that this could have been done surreptitiously. [REDACTED] explained that MacRae owned a video camera with tripod. He was also described as owning a large number of video tapes which were kept in a bookshelf. The tapes all had black cases and were not labeled. [REDACTED] also stated that she had made these same observations. [REDACTED] states that MacRae never exposed him to any pornography. [REDACTED] does recall that MacRae had a school picture of him and also recalls other pictures taken of him and his family. [REDACTED] also recalled that MacRae had a framed picture that included small snapshots of him, [REDACTED] and others.

[REDACTED] was born on [REDACTED] [REDACTED] was eight years old when MacRae came into the family. His sexual abuse occurred approximately between the ages of (10) ten and (16) sixteen years. This would cover years between 1979 and 1985. [REDACTED] was (18) eighteen in 1987. Effective same year (1987) was a law change establishing the running of the statute of limitations starting when the victim reached age (18) eighteen. In 1990 a new law established a statute of limitations to continue for 22 years after the victim's (18) birthday. All felonies

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committed against [redacted] after January 1st, 1981 (1987 minus 6 years) are thus in statute and will remain in statute until 2007. Since [redacted] birthday is in [redacted] we will look at criminal behavior starting when he was age 12. Acts prior to age 12 are recorded for consideration as prior bad acts (Rules of Evidence, Rule 404 [b]).

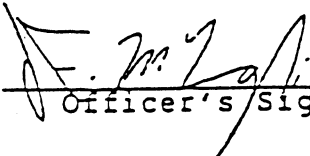
I asked [redacted] if he ever found himself reading a great deal about sexual abuse or avoiding it. [redacted] states he always avoided issues about sexual abuse and divorce. These two subjects were the result of a lot of harm to him. [redacted] confirmed that [redacted] took her divorce very hard and as a result made him very vulnerable to MacRae's manipulation. When ever [redacted] came across these issues he would seclude himself in his bedroom listening to music.

I asked [redacted] about his abilities to speak with MacRae over the telephone to collect more evidence against him. I had mentioned this possibility to [redacted] during our last meeting. [redacted] told me that he has given it a great deal of thought and in fact has had a number of bad dreams about it. At this time he does not believe he could do so. [redacted] did give me permission to correspond in his name with MacRae.

[redacted] also recalls that he received checks from MacRae when he was 14 and 15 years old. He does not recall what bank these checks were written on. I believe I can determine this through a theft and forgery case that MacRae was victimized by. A search warrant for checks issued by MacRae during these years might reveal some form of corroboration.


I discussed with [redacted] what was involved in a criminal investigation. Also discussed is [redacted] need for counseling and how this depends on insurance. I offered to contact Monadnock Family Services to answer this question. [redacted] mailing address is [redacted]

Investigation to continue. [redacted]



Officer's Signature

Supr Intl



Approved By

INVESTIGATION REPORT

10294

PAGE 001

E NUMBER : [REDACTED]
DATE PRINTED : 08/27/92
INVEST OFFICER : JMCLAUGHLI 034

PARTY NAME : MACRAE, GORDON J
ADDRESS : BOSTON, MA
DOB/PH#/LIC#/SS# : 04/09/53 //
PARTY TYPE : SUSPECT

PARTY NAME : SCRUTON, STEPHEN W
ADDRESS : 57 WEST 68TH ST APT6 NEW YORK, NY 10021
DOB/PH#/LIC#/SS# : 03/31/33 //
PARTY TYPE : SUSPECT

PARTY NAME : [REDACTED]
ADDRESS : [REDACTED]
DOB/PH#/LIC#/SS# : [REDACTED]
PARTY TYPE : VICTIM

CRIME1 : X ASSAULT AGGRAVATED FELONIOUS SEXUAL 632-A:2
CRIME2 : X ASSAULT FELONIOUS SEXUAL 632-A:3
CRIME3 : X ASSAULT SEXUAL 632-A:4
CRIME4 : X ENDANGERING WELFARE OF CHILD 639:3

