

AUTOPSY REPORT
Case A 72-49

PATHOLOGICAL DIAGNOSES ON THE BODY OF

Daniel Croteau
106 Ferncliffe Street
Springfield, Massachusetts

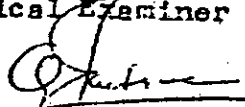
1. Multiple blunt injuries of the head, with:
 - a. Abrasions, lacerations and contusions of scalp and face;
 - b. Fracture of the skull with lacerations of the dura;
 - c. Subdural and subarachnoid hemorrhages;
 - d. Transection of cerebral peduncles;
 - e. Deep laceration at the pontine medullary junction;
 - f. Contusions and lacerations of cerebral hemispheres;
 - g. Comminuted fracture of the mandible.

2. Blunt injury of the neck, with:
 - a. Contusions of soft tissues;
 - b. Petechial hemorrhages of laryngeal mucosa;
 - c. Petechial hemorrhages about eyes.

OPINION

It is our opinion that Daniel Croteau came to his death as the result of multiple blunt injuries of the head with fractures of the skull and lacerations of the brain.
Homicide.

Edward I. Krugus, M.D.
Medical Examiner


George G. Katsas, M.D.
Forensic Pathologist

Commonwealth of Massachusetts.

FRANKLIN, SS.

At the Superior Court, holden at Greenfield, within and for the County of Franklin, for the transaction of criminal business, on the second Friday of February in the year of our Lord one thousand nine hundred and ninety-two

THE JURORS FOR THE SAID COMMONWEALTH, ON THEIR OATH, PRESENT THAT

RICHARD R. LAVIGNE

CT 1

of Shelburne Falls in the County of Franklin,

aforsaid,

~~XXXXXXXXXXXX~~

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

at Shelburne Falls

in the County aforsaid,

on divers dates and times from on or between February 15, 1982 and February 15, 1984, did commit an indecent assault and battery on C.P., a child under the age of fourteen years, whose name is known to the Grand Jury.

COUNT II: THE JURORS FOR THE SAID COMMONWEALTH, ON THEIR OATH FURTHER PRESENT, THAT,

RICHARD R. LAVIGNE

of Shelburne Falls in the County of Franklin, on divers dates and times from on or between February 15, 1982 and February 15, 1984 at Shelburne Falls in the County of Franklin, did commit an indecent assault and battery on C.P., a child under the age of fourteen years, whose name is known to the Grand Jury.

A TRUE COPY ATTEST

Doris G. Doyle
CLERK

A TRUE BILL

Maib... Foreman

Arion P. Vano Assistant District Attorney

2/25/92

Counsel: *Canon, J.*
Met. P. Stern x Patricia Casin

Plea: *NY*
Bail: *PR - Stay away ordered*
Disposition: *FTC 3/17/92 let 2PM*
att'ys conf.

6/25/92 at Newburyport
Vasterra, J.
Court aids case filed
w/ def's consent.

No. 92 029

COMMONWEALTH

vs.

RICHARD R. LAVIGNE

Rape of Child (Count I)
Indecent A & B on Child (Cts. II, III)

Chapter 265 Section 23
265 138

FRANKLIN, SS.

A TRUE COPY ATTEST

Doris B. Boyle
CLERK

The Superior Court

February Criminal Sitting, 19 92
Returned by Grand Jury February 14,
19 92 and filed by order of Court
February 14, 1992

Attest

Eun M. Booness

Asst. Clerk

COUNT II: THE JURORS FOR THE SAID COMMONWEALTH, ON THEIR OATH FURTHER PRESENT, THAT,

RICHARD R. LAVIGNE

of Shelburne Falls in the County of Franklin, on divers dates and times from on or between April 20, 1989 and April 20, 1991, at Shelburne Falls in the County of Franklin, did commit an indecent assault and battery on J.P.S., a child under the age of fourteen years, whose name is known to the Grand Jury.

COUNT III: THE JURORS FOR THE SAID COMMONWEALTH, ON THEIR OATH FURTHER PRESENT, THAT,

RICHARD R. LAVIGNE

of Shelburne Falls in the County of Franklin, on divers dates and times from on or between April 20, 1989 and April 20, 1991, at Shelburne Falls in the County of Franklin, did commit an indecent assault and battery on J.P.S., a child under the age of fourteen years, whose name is known to the Grand Jury.

COUNT IV: THE JURORS FOR THE SAID COMMONWEALTH, ON THEIR OATH FURTHER PRESENT, THAT,

RICHARD R. LAVIGNE

of Shelburne Falls in the County of Franklin, on divers dates and times from on or between April 20, 1989 and April 20, 1991, at Ashfield in the County of Franklin, did commit an indecent assault and battery on J.P.S., a child under the age of fourteen years, whose name is known to the Grand Jury.

TRUE COPY ATTEST

A True Bill

Doris G. Doyle
CLERK

Marjorie A. MacFarlane Foreman

Anne D. Vains

Assistant District Attorney

4/22/92 at 11:00 am, common, Y.
Counsel: *Mark D. Stearns & Patricia Garin*

No. **92-028**

COMMONWEALTH

vs.

RICHARD R. LAVIGNE

Rape of Child (Count I)
Indecent A & B. on person over 14
(Counts II & III)

Chapter 265 Section 23
265 13H

FRANKLIN, SS.

