

Priest accused of moral misdeeds by SRS

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Gazette State Bureau

HELENA — Allegations of homosexual behavior, assault, theft and administrative malfeasance were raised Friday by state officials against a priest who runs foster homes in Butte and Whitehall and who once led a fight to stop prostitution in the Mining City.

The allegations were raised against the Rev. Joseph Finnegan in connection with his administration of the Denny Driscoll Boys Home in Butte and the Will and Daisy Brasier Boys Ranch in Whitehall.

The State Bureau and The Gazette was unable to reach Finnegan for comment. Finnegan reportedly resigned earlier this month as administrator of the two foster homes. In 1968, he was in the forefront of the

Civic Action Committee that launched a campaign to close houses of prostitution in Butte.

The allegations are in a state Department of Justice report prepared for the state Department of Social and Rehabilitation Services, which licenses foster homes. The report, dated Aug. 20, was made public Friday at a meeting on the homes' licenses.

The report is not detailed. However, Justice Department official Fritz Behr testified under oath that the allegations "are supported by substantial evidence" that includes documents and statements by witnesses.

SRS listed the allegations in an Aug. 21 letter telling Finnegan that it would not renew the facilities' child-care licenses beyond Aug. 31. SRS said the facilities had violated eight licensure requirements involv-

ing proper child discipline, staff-to-child ratios and financial record-keeping.

The licenses subsequently were reinstated when Finnegan appealed. Nonetheless, the home and ranch closed in early September. Their 25 residents returned to parental homes or entered other foster homes.

Although the allegations involve possible criminal violations, no charges have been filed against Finnegan pending further investigation, Behr said.

A spokesman for Bishop Eldon Curtiss, whose diocese includes Butte, said Friday that no church disciplinary action has been taken against Finnegan. The spokesman said he has not seen the allegations.

Behr, administrator of the Justice Department's Law Enforcement Services Divi-

sion, said 140 people had been interviewed during a nine-month department investigation of the facilities' operation.

The Justice Department report lists the following allegations against Finnegan: "deviate sexual conduct (homosexuality), aggravated assault, assaults, intimidations, thefts, endangering the welfare of children, cruel and unusual punishments, civil rights violations, administrative malfeasance and malfeasance."

Richard Burns, lawyer for Finnegan and the two homes, said Friday he would ask the ranch and home to cooperate with an SRS financial audit beginning Oct. 10.

He did not respond to the allegations.

More on Priest, Page 2C



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The Billings Gazette

State

W Sunday, Sept. 30, 1979

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Priest

(Continued from Page 1C)

However, he accused SRS of illegally suspending the facilities' operating licenses. Burns said state law requires that before suspending a license the state must notify the licensee of "facts or conduct which warrant the intended action" and give him "the opportunity to show compliance with all lawful requirements for retention of the license."

"We've not been given that opportunity," Burns said. He said that in its Aug. 21 letter suspending the facilities' licenses, SRS stated in only general terms why it would not renew the licenses. SRS did not, Burns said, detail the facts for its suspension.

Friday's meeting was called to lay the

groundwork for a future, formal hearing on whether the two facilities meet state operating standards.

Debate also focused on whether Finnegan really has resigned as administrator, president and director of the two facilities. Burns said Finnegan has, but he could offer no written resignation letter at the meeting.

State corporation records list Finnegan as president and director of the Denny Driscoll Boys Home, the Will and Daisy Brasier Boys Ranch and the Butte Youth Services Center, which owns the property that the two foster homes occupy, a State Bureau check on Friday found.