DATE OF REPORT : 08/27/92
DATED DATE/TIME : 08/27/92 1237
FIRST DATE/TIME : 00/00/00 0000
SECOND DATE/TIME : / /

LOCATION OF CRIME : KEENE
STATUS OF CASE : INVESTIGAT SOLVABILITY FACTOR: 8
STATUS OF CRIME : ACTIVE
CLEARED DATE : / /
WEATHER : UNKNOWN

UCR REPORTABLE CRIME?: YES
UCR OFFENSE TYPE : #1-RAPE #2-RAPE #3-RAPE #4-NONRPTBL

SYNOPSIS

19AUG92
0725HRS

INTERVIEW OF [REDACTED]

I was contacted by [REDACTED] who made an appointment to speak with me about his sexual abuse experienced as a child by a catholic priest in Keene and other New Hampshire locations. As arranged [REDACTED] came in and we spoke in the interview room.

[REDACTED] first met Father Gordon J. MacRae while he was a practicing priest assigned to a parish in Marlborough, New Hampshire. [REDACTED] lived in Marlborough with his family and attended the same church. [REDACTED] believes he was ten years old when he met Father MacRae and continued to have contact with him through his graduating High school in 1987. [REDACTED] states the sexual abuse by Father MacRae occurred between ages ten (10) and

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sixteen (16) (years 1979-1985). ██████████ recalls that he was not sexually developed when Father MacRae abused him. He also recalls that the sexual abuse continued throughout his sexual development (ages 13-14) and until he was about age 16. Even after the overt sexual abuse stopped Father MacRae continued to solicit ██████████ into committing acts of prostitution with Father MacRae acting as his pimp. These solicitations were turned down by ██████████. These solicitations occurred between 1985 and 1987. ██████████ also told me that he felt that other priests were involved and that Father MacRae made inference to these other priests as being interested in having sex with him for money and that Father MacRae could set this up. ██████████ also gave information about another priest identified as Father Scruton as also sexually abusing him on at least two occasions. ██████████ also gave information about trips he went on with Father MacRae to other New Hampshire locations like Groveton where Father MacRae would visit a boy's group homes. Father MacRae had a relationship with one boy at Groveton. ██████████ was introduced to this subject by Father MacRae on one on their visits.

██████████ states that even before sexual contact took place that Father MacRae was always touching his person by hugging and kissing him. On one occasion when he was leaving he asked ██████████ to kiss which he did. Father MacRae reacted by telling ██████████ that he could do better than that and moved towards him for another kiss. ██████████ recalls that he backed off because he felt that Father MacRae wanted to kiss him lip to lip.

██████████ states that Father MacRae would always have a lot of video and camera around. ██████████ is unsure if he was ever filmed. He knows for certain that he was not overtly photographed but would not put it past Father MacRae to have filmed him covertly.

██████████ recalled for me how Father MacRae would always give him alcohol and encourage him to drink. At the same time Father MacRae represented himself as a recovering alcoholic and did not drink himself in front of ██████████. ██████████ recalls drinking to the point of being sick and at times to unconsciousness while in Father MacRae's care and presence.

(1) The first incident of sexual contact between ██████████ and Father MacRae took place while on a trip to Hampton, New Hampshire. They were staying the night at a catholic rectory. Father MacRae had ██████████ sit at a bar and served him hard liquor. ██████████ recalls that he was ten years old at the time and he got sick from the drinking. Father MacRae encouraged him to shower which he did. Father MacRae then had ██████████ who was now nude after shower, lay down on a bed. While on the bed Father MacRae fondled ██████████ genitals with his hand and kissed his body all over. This culminated with Father MacRae performing fellatio on ██████████ person. ██████████ states a part of him wanted to pretend that he was unconscious from the drink so he could have an excuse in allowing Father MacRae to perform on his person. Father MacRae himself was clothed during this incident.

I discussed with ██████████ about the feelings he was having for Father MacRae when he was younger and the sex started. ██████████ recalls that he had a good relationship with Father MacRae and he was someone who would listen and

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talk to him. He was also around when his parents divorced and he needed someone to turn to for help. As a result of his turning to another he was sexually abused and even know ██████████ states he has trouble trusting others in relationships. ██████████ recalls that most of his relationship with Father MacRae was good and he had to put up with the sexual abuse as a trade off. He recalls asking himself "Why me?", and wondered why his penis would become erect when touched by Father MacRae although his mind told him that what was taking place was wrong. ██████████ also at first questioned his own sexual orientation due to his penis becoming erect, his later ejaculating and receiving physical pleasure from the contact with Father MacRae. At the same time he also suffered form mental dissonance.

██████████ states that Father MacRae would tell him that they had a good friendship and that as a result he should not tell others what they did together. At the same time ██████████ was unable to turn to anyone and admit what was taking place because of the shame attached to the sex taking place. Father MacRae would also give ██████████ many gifts and money leading up to or after they would have sexual contact. Some of these gifts included for example music tapes and a walkman that he was asked to keep secret from his mother.

I asked ██████████ about the trips that Father MacRae used to bring him on. Most of these occurred on the weekends and sex would usually occur. Such locations as Hampton, Nashua, Merrimack, and Groveton are examples of location that ██████████ went to with Father MacRae. On these trips ██████████ and Father MacRae would stay at church rectory or at Father MacRae's friend's homes. Sexual contact would occur in Father MacRae's vehicle and/or at the residence where they stayed for the night.

When ██████████ was twelve (12) or thirteen (13) years old he would spent nights in the Keene rectory (ST Bernards). Father MacRae would fondle and perform fellatio on ██████████ when he spent the night. One one of these visits Father MacRae started to fondle and perform oral sex (fellatio) on him and then left the room, another priest, believed to be Father Scruton, came into the room and continued the oral sex (fellatio) on ██████████

██████████ recalls that Father MacRae preferred to fondle and perform oral sex his person. Father MacRae did not solicit ██████████ to perform these same sexual acts on him. The oral sex involved ██████████ ejaculating into Father MacRae's mouth when he was older (13+). Father MacRae did try to perform anal sex on ██████████ at least one occasion. This was when he was young (10 years) and they were visiting Hampton. ██████████ had to much to drink and recalls how Father MacRae turned him over and try to penetrate his anus with his penis. Penetration was not completed and ██████████ speculates this was due to his ██████████ small size and his efforts to constrict his muscles when Father MacRae's attempt was taking place.

During the eight and ninth grades ██████████ continued to realize that the sexual aspect of his relationship with Father MacRae was wrong and caused h a great deal of mental duress. As a result ██████████ started to pull away even after the sexual part o

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the relationship was stopped by ██████████. Father MacRae continued to solicit for sex. Father MacRae would tell ██████████ that he should do this for him, that all he had to do was lie there and let the person perform on him, that he didn't have to do it in Keene, and it would be dark in the room. ██████████ was told that Father MacRae would introduce him to these other people who would pay for his just laying there.

██████████ is also aware of Father MacRae's relationship with a boy with the first name of ██████████. Father MacRae did not involve both boys at the same time. Father MacRae would explain to ██████████ that he could not be with ██████████ when he had to spend time with ██████████. Father MacRae appeared to spend more time with ██████████ than with ██████████. Father MacRae explained to ██████████ that ██████████ did like others around when they spent time together.

Father MacRae for the most part would not disrobe when he was having sex with ██████████. ██████████ would see Father MacRae naked when they went to the YMCA to play racket ball together. After racket ball Father MacRae would have ██████████ take a whirlpool with him and at times Father Scruton joined them. It was during these times that ██████████ would be seated in the whirlpool and both Father MacRae and Father Scruton would be joined in conversation and they would alternate in rubbing their foot against his genitals. ██████████ was unsure if the priests were acting in concert or if they were unaware of each other's actions.

██████████ recalled how Father MacRae always appeared to his friends to be the best guy in the world. ██████████ said he was unable to tell them the truth about Father MacRae. ██████████ also told me that from being with Father MacRae he recognized that he constantly lied and was caught in many contradictions. After awhile it was hard to tell whether he was lying or not.

While in High school ██████████ recalls that his mother became suspicious of his relationship with Father MacRae and she asked him about it. ██████████ said he reacted by putting his head down and telling his mother he preferred not to talk about it. ██████████ had a girlfriend at the time and it was increasingly apparent to him that what Father MacRae was coercing him into was wrong.

Father MacRae was offering him the opportunity to be paid \$200.00 or \$250.00 for his having sex with others. Father MacRae kept telling him that all he had to do was just lie there. Father MacRae used to write ██████████ checks for amounts of 50.00 or more. ██████████ could not recall the bank. ██████████ also stated that Father MacRae would write these checks occasionally for cash and take the money out of church funds and give him the cash.

██████████ described his typical rectory stay as Father MacRae starting to touch him when he got ready for bed. ██████████ said he wanted to go to sleep and would beg Father MacRae to leave him alone so he could do so. Father MacRae would beg ██████████ and say "Come on, Come on" to get ██████████ to cooperate.

██████████ again told me how difficult it was for him to be sexually

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or not, questioned that their must have been something wrong with him, but at the same time was confused because he was sexually attracted to his girlfriend. [redacted] was very stressed over this and became depressed over the subsequent years trying to sort things out. As a result he feels his depression, flashbacks (seeing Father MacRae) and sleep disturbances are all related to his being sexually abused by Father MacRae. [redacted] feels very betrayed and hurt by what Father MacRae did to him as a youth. He feels his whole life has been ruined to date and that he needs therapy to sort through all of these issues.

[redacted] estimates that Father MacRae probably fondled his genitals at least fifty (50) times and performed fellatio on him about twenty (20) times, and tried anal sex once.

[redacted] told me that when he was going through confirmation classes at the church that each student was assigned a priest for counseling. He was assigned to Father MacRae. During his counseling sessions no religion was discussed. Instead Father MacRae took these opportunities to solicit him for sex and prostitution. This again included the offering of money (\$250.00) for [redacted] to meet others for sex that Father MacRae would set up. Again Father MacRae told [redacted] that all he had to do was lie there and that the lights would be out and he would not be required to perform any sex acts on the customer. Father MacRae told [redacted] that since he had done these things before with him, he didn't need any new reasons to do it again with others. Father MacRae also kept inviting [redacted] to the rectory for overnight stays.

I asked [redacted] who he has told about Father MacRae sexually abusing him. [redacted] states he had a former friend by the name of [redacted] who he told. [redacted] also told a former girlfriend, [redacted] was told that Father MacRae molested him but was not given a lot of the specifics. This conversation with [redacted] took place when Father MacRae was arrested in 1989. While in the U.S. Navy [redacted] found that he was having a hard time dealing with pressure and felt that his sexual abuse was the reason why. He went to a Navy Chaplain who is a catholic priest. [redacted] told this priest of his molestation by Father MacRae. This was while [redacted] was stationed at the [redacted] naval base in December of 1989. The Chaplain reacted by feeling sorry for [redacted] and telling him that not all priest would betray him like this. [redacted] received some type of testing and was discharge with a honorable discharge from the Navy. [redacted] states that there is a code on his discharge indicating that he was released early as a result of mental alth.)

[redacted] told me that thoughts of Father MacRae flood forth especially when things are not going well for him. [redacted] is plagued with thoughts of what was wrong with him for allowing Father MacRae to have sex with him and questions like, "Why didn't I stop it earlier".

[redacted] [redacted] of his relationship with

MacRae to assist with this investigation. I also later spoke with
and he stated that I was free to speak with his mother and

10299

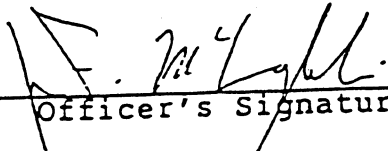
* * * * S Y N O P S I S

CASE NUMBER : ██████████ PAGE 006
PARTY NAME : MACRAE, GORDON J
DATE PRINTED : 08/27/92
INVEST OFFICER : JMCLAUGHLI 034

she had information that would assist this investigation on Father MacRae.


08:25 Interview over.

Investigation to continue.