The Superior Court

February : Criminal Siting, 19 92
Returied by Grand Jury February 14,

1992, and filed by order of Court
February 14, 1992

Attorney *Erin B. ...*

Asst. Clerk

A TRUE COPY ATTEST

Louis B. Doyle
CLERK

Plea: *Not Guilty*
Bail: *Stay away ordered*
Disposition: *RTC 3/10/92 10am - atyp.cof*

*4/25/92 at Newburyport, Victoria,
Dept. changes plea to guilty on
ct. III, accepted. Sentencing
mem. entered. Sent. to
1 ypr Hampshire Cty, N.Y.C.
Sup. 6/10 ypr Prob. Spec.
Cond. of prob. (C) entered the
St. Louis Psychiatric Hospital
in Maryland for 18 months less
then 17 months more than
1 ypr. (2) Stay away from Victoria
(3) Not fair if hospitalized with
child, under 10 ypr (3) No
job with unsupervised contact
w/ child, and 16 ypr (3) No
unsupervised contact w/ any
child. Under 16 ypr. (3) Passed
173 Vict. Ant. Type.*

92-028

TERMINATION
NOTICE

CITY (TOWN) OF CHICOPEE
STATE DEPT. OF

242

Name RICHARD LAVIGNE Date 8-4-58
 Department PARKS AND PLAYGROUNDS Last Date of Employment 7-30-58
 Position ASST. RECREATION LEADER *C. S. Cert. No. _____

(SEE REVERSE SIDE FOR INSTRUCTIONS)

Be sure complete information is given and instructions followed, otherwise form will be returned.

Indicate absence or termination of employment by checking one of the following terms:

Leave of Absence (State duration & reason)	*Discharged—State Reason	Resigned—State Reason
Entered Military Service	*Suspended for Cause (State Duration and Facts in Detail)	(If member of fire or po- lice department, state whether or not charges were pending)
*Layoff—Lack of Work or Funds	*Position Abolished	Resignation - Illness
Temporary Transfer		Retired
Expiration of Temporary Employment	*I hereby certify that the provisions of G. L., C. 31, S. 43 have been com- plied with in the case of this em- ployee.	Pensioned
Illness		Died
Injury		

REMARKS

Undesirable person to be around children

Recorded by _____
 Treasurer _____
 Signature of Appointing Authority J. Preston
 Recorded by _____
 Auditor _____
 Signature of Auditor Joseph A. Pitchcott (Over)

Addendum D

- 1. Civil Service
- 2. Auditor
- 3. Treasurer
- 4. Department Personnel

THE COMMONWEALTH OF MASSACHUSETTS
 DIVISION OF CIVIL SERVICE
 AUTHORIZATION AND NOTIFICATION OF EMPLOYMENT FORM
 (FOR PROVISIONAL APPOINTMENTS)

City/Town Chicopee
 Department Parks & Playground
 Division _____
 Date May 23, 1958
 Requisition Number CG 7504

is hereby given to fill the position set forth in your requisition of May 13, 1958 by provisional appointment of a veteran, (see law governing provisional appointments of veterans on reverse of this form) for the following period: October 1, 1958

Title Assistant Recreation Leader Number of Vacancies 23
 Salary 30.00 per week war duration increase or bonus: _____ per _____
 Board furnished, to what extent: _____ Meals _____ Rooms _____
 Temporary _____ Military Substitute _____
 Part-Time _____ Intermittent _____

Thomas J. Grechan
 THOMAS J. GRECHAN
 Director of Civil Service

NOTIFICATION OF EMPLOYMENT UNDER ABOVE AUTHORIZATION
 Director of Civil Service: _____
 selected for provisional appointment in accordance with law and the above authorization the following:

NAME AND ADDRESS OF APPOINTEE	DATE EMPLOYMENT BEGINS	APPOINTEE'S SIGNATURE <small>See Certification Below Sign Original Only</small>
-------------------------------	------------------------	--

10.6.40	Veronneau, Carol	569 Chicopee St.,	Will. 6.30.58
7.6.41	Grocki Jr., John	28 Glenwood St.,	Chic. Ditto
5.14.37	Yacak, Peter	93 Halsey St.,	Chic. 7.7.58
APPROVED			
PROVISIONAL TO <u>10-1-58</u>			
		DIVISION OF CIVIL SERVICE	
		<i>[Signature]</i>	

A c-6.6.58

[Signature]
 (Officer Authorized By Law to Make Appointments)
 Superintendent of Parks
 Title _____

1. Civil Service
2. Auditor
3. Treasurer
4. Department
5. Personnel

THE COMMONWEALTH OF MASSACHUSETTS
DIVISION OF CIVIL SERVICE
AUTHORIZATION AND NOTIFICATION OF EMPLOYMENT FORM
(FOR PROVISIONAL APPOINTMENTS)

Town Chicopee
 Department Parks & Playgrounds
 Division _____
 Date May 23, 1958
 Requisition Number C8 7584

Authority is hereby given to fill the position set forth in your requisition of May 13, 1958 by provisional appointment of a veteran, (see law governing provisional appointments of veterans on reverse of this form) for the following period: To October 1, 1958

Title of Position Assistant Recreation Leader Number of Vacancies 23
 Salary Rate: \$ 30.00 per week war duration increase or bonus: \$ _____ per _____
 If room or board furnished, to what extent: _____ Meals _____ Rooms _____
 Permanent _____ Temporary Military Substitute _____
 Full Time Part-Time _____ Intermittent _____
 NONE

Thomas J. Grehan
 THOMAS J. GREHAN
 Director of Civil Service

NOTIFICATION OF EMPLOYMENT UNDER ABOVE AUTHORIZATION

To the Director of Civil Service:
 I have selected for provisional appointment in accordance with law and the above authorization the following:

DATE OF BIRTH	NAME AND ADDRESS OF APPOINTEE	DATE EMPLOYMENT BEGINS
10, 9, 08	Mortali, Julia 7 Emerald St., Chic.	8-23-58
8, 8, 39	Dooley, Margaret 35 Roosevelt Ave.,	Ditto
12, 20, 38	Borowiec, Dolores 39 Elm St., Chic.	
	Parosino, Joyce 21 Richelieu St., C.F.	
7, 13, 23	Pelland, Annette 162 Trilby Ave., C.F.	PROV. 10-1-58
2, 17, 41	Stadnicki, Francis 42 Beverly St., Hill.	
10, 01, 40	Laskowski, Joan 50 Cross St., Hill.	
4, 3, 18	Nickols, Helen 71 Pennsylvania Ave.,	
1, 13, 39	Theatreault, Anne 581 Chicopee St., Hill.	
2, 2, 12	Hills, Bertha 20 Hudson Ave., Fair.	

APPOINTEE'S SIGNATURE
 See Certification Below
 Sign Original Only

APPROVED

DIVISION OF
 CIVIL SERVICE
 BY *[Signature]*

[Signature]
 (Officer Authorized By Law to Make Appointments)
 Title _____

c-6.6.58

- 1. Civil Service
- 2. Auditor
- 3. Treasurer
- 4. Department
- 5. Personnel

THE COMMONWEALTH OF MASSACHUSETTS
DIVISION OF CIVIL SERVICE
AUTHORIZATION AND NOTIFICATION OF EMPLOYMENT FORM
 (FOR PROVISIONAL APPOINTMENTS)

City Chicopee Town Chicopee
 Department Parks & Playgrounds
 Division _____
 Date May 23, 1958
 Requisition Number 08-7584

Authority is hereby given to fill the position set forth in your requisition of May 13, 1958 by provisional appointment of a veteran, (see law governing provisional appointments of veterans on reverse of this form) for the following period: To October 1, 1958

Title of Position Assistant Recreation Leader Number of Vacancies 23
 Salary Rate \$ 30.00 per week war duration increase or bonus: \$ _____ per _____
 If room or board furnished, to what extent: _____ Meals _____ Rooms _____
 Permanent _____ Temporary Military Substitute _____
 Full Time _____ Part-Time _____ Intermittent _____

NONE

Thomas J. Greenan
 THOMAS J. GREENAN
 Director of Civil Service

NOTIFICATION OF EMPLOYMENT UNDER ABOVE AUTHORIZATION

To the Director of Civil Service:
 I have selected for provisional appointment in accordance with law and the above authorization the following:

DATE OF BIRTH	NAME AND ADDRESS OF APPOINTEE	DATE OF EMPLOYMENT BEGINS
9.14.08	Potvin, Alcide 253 Canter St., Chic	6-23-58
7.1.40	Rivest, Roger 15 Franklin St., Chic	Ditto
3.2.41	Blanchard, Albert Nonotuck Ave., Chic	6-30-58
4.3.41	Hoods, Thomas 106 Sherman Ave., Chic	6-23-58
1.9.40	Pennington, Carl 36 Foss Ave., Chic	Ditto
	Jokobczyk, Robert 186 Fairview Ave., Chic	
1.17.27	Pelland, Louis H. 162 Trilby Ave., C.F.	
2.18.41	Lavigne, Richard 88 Edward St., C.F.	
8.27.39	Eckert, Leonard 17 Yvonne St., Will	
	Paquette, William A. 18 Whittlesey Ave., Fair	

APPOINTEE'S SIGNATURE
 See Certification Below
 Sign Original Only

APPROVED
 PROVISIONAL TO 11/1/58
 DIVISION OF CIVIL SERVICE
[Signature]

[Signature]
 (Officer Authorized by Law to Make Appointments)
 Superintendent of Parks
 Title _____

A. c-6.6.58

Additional Victims Continued:

1. On October 9, 1991 this officer was assigned to investigate sexual assault allegations against Father Richard Lavigne, of St. Joseph's Parish in Shelburne Falls. The allegations at this time were being made by one

2. On the same day, this officer met with Lt. Edward Harrington Commanding Officer Hampshire CPAC, Attorney and retired Massachusetts State Police Officer John Nasuti. Mr. advised this officer and Lt. Harrington that he had learned from his daughter, that his son had been molested by Father Lavigne, of Shelburne Falls. Mr. Shattuck was initially unsure of how to handle these allegations and thus contacted his lawyer his friend

Arrangements were subsequently made for to meet with Attorney and a statement was taken describing numerous incidents of indecent touching of by Father Lavigne. then contacted his friend who directed him to Hampshire CPAC.

3. This officer then spoke with who gave this officer the written statement he had given to his father's Attorney This officer then went over this statement with line by line. This officer then asked him specific questions regarding the incidents he described. made a few additions and corrections to his statement.

The statement gave to Attorney and subsequently reviewed and confirmed in the presense of this officer on October 9, 1991 is as follows:

POSTMORTEM EXAMINATION OF THE BODY OF

Daniel Croteau

HISTORY: The decedent, a 13-year-old white male, was found dead in the Chicopee River, Chicopee, Massachusetts, on April 15, 1972. He was last known to have been alive at approximately 4:30 p.m. on April 14, 1972.

AUTOPSY: The autopsy is performed by Edward I. Kraus, M.F., Medical Examiner, 397 Front Street, Chicopee, and George G. Katss, M.D., Forensic Pathologist, 130 Prince Street, Jamaica Plain, beginning at 1:30 p.m., April 15, 1972, in Chicopee, Massachusetts.

EXTERNAL EXAMINATION: The body is that of a white male, measuring 65 inches in length and weighing an estimated 160 lbs. The hair is brown. The eyes are blue. The pupils are round, regular and equal, measuring approximately 4 mm. in diameter. Rigor mortis is complete. The rectal temperature taken at approximately 2:00 p.m., April 15, is 98° F. There is slight lividity on the anterior surface of the body and also about the buttocks with pressure pallor over the mostly protruding areas. There is slight maceration of the skin of the palms and soles. The fingernails are intact and cut short. Neither hand shows injuries.

The following marks and injuries are on the body:

- (1) A laceration, 0.2 inch in maximum dimension, on the right temporo-occipital area of the scalp and 3 inches behind the right ear.
- (2) A deep laceration with indented margins, 1.0 inch long, at the lateral end of the right eyebrow.
- (3) An irregular laceration, 1.2 inches in maximum length, just lateral to injury #2 and 0.5 inch apart. There is slight hemorrhage of the soft tissues about these lacerations.
- (4) A superficial laceration, 0.2 inch in maximum dimension, on the right cheek and 1.0 inch lateral to the mouth.
- (5) A laceration, 0.5 inch in length, over the right angle of the mandible.

Daniel Croteau

A 72-49³

(6) A pale reddish contusion with focal superficial linear abrasions scattered on the right side of the face, mostly over the zygoma and temple and measuring approximately 4 x 3 inches.

(7) A pale contusion, approximately 2.0 inches in diameter, over the left zygoma.

(8) Blood in both ears, mouth and nostrils.

(9) Numerous petechial hemorrhages scattered on the eyelids of both eyes.

(10) A comminuted fracture of the mandible at the symphysis mentis with focal hemorrhage of the overlying gingival mucosa and a small tear of the gingiva, approximately 0.3 inch in length, between the right medial and lateral incisors.

(11) Diffuse confluent areas of reddish discoloration on the anterior surface of the neck scattered in an area approximately 5 x 2 inches and varying in intensity.

(12) A band-like area of reddish discoloration of the skin, approximately 9.0 inches long and up to 3.0 inches wide, across and slightly obliquely over the anterior chest wall between the left shoulder and the right nipple.

(13) Deposits of sand on the folds of the skin over the abdomen and chest and dirt focally on the face.

The pubic hair is developed and sparse. The penis is circumcised.

(14) A pale bluish contusion, 3 x 1 inches, on the distal medial surface of the right thigh.

INTERNAL EXAMINATION: The usual Y-shaped incision is made to open the body cavities.

Neck: The organs of the neck are removed en bloc with the chest organs. There are multiple hemorrhages in the soft tissues of the neck, especially in the muscles about the right thyroid lobe, behind the thyroid cartilage, and in the right portion of the thyrohyoid membrane. The hyoid bone, laryngeal cartilages and the cervical spine are intact.

The glottis is patent and free of edema. Many petechial hemorrhages are present in the supra- and infraglottic region of the laryngeal mucosa. The thyroid and parathyroids are not enlarged.

Daniel Croteau

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Chest: The soft tissues are unremarkable with the exception of slight hemorrhage about the sternoclavicular junctions. The ribs, sternum and spine are intact. The pleural cavities are unremarkable. The diaphragm is intact.

The lungs weigh an estimated 600 gm. together and show slight, early aspiration of blood manifested by blue, minute areas of discoloration on the cut surfaces. A few petechial hemorrhages are present on the pleural surface. There is no evidence of antemortem disease. The bronchial tree contains a small amount of aspirated blood. The pulmonary vessels are patent.

The mediastinum shows no diagnostic abnormalities.

Cardiovascular System: The pericardial cavity is normal.

The heart weighs an estimated 240 gm. and shows no gross evidence of disease on section. The valves, cusps and coronary arteries are normal.

The aorta and the main arteries and veins of the body cavities are normally developed and free of disease.

Abdomen: The peritoneum is smooth and contains no excess fluid. The abdominal organs are in the normal positions.

Gastrointestinal Tract: Unremarkable throughout. The stomach contains many chewed portions of candy gum.

Liver: The liver is intact and weighs an estimated 1300 gm., showing no gross pathological findings.

Gallbladder, Biliary Ducts, Spleen, Pancreas, Adrenals:
Unremarkable.

Genitourinary System: The kidneys weigh an estimated 300 gm. together and on section show no gross pathological findings. The urinary tract is patent and the bladder contains approximately 5 ml. of clear urine. The prostate and external genitalia are unremarkable.

Head: The scalp is incised and reflected in the usual manner. Scattered throughout the galea and especially in the right frontal, both parietal, right temporal and left temporo-occipital areas are numerous, recent contusions manifested by hemorrhages measuring 2.0 to 5.0 cm. in diameter. The galea is focally torn at the right temporal area.

The skull shows a massive basal fracture transversing the middle cranial fossae in front of the petrous bones, the left of which is fragmented. The fracture line extends upwards into the temporal bones and transverses the pituitary fossa, dividing the base of the skull in two separate sections, anteriorly and posteriorly to the fracture. A few fracture lines extend anteriorly into the sphenoid wings and then along the midline of the anterior cranial fossa involving the cribriform plate of the ethmoid bone.

There is slight bilateral subdural hemorrhage with approximately 20 ml. of blood mainly distributed over the undersurface of the brain.

The brain weighs an estimated 1300 gm. and shows the usual convolutional pattern. There are numerous areas of subarachnoid hemorrhage scattered on the lateral and undersurface of the brain. There are lacerations of the brain stem with transection of the cerebral peduncles and deep laceration at the pontine medullary junction. In addition, multiple contusions and superficial lacerations are present on the undersurface of the temporal and to a lesser degree the frontal lobes of the brain. The dura is torn over the basal fracture. The intact areas of the brain show no gross evidence of disease.

The pituitary, pineal and cerebral arteries are unremarkable.

MICROSCOPIC EXAMINATION:

Lungs: A few foci of accumulation of blood in the alveoli are noted. Blood is also present in bronchial channels.

Heart: Unremarkable.

Thyroid: The gland is normal. Recent hemorrhage is focally present in striated muscle about the thyroid.

Spleen, Liver, Kidneys: Show no diagnostic pathological findings.

Adrenals, Pancreas, Testicles, Thymus, Prostate: Unremarkable.

Pituitary: The sections show focal disruption and hemorrhage beneath the capsule.

Brain: There is focal extravasation of blood in the subarachnoid space. Areas of disruption of the normal architecture associated with perivascular and dissecting hemorrhages are present in the section

Rectal and oral smears: Unremarkable.



The Commonwealth of Massachusetts

Department of Public Safety

CHEMICAL LABORATORY
1010 COMMONWEALTH AVENUE
BOSTON, MASSACHUSETTS 02215

DATE: May 2, 1972
 LAB.NO.: 38039
 MEDICAL NO.: A72-48 49
 DATE SUBMITTED: April 17, 1972
 NAME OF VICTIM: Daniel Croteau
 SUBMITTED BY: Dr. Kraus and Dr. Katsas

RESULTS:

* Presence of ethyl alcohol in blood confirmed by gas chromatography. (MQS)

Blood:
 *Alcohol: .18% (MQS)
 Barbiturate: None detected (JPC)
 Carbon Monoxide: Less than 5% (MQS)

Urine Organic Bases: None detected (SMT)
 Stomach Organic Bases: None detected (S)

Bile Morphine: None detected (JPC)

Blood Grouping:

Anti A: Negative

Anti B: Negative

Based upon the foregoing Group "O" (MHT)

REPORT TO:

Dr. Kraus & Dr. Katsas
 (Chemist)
 JJM:ma



The Commonwealth of Massachusetts

Department of Public Safety

CHEMICAL LABORATORY
1010 COMMONWEALTH AVENUE
BOSTON, MASSACHUSETTS 02215

SUPPLEMENTARY REPORT: DANIEL GROTEAU

DATE: May 4, 1972
 LAB. NO.: 38039
 MEDICAL NO.: A72-4849
 DATE SUBMITTED: April 17, 1972
 NAME OF VICTIM: Daniel Groteau
 SUBMITTED BY: Dr. Kraus and Dr. Katsas
 RESULTS: Blood Chlorides:
 Left Heart: 80.7meq CL⁰/Liter
 Right Heart: 82.6meq CL⁰/Liter

REPORT TO: Dr. ^{Dr.}Katsas and Dr. Kraus
 JJM:ma

J. P. M. G. S.
 (Chemist)



The Commonwealth of Massachusetts

Department of Public Safety

CHEMICAL LABORATORY
1010 COMMONWEALTH AVENUE
BOSTON, MASSACHUSETTS 02215

SUPPLEMENTARY REPORT: DANIEL CROTEAU

DATE: May 15, 1972

LAB.NO.: 38039

MEDICAL NO.: A72-4849

DATE SUBMITTED: April 17, 1972

NAME OF VICTIM: Daniel Croteau

SUBMITTED BY: Dr. Kraus and Dr. Katsas

RESULTS: Bile Alcohol: .20%(MQS)

Presence of ethyl alcohol in bile confirmed by gas chromatography.(BLC)

NOTE:Urine sample exhausted

REPORT TO: Dr.Kraus and Dr. Katsas
 JJM:ma

[Handwritten Signature]
 (Chemist)

Addendum G

I, James A. Coleman, currently residing at 73 Mary Coburn Rd., Springfield, MA would like to state the following:

1. I am the author of a book entitled The CIRCLE which I published and distributed for sale throughout the Greater Springfield area in the fall of 1970. The book is based on fact and records many of the incidents that actually happened in connection with a group of teenage boys of various ages from 12 to 17. They called themselves the Circle for reasons detailed in the book.

2. On pages 99 and 100 references are made to St. Jude's church as the name of the church and parish where the raconteur of the story and many of the Circle gang members lived. St. Jude's is a synonym for St. Catherine's church on Parker St. in Springfield. (The parish house does have a swimming pool there and the funeral service for Frank Archie was held at St. Catherine's church as detailed on p. 95.) Also, Father Miffin (mentioned on pages 99 and 100) is a synonym for Father Griffin who was the pastor at St. Catherine's at the time the various events occurred and the book was written.

3. On pages 99 and 100 reference is made to Father Ravine. This name is a synonym for Father Richard Lavigne who was a priest at St. Catherine's church at the time the various events occurred and the book was written. Furthermore, Father Lavigne's actions and general behaviour as written on pages 99 and 100 were written by me as accurately as I could recall from what the kids in the Circle told me at the time.

4. The following is especially pertinent. On page 100 the raconteur quotes the opinion expressed by some adults (in reference to Father Lavigne) who "figger that if he likes the kids so much, there must be something wrong with him".

5. I knew Danny Croteau very well. He was well-adjusted, "open", friendly, likeable and had a generally extrovertish personality. He was not overly aggressive but he was definitely not the kind of boy that anyone could "push around" easily. Furthermore, although many of the Circle boys lived in his neighborhood he got along with them very well because they liked and respected him.

6. Finally, Danny Croteau was NOT a member of the Circle and is not mentioned or represented in the book in any way.

James A. Coleman
James A. Coleman

Date: *May 13, 1993*

Shirley L. Donnelly
Not a Public

MADE IN U.S.A.

This book is dedicated to all my good friends in the Circle but especially to the memory of

FRANK ARCHIE

whose tragic death at such a tender age was so unnecessary and could have been avoided.

545
C. 677

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MANUFACTURED IN
THE UNITED STATES OF AMERICA
Pro Litho - Ludlow, Mass.

NOV 17 1970

PREFACE

This book is based on actual events which have occurred while I have been associated with a teenage gang of boys in a middle class neighborhood for several years. I have seen their problems developing, in many cases, directly from ignorant or negligent parents. But to be powerless to prevent it, in most instances, is an agony in itself.

Mike Moran, the hero and raconteur of this story, is typical of the teenager who is a victim of "stupid" adults. Misunderstood and abused at home, he develops antagonism and defiance to his parents which he extends to adults as a whole. His friends are other boys of similar backgrounds and attitudes and they form a gang with mutual interests, one of these being to "get back" at the adults. All kinds of juvenile delinquency and violent behavior are the result. This book is their story - their "action" and the community's reaction to their action.

Surprisingly, Mike Moran and his friends are not hopeless because Mike Moran's better qualities shine through many times. These plus the occasional guidance given by a rare adult with understanding may be sufficient to save Mike Moran from the hopeless life of the habitual criminal or drug addict. But one or more of the boys in the gang may not escape for reasons detailed in the story.

Some incidents have been modified for various reasons. The boys' names, too, have been changed to protect the guilty. Despite these necessary changes the story still presents an accurate picture of the Circle gang.

While this is a book about teenagers written for teenagers it is hoped that adults who read it, especially parents of teenagers, will gain a deeper insight into the complexities of teenage behavior. This should permit greater understanding and tolerance of teenagers in general. And therein lies my main reason for writing this book.

James A. Coleman
Springfield, Mass.
September, 1969

catch us when we run in there. They sure try hard sometimes, though.

Anyway, the adults decide to build a library alongside the shopping center. We like the library 'cause we can play on the front lawn. But that's only 'till old Miss Blandford the librarian, calls the cops and they chase us off. We tell them that's the only place we can play football. They tell us to play back in the fields. We tell them we can't 'cause the fields are rough and we sprain our ankles and get banged up on the rocks. But the stupid cops say we got to move 'cause they got orders to move us off.

That old hag Miss Blandford sure is a mean old bitch. Like when we're cold and stand inside the front door to get warm she tries to throw us out. We tell her we're cold but she says it makes no difference. She says we're blocking the entrance and we got to go. We used to go but not no more. Jeff Kopchek gets real pissed at her one day and tells her to go fuck herself. So now she doesn't bother us so much anymore.

Behind the library there's this big old tree. So the old codgers that are planning a park on all the empty land around the center figger it's so nice and quiet like there would make a good reading area. I guess the idea was that people could get books from the library and go back there and read them. So the codgers put a brick walk in around the tree with some benches sort of in a circle facing the tree. Then they put a big mound of dirt with grass on it in a big circle around the brick area. The whole thing was kind of nice looking when it was first done.

They had a big dedication thing soon after it was finished. The mayor and the president of the park department and other codgers came out and made speeches and stuff like that. They even had a bronze tablet with some writing on it that they put in the ground next to the tree. But I didn't go to the dedication 'cause I don't give much for that crap. Some of the guys went, though, and said it was real nice.

We sort of forgot about the Circle until we see nobody ever there. The stupid adults do all this work on the thing and then they just ignore it. There isn't even a window in the back of the library where anybody can see what's going on in the Circle. Even old eagle eye Blandford doesn't seem

to care. Just like stupid adults!

So we guys start hanging out at the Circle. Since it's kind of hidden we can smoke in there without getting caught. We had to drive the little kids away, though, 'cause we couldn't take a chance of any of them squealing on us. For smoking, I mean. And the Big Acres don't bother us 'cause they still hang around their cars in the parking lot. They don't like to leave their cars alone 'cause they're afraid we'll take one for a joy ride sometime. And we did once, too! But I'll tell you about that later.

Like I say, we started hanging around at the Circle and that soon becomes like our official hangout. We can play all kinds of games like "Jail" where we run up and down the dirt mounds and take turns capturing guys and making believe like they're in jail. The fun comes in when we start beating on them like the cops do downtown to make them confess to something. We gamble a lot with cards at the Circle, too. The stakes ain't too high 'cause none of us has too much bread. Just enough for our cigs. And even them we swipe half the time at Acre Drugs.

We never figger to start a gang or anything like that at first. But things start to happen which draw us together like. Like the time Candy Kohn has her trouble. It starts out just about like any other day. About ten of us are at the Circle doing what we're usually doing. Four of the guys are playing cards. Pat Wilkes is hacking away at one of the benches with a new knife he'd swiped somewhere. Willy Bogart is pulling bricks out of the walk and seeing how high he can pile them without the bricks falling over. Bob Cobb and Paul Cirelli are out on one of the tree limbs trying to bend it to the ground. They finally get it down just as it breaks off.

Storky's riding his bike up and down the dirt mounds and, like he always does, he's poking somebody every time he's going by him. Not real hard, of course. Just hard enough to annoy hell out of the guys 'till they want to kill him. But they can't catch him, though, 'cause Storky's real fast. So Storky's dodging all the guys, laughing his skinny head off.

Willy Bogart tries to ignore Storky and makes like he isn't around. But nobody can ignore Storky. Storky comes riding over the mound, swoops down and knocks Bogart's

Pat's kind of proud of how he got the old man to give up a couple of nights before his old man's got no cigarettes and is dying for a smoke and it's too late for him to buy them anywhere. Pat knows about the nicotine craving he gets enough of them himself, so he figgers he'll win the old man over. Pat's old man knows he smokes 'cause he notices some of his cigs gone lots of times when the old man's around. So Pat whips out his pack and says to his old man.

"Here, Pop, have one of mine."

The old man kind of blinks and takes it and now they swap cigs all the time.

I been smoking since I'm about ten. I used to have to sneak them all the time, too, till my last birthday when I was fifteen. Then my old lady tells me she gives me a real birthday present. She's going to let me smoke now. So I'm puffing cigs all over the house now. My little brothers and sisters think I'm a big guy now puffing all the time just like those cowboys on TV. Funny thing, though. My old lady always swiping my cigs and now I got to hide them better than I ever did before she gave me permission! I sometimes think she lets me smoke just so she can swipe my cigs.

All of a sudden Bob Cobb says,

"I'm gonna kill myself when I get older."

"Why?" I says.

"Because life's too boring," he says. "There's nothing to do."

Wilkes says to him,

"You just can't take it. You're chicken."

"And I don't care where I go when I die, either."

"Maybe you'll go to hell," I says.

"I don't believe in that crap about hell," Wilkes says.

"How about Jesus?" I says to him. "Do you believe in him?"

"There's just one thing about that Jesus guy that puzzles me," Wilkes says. "How come all the guys that seen him didn't get no head?"

Bob says, "If you saw him, you'd be scared to death. Boy, if he suddenly appeared here right now, I'd get over that tree!"

We all think about that a few minutes. Then Pat Wilkes says.

"Jesus was a head, you know."

I don't know why he says that but I get to thinking about this religion stuff and what happens at our church. That's St. Jude's where the pool is and where we have Arty's funeral service I told you about before. Father Ravine brings in this young priest a few months back. His name's Father Ravine. What a great guy he is! All the kids like him 'cause he sparks things up a lot. Like he gets some guitars and beat music in for the masses instead of that dead stuff with the organ we had before. And all the people are singing now where they never did before. And liking it, too! Then Father Ravine's got the kids doing big posters to decorate the church with religious sayings and stuff. Only he lets the kids do them any way they want to. So we put our favorite cartoon characters on them, like Peanuts. Those posters sure were great!

Father Ravine's got some different ideas about the church, too. We got this real fancy expensive church that's just built a couple of years ago. It's about the best looking church building in Massachusetts. But that's all we got. The church, I mean. There's no recreation hall, or gym, or bowling alleys like the other churches have. Even the small protestant church on the corner has meeting rooms and social rooms and a kitchen in the basement where they have poppers and movies for the kids and stuff like that. All we've got is a church where we go one hour a week on Sunday. When we go, that is. All the rest of the time all that fancy stone and marble just sits there doing nothing.

Father Ravine says a church belongs to the people 'cause they pay for it and they should use it every day. Like he says, we should have dances and a drop-in center in it and all kinds of stuff for the adults and the kids, too. It sounds right to me 'cause we got no community center or recreation center or anything like that in our area 'cause the people spend so much money on the beautiful church they get none left over for anything else. They complain about the guys hanging around and doing stuff, like vandalism and stuff like that, but they never give us a place to go.

So what happens with Father Ravine is that Father

Miffin and the other old codgers and bags in the church don't like him wanting to change things. They figger they got no business thinking about anything but religious stuff. They figger if he likes the kids so much, there must be something wrong with him. They don't understand him, they get rid of him and send him away to another parish. We guys were going to get up a petition and try to get Father Ravine back but we know it's no good. Father Miffin's too old to change and the adults are too stupid.

After Father Ravine leaves the kids that belong to the church can't stand going there anymore. It's boring as hell just sitting and kneeling there and saying the same prayers every Sunday. And listening to Father Miffin's crap. So we start sneaking off to the Circle on Sunday mornings. We're the guys that don't go with their olds I mean. We leave home heading for church but duck back towards the Circle as it's safe. We sit around there only talking 'cause if we mess around and mess up our clothes our olds will get on our asses over.

One Sunday morning Mr. B sees us at the Circle and comes over. We tell him why we don't go to church anymore and he understands. He's with us. Only he says we need some kind of religious stuff on Sunday mornings. He gets us talking about stuff like where the world came from, what color Jesus was, and stuff like that. I don't think of it before but if Jesus is born over there where those Arabs are and he's supposed to be an ordinary man just like them, then he must be dark just like the Arab Man. Jesus must have been a black man! But in the pictures and statues he's white. How do you figger that?

Mr. B tells us stories about what the church was like when it's getting started and how they made those guys fight lions 'cause they're religious, and Galileo fighting the pope and all that stuff. I sure wish the old Circle was around then. We'd have taken care of some of those motherfuckers. We'd have kicked their ass.

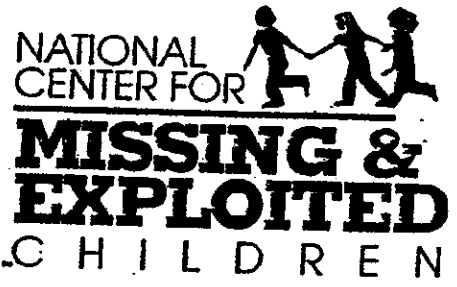
Anyway, we're having such a good time with these interesting discussions with Mr. B on Sunday mornings that more and more kids come every week. When Mr. B is happening he stops coming over. He tells us he doesn't want to be a preacher and that the way all the kids are flocking to the Circle he might get busted for "alienating

action." whatever that means we can, though. Our olds. We sure get a kick out of and the area do cause it. At the time the codgers at never challenged us to a basketball game but don't know how. That's the minister there and that was some ball game. We can alright! He's sliding in by so Paul Cirelli and Kieth kneels hard on his back. That man Bean has to go to the hospital he can hardly walk yet. I get to that codger.

Anyway, while we're shooing I'm telling you about Mr. B. You guys going to the meeting? "What meeting?" we all say. "Well," he says, "the assembly over all the vandals that happened around here the public meeting at Kiley! What the hell are you guys responsible for? What things?" Pat Wilkes

We all look at Pat Wilkes. The thing's serious and Mr. B says. "Can we go to this public meeting?" "Of course," he says. "You're as anyone else. You're a fucker. I think you'll find it interesting."

Then the guys say they want to go. They must have about 100. I don't know too many of them but I see them in the stores around the neighborhood. None of our olds are going. They break. But, then, we die



Child Molesters: A Behavioral Analysis

**For
Law Enforcement
Officers
Investigating
Cases of
Child
Sexual
Exploitation**

In cooperation with the Federal Bureau of Investigation

1. Definitions of Terms

Child Molesters

The term *child molester* is fairly common and is used by professionals and nonprofessionals alike, including law enforcement officers. Although *Webster's New World Dictionary* defines *molest* as "annoy, interfere with, or meddle with so as to trouble or harm," when combined with the word *child*, it has generally come to convey sexual abuse of some type. In spite of its common usage, it is surprising how many different images and variations of meanings the term *child molester* has for different individuals. For many, it brings to mind the image of the dirty old man in a wrinkled raincoat hanging around a school playground with a bag of candy, waiting to lure little children. For some, the *child molester* is a stranger to his victim and not a father having sex with his daughter. For others, the *child molester* is one who exposes himself to or fondles children without engaging in vaginal or anal intercourse. Still others believe the *child molester* is a nonviolent offender. Dr. A. Nicholas Groth, one of the leading experts on sexual victimization of children, differentiates between nonviolent *child molesters* who coax or pressure the child into sexual activity and violent *child rapists* who overpower or threaten to harm their victims (see "Appendix II: References"). Most would probably not apply the term *child molester* to a man who utilizes the services of an adolescent prostitute. For law enforcement officers, the term *child molester* is more likely to conform to a legal definition of sexual molestation set forth in the penal code.

For the purposes of this book, a *child molester* will be defined as a significantly older individual who engages in any type of sexual activity with individuals legally defined as children. When using the term *child molester*, no distinctions will be made between male or female, single or repeat offenders, or violent or nonviolent offenders. No distinctions will be made as to whether the child victims are prepubescent or pubescent, known or unknown, related or unrelated to the offender. Finally, no distinctions will be made based on the type of sexual activity engaged in by the offender. Although such distinctions may have important legal and evaluation significance, they have no bearing on whether or not an individual is labeled a *child molester*. For law enforcement purposes, a *child molester* is simply an individual who engages in illegal sexual activity with children.

Pedophiles

Although the use of the term *child molester* is commonplace, recent publicity and awareness concerning sexual abuse of children has resulted in the frequent use of the term *pedophile*. At one time this term was almost exclusively used by psychologists and psychiatrists. Dr. Groth's categorization defines a *child molester* as having a sexual attraction toward prepubertal children (*pedophilia*) or sexual attraction toward pubertal children (*hebephilia*). The term *hebephile* (sometimes spelled *ephebophilia*) is rarely used today, even by mental health professionals. Although sexual attraction to pubescent children by

have sex with adults as part of their effort to gain or continue their access to preferred children. For example, one might have occasional sex with a single mother to insure continued access to her children. (See also *Child Sex Rings: A Behavioral Analysis* listed in "Appendix III: Additional Reading.")

Important Distinctions for Law Enforcement

What, then, is the difference between a child molester and a pedophile? For many the terms have become synonymous. The media frequently make no distinction and use the terms interchangeably. Labeling all child molesters as pedophiles is, however, confusing. There are clear differences between the types of individuals who sexually abuse children, and law enforcement officers handling these cases need to make such distinctions.

Are all pedophiles child molesters? No. A person suffering from any paraphilia can legally engage in it simply by fantasizing and masturbating. A child molester is an individual who sexually molests children. A person might have a sexual preference for children and might fantasize about having sex with them. That person is a pedophile. But if he does not act out, then he is not a child molester. Some pedophiles might act out their fantasies in legal ways by simply talking to or watching children and later masturbating. Some might have sex with dolls and mannequins that resemble children. Some pedophiles might act out their fantasies in legal ways by engaging in sexual activity with adults who look (small stature, flat chested, no body hair), dress, or act (immature, baby talk) like children. Others may act out child fantasy games with adult prostitutes. A difficult problem to detect and address is that of individuals who

act out their sexual fantasies by socially interacting with children or by interjecting themselves into the child sexual abuse or exploitation "problem" as overzealous child advocates. It is almost impossible to estimate how many pedophiles exist who have never molested a child. What society can or should do with regard to such individuals is an interesting area for discussion but beyond the role of law enforcement. People cannot be arrested for their fantasies. It is not clear whether any of these behaviors constitutes having "acted upon these urges" as required by the *DSM-III-R* criteria for pedophilia.

Are all child molesters pedophiles? No. A pedophile is an individual who prefers to have sex with children. A person who prefers to have sex with an adult partner may, for any number of reasons, decide to have sex with a child. Such reasons might include simple availability, curiosity, or a desire to hurt a loved one of the molested child. The sexual fantasies of such individuals do not necessarily focus on children, and these people are not pedophiles.

Many child molesters are, in fact, pedophiles, and many pedophiles are child molesters. But they are not necessarily one and the same. The law enforcement officer might argue that it is his job to arrest individuals who violate the law and that whether or not that offender is a pedophile is of no importance to him. Distinctions between the types of child molesters, however, can have important and valuable implications for the law enforcement investigation of child sexual abuse.

This book will set forth a model for law enforcement that divides child molesters into two broad categories and several patterns of behavior. These categories are not intended for use by mental health professionals or clini-

Preferential Child Molesters

The Preferential Child Molesters have a definite sexual preference for children. Their sexual fantasies and erotic imagery focus on children. They have sex with children not because of some situational stress or insecurity but because they are sexually attracted to and prefer children. They can possess a wide variety of character traits but engage in highly predictable sexual behavior. These highly predictable sexual behavior patterns are called sexual ritual and are frequently engaged in even when they are counterproductive to getting away with the criminal activity. Although they may be smaller in number than the Situational Child Molesters, they have the potential to molest large numbers of victims. For many of them, their problem is not only the nature of the sex drive (attraction to children) but also the quantity (need for frequent and repeated sex with children). They usually have age and gender preferences for their victims. Members of higher socioeconomic groups tend to be overrepresented among Preferential Child Molesters. More Preferential Child Molesters seem to prefer boy than prefer girl victims. Within this category at least three major patterns of behavior emerge (see also Table 2 on page 10).

Seduction This pattern characterizes the offender who engages children in sexual activity by "seducing" them—courting them with attention, affection, and gifts. Just as one adult courts another, the pedophile seduces children over a period of time by gradually lowering their sexual inhibitions. Frequently his victims arrive at the point where they are willing to trade sex for the attention, affection, and other benefits they receive from the offender. Many of these offenders are simultaneously involved with multiple victims, oper-

ating what has come to be called a child sex ring. (See also *Child Sex Rings: A Behavioral Analysis* listed in "Appendix III: Additional Reading.") This may include a group of children in the same class at school, in the same scout troop, or in the same neighborhood. The characteristic that seems to make this individual a master seducer of children is his ability to identify with them. He knows how to talk to children—but, more important, he knows how to listen to them. His adult status and authority is also an important part of the seduction process. In addition, he frequently selects as targets children who are victims of emotional or physical neglect. The biggest problem for this child molester is not how to obtain child victims but how to get them to leave after they are too old. This must be done without the disclosure of the "secret." Victim disclosure often occurs when the offender is attempting to terminate the relationship. This child molester is most likely to use threats and physical violence to avoid identification and disclosure or to prevent a victim from leaving before he is ready to "dump" the victim.

Introverted This pattern of behavior characterizes the offender who has a preference for children but lacks the interpersonal skills necessary to seduce them. Therefore, he typically engages in a minimal amount of verbal communication with his victims and usually molests strangers or very young children. He is like the old stereotype of the child molester in that he is more likely to hang around playgrounds and other areas where children congregate, watching them or engaging them in brief sexual encounters. He may expose himself to children or make obscene phone calls to children. He may utilize the services of a child prostitute. Unable to figure out any other way to gain access to a child, he might even marry a woman and have his own children, very

4. Identifying Pedophiles

Sexual exploitation is a term used to describe the sexual victimization of children, involving child pornography, child sex rings, and child prostitution. While offenders utilizing the services of a child prostitute may be either Situational or Preferential Child Molesters, those involved in child pornography and child sex rings are predominately Preferential Child Molesters. And, although a variety of individuals sexually abuse children, Preferential Child Molesters, or pedophiles, are the *primary* sexual exploiters of children. (For the purpose of our law enforcement typology, *pedophile* is used interchangeably with *Preferential Child Molester*.)

An important step in investigating the difficult cases of child sexual victimization is to recognize and identify, if present, the highly predictable sexