

Jury acquits Joseph Finnegan

BUTTE (AP) — The Rev. Joseph Finnegan was declared innocent Saturday of the cloud that has hung over him for two years: accusations that he sexually molested teen-age boys who were his charges at the Denny Driscoll Boys Home here.

But his lawyers said the accusations have ruined the priest.

The jury returned its verdict about 12:30 a.m. after 12 hours of deliberations, and the announcement drew applause from about 20 spectators, some of whom had remained throughout the five-day trial.

Two hours earlier the jury had reported itself split 7-5, but District Judge Nat Allen of Roundup instructed the jurors to continue until they reached a decision. An hour later they reported a 9-3 split.

"The task of the jury is to reach a verdict," the judge said. "The ultimate responsibility is to issue a verdict."

Defense attorney Perry Moore of

Bozeman asked for a mistrial at that point, saying the judge's instruction and his tone of voice had prejudiced the jurors. Allen rejected the motion.

Finnegan, 42, was director of the boys home when the incidents allegedly occurred between May 16, 1976, and Sept. 13, 1978.

The five-count charge accused him of coercing three youths into committing homosexual acts with one another and exercising nude in Finnegan's office while he watched, of touching one boy's buttocks while conducting a strip search in his office and of fondling the testicles of another youth.

Finnegan testified that the incidents were complete fabrications.

Defense lawyers Moore and Barry O'Connell, also of Bozeman, hammered at inconsistencies and contradictions in the youths' testimony and statements they had given to investigators. They contended the young men were lying.

"These five youths hated Father



The Rev. Joseph Finnegan

Finnegan," O'Connell told the jury Friday. "They wanted to get back at Father Finnegan, and they wanted to get out of the home."

"You have seen what lies and rumors can do. They have ruined Father Finnegan, a Catholic priest. Two years in the newspapers and two years in the minds of Father Finnegan's fellow citizens has ruined him. To many people he's no longer what he was."

Assistant Attorney General Karen Townsend argued that the nature of the charges was testimony for their truthfulness.

"Why would five young men lie about an extremely embarrassing thing, using language that you heard, and subject themselves to humiliation in front of television cameras and the public?" she asked.

"Why would they subject themselves to this if they were not telling the truth?"