Officer's Signature

Supr Intl



Approved By

NAVY - USN

CAUTION: NOT TO BE USED FOR IDENTIFICATION PURPOSES. THIS IS AN IMPORTANT RECORD. ANY ALTERATIONS IN SHADY AREAS RENDER FORM VOID.

DD FORM 1 JUL 79 214 PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE. CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY

1. NAME (Last, first, middle) [REDACTED] 2. DEPARTMENT, COMPONENT AND BRANCH: NAVY - USN 3. SOCIAL SECURITY NO. [REDACTED]

4A. GRADE, RATE OR RANK [REDACTED] 4B. PAY GRADE: EA 5. DATE OF BIRTH [REDACTED] 6. PLACE OF ENTRY INTO ACTIVE DUTY: KEENE, NH 10503

7. LAST DUTY ASSIGNMENT AND MAJOR COMMAND [REDACTED] 8. STATION WHERE SEPARATED [REDACTED]

9. COMMAND TO WHICH TRANSFERRED: NA 10. SGU COVERAGE: AMOUNTS 50 000 NONE

11. PRIMARY SPECIALTY NUMBER, TITLE AND YEARS AND MONTHS IN SPECIALTY (Additional specialty numbers and titles for multiple periods of one or more years)

12. RECORD OF SERVICE	YEAR (s)	MON (s)	DAY (s)
a. Date Entered AD This Period	87	ATG	21
b. Separation Date This Period	89	JAN	30
c. Net Active Service This Period	01	05	16
d. Total Prior Active Service	00	00	00
e. Total Prior Inactive Service	00	00	00
f. Foreign Service	00	00	00
g. Sea Service	00	06	16
h. Effective Date of Pay Grade	88	APR	15
i. Reserve Oblig. Term, Date	NA	NA	NA

13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service)
NONE

14. MILITARY EDUCATION (Course title, number weeks, and month and year completed)
[REDACTED]

15. MEMBER CONTRIBUTED TO POST-VIETNAM VETERANS' EDUCATIONAL ASSISTANCE PROGRAM: YES NO

16. MEMBER SCHOOL GRADUATE OR EQUIVALENT: YES NO

17. DAYS ACCRUED LEAVE PAID

18. REMARKS
[REDACTED]

4 1994

19. MAILING ADDRESS AFTER SEPARATION [REDACTED]

20. MEMBER REQUESTS COPY & BE SENT TO: DIR. OF VET AFFAIRS YES NO

22. TYPED NAME, GRADE, TITLE AND SIGNATURE OF OFFICIAL AUTHORIZED TO SIGN
[REDACTED] CODE, YPCS (45), USN, AFLTPERSOFFYDTRIC

SPECIAL ADDITIONAL INFORMATION (For use by authorized agencies only)

23. TYPE OF SEPARATION

24. CHARACTER OF SERVICE (Includes upgrades) 4

10306

36

NAVY OCCUPATION/TRAINING AND AWARD HISTORY
NAVPERS 1070/604 (Rev. 1/78) (S/N 0106-LF-010-694)

*See SUPERSMAN 3030280

1. NAVY ENLISTED CLASSIFICATION RECORD

2. DESIGNATOR RECORD

DATE	PRIMARY CODE	SECONDARY CODE	*OFFICER'S INITIALS
[REDACTED]	OG 9760	0000	[Signature]
[REDACTED]	0000	0000	[Signature]

DATE	DESIGNATOR	QUALIFICATION OR REVOCATION	*OFFICER'S INITIALS

3. RECORD OF NAVY SERVICE SCHOOLS ATTENDED (CLASS R, A, C, F, V AND E)

COURSE TITLE AND SCHOOL LOCATION
[REDACTED]

EARNED NEC	COURSE LENGTH	DATE ENROLLED
	22 WKS	24 Oct 87
DATE COMPLETED	FINAL MARK	CLASS STANDING
	SAT	

MANNER OF COMPLETION
 GRADUATED DROPPED FOR
 SIGNATURE: *R. J. Fangman*
 R. J. FANGMAN, GSS
 LEAD TRF CLK
 BY DIRECTION OF CO

COURSE TITLE AND SCHOOL LOCATION

EARNED NEC	COURSE LENGTH	DATE ENROLLED
DATE COMPLETED	FINAL MARK	CLASS STANDING

MANNER OF COMPLETION
 GRADUATED DROPPED FOR
 SIGNATURE:

COURSE TITLE AND SCHOOL LOCATION

EARNED NEC	COURSE LENGTH	DATE ENROLLED
DATE COMPLETED	FINAL MARK	CLASS STANDING

MANNER OF COMPLETION
 GRADUATED DROPPED FOR
 SIGNATURE:

COURSE TITLE AND SCHOOL LOCATION

EARNED NEC	COURSE LENGTH	DATE ENROLLED
DATE COMPLETED	FINAL MARK	CLASS STANDING

MANNER OF COMPLETION
 GRADUATED DROPPED FOR
 SIGNATURE:

4. TRAINING COURSES COMPLETED

5. EDUCATIONAL EXPERIENCE LEVEL

DESCRIPTION OF COURSE, RATE OR NAVPERS NUMBER	DATE COMPLETED	*OFF INIT	DESCRIPTION OF COURSE, RATE OR NAVPERS NUMBER	DATE COMPLETED	*OFF INIT

GED (MSI EQUIVALENT TEST)

DATE PASSED	OFF INITIALS

STATE THAT ISSUED DIPLOMA OR CERTIFICATE

COLLEGE LEVEL GENERAL EXAMS

DATE PASSED	OFF INITIALS

PRESENT LEVEL OF EDUCATION

12 13 14 15 16 17+

NAME (Last, First, Middle) COMPANY NAME SOCIAL SECURITY NO BRANCH AND CLASS

[REDACTED] [REDACTED] [REDACTED] USN

A-147 81

A. PERSONNEL ADVANCEMENT REQUIREMENT			7. PERFORMANCE TESTS			E. ADVANCEMENT: REDUCTION OR CHANGE IN RATING			
DESCRIPTION	DATE COMPLETED	*OFF. INIT.	DESCRIPTION	DATE COMPLETED	*OFF. INIT.	RATE ADVANCED, REDUCED OR CHANGED	EFFECTIVE	TIME IN RATE COMPUTED FROM	*OFF. INIT.
						FR 870821	870821	BLP	
						FR FA 24 1987	24 1987		
						FA 15.3 15 APR 88	JAN 88		

9. RECORD OF OFF-DUTY EDUCATION AND VOC/TECH TRAINING									
DATE COMPLETED	NUMBER AND TITLE OF COURSE OR TEST	SCHOOL	GRADE	*OFF. INIT.	DATE COMPLETED	NUMBER AND TITLE OF COURSE OR TEST	SCHOOL	GRADE	*OFF. INIT.

10. GOOD CONDUCT AWARDS			11. DECORATIONS: UNIT; AND MARKSMANSHIP AWARDS			
IRD NUMBER	DATE EARNED	*OFF. INIT.	AWARD	ACTIVITY	DATE OF AWARD	*OFF. INIT.

12. CAMPAIGN/SERVICE AND OTHER AWARDS					
AWARD	ENGAGEMENT(S)	*OFF. INIT.	AWARD	ENGAGEMENT(S)	*OFF. INIT.

13. OTHER TRAINING COURSES/INSTRUCTIONS COMPLETED				
DATE COMPLETED	TYPE OF COURSE AND/OR INSTRUCTION	DURATION	LOCATION	*OFF. INIT.
00T 8 4 1987	RECRUIT TRAINING	6 WKS	CRUITRACOM, NTC SAN DIEGO, CA	

A-148

NAVY OCCUPATION/TRAINING AND AWARDS HISTORY
TR 3 978/904 (REV. 11-81) SAN 0106-LF-010-0048

1. NAVY ENLISTED CLASSIFICATION RECORD				2. DESIGNATOR RECORD			
DATE	PRIMARY CODE	SECONDARY CODE	*OFFICER'S INITIALS	DATE	DESIGNATOR	QUALIFICATION OR REVOCATION	*OFFICER'S INITIALS
				02MAY88	SU	QUAL	TAF

3. RECORD OF NAVY SERVICE SCHOOLS ATTENDED (CLASS R, A, C, F, V AND E)

COURSE TITLE AND SCHOOL LOCATION [REDACTED]			COURSE TITLE AND SCHOOL LOCATION [REDACTED]		
EARNED NEC	COURSE LENGTH	DATE ENROLLED	EARNED NEC	COURSE LENGTH	DATE ENROLLED
	[REDACTED]	[REDACTED]		5 DAYS	[REDACTED]
DATE COMPLETED	FINAL MARK	CLASS STANDING	DATE COMPLETED	FINAL MARK	CLASS STANDING
[REDACTED]	3,330	30 in a class of 78	[REDACTED]	74.80	4 in a class of 86
MANNER OF COMPLETION <input checked="" type="checkbox"/> GRADUATED <input type="checkbox"/> DROPPED FOR			MANNER OF COMPLETION <input checked="" type="checkbox"/> GRADUATED <input type="checkbox"/> DROPPED FOR		
SIGNATURE: [REDACTED]			SIGNATURE: [REDACTED]		
COURSE TITLE AND SCHOOL LOCATION [REDACTED]			COURSE TITLE AND SCHOOL LOCATION [REDACTED]		
EARNED NEC	COURSE LENGTH	DATE ENROLLED	EARNED NEC	COURSE LENGTH	DATE ENROLLED
	12 DAYS	[REDACTED]			
DATE COMPLETED	FINAL MARK	CLASS STANDING	DATE COMPLETED	FINAL MARK	CLASS STANDING
88NOV04	76.30	6 in a class of 6			
MANNER OF COMPLETION <input checked="" type="checkbox"/> GRADUATED <input type="checkbox"/> DROPPED FOR			MANNER OF COMPLETION <input type="checkbox"/> GRADUATED <input type="checkbox"/> DROPPED FOR		
SIGNATURE: [REDACTED]			SIGNATURE: [REDACTED]		

E. A. COBT, YN05(SS), USN, AFLPERSOFFBYDIBOIC

4. TRAINING COURSES COMPLETED

DESCRIPTION OF COURSE, RATE OR NAVPERS NUMBER	DATE COMPLETED	*OFF INIT	DESCRIPTION OF COURSE, RATE OR NAVPERS NUMBER	DATE COMPLETED	*OFF INIT

5. EDUCATIONAL EXPERIENCE LEVEL

GED (HS) EQUIVALENT TEST

DATE PASSED	OFF. INITIALS

STATE THAT ISSUED DIPLOMA OR CERTIFICATE

COLLEGE LEVEL GENERAL EXAMS

DATE PASSED	OFF. INITIALS

PRESENT LEVEL OF EDUCATION

6

12 13 14 15 16 17+

SOCIAL SECURITY NO. [REDACTED] BRANCH AND CLASS U SN

A149 [REDACTED]

ADMINISTRATIVE REMARKS

FORMERS 1070/513 (REV. 10-81)
S-LP-010-0001

E-32

STATION

COMMANDING OFFICER, [REDACTED]

89JAN30: NOT ELIGIBLE FOR REENLISTMENT AND ASSIGNED A RESTRICTIVE REENLISTMENT (RE) CODE [REDACTED]

[Signature]
E. A. CODY, YNCS(SS), USN
AFLTPERSOFFBYDIROIC

I HEREBY ADKNOWLEDGE THAT I GAVE BEEN INFORMED THAT I AM NOT RECOMMENDED FOR REENLISTMENT AND HAVE BEEN ASSIGNED A RESTRICTIVE REENLISTMENT (RE) CODE OF [REDACTED] AND THAT AN ENTRY TO THAT EFFECT HAS BEEN MADE IN MY SERVICE RECORD.

[REDACTED]

[Signature]
WITNESSED: E. A. CODY, YNCS(SS), USN
AFLTPERSOFFBYDIROIC

NAME (Last, Middle, First)
JONAS, JONATHAN EDWARD

SSN
002-56-9235

BRANCH AND CLASS
USN A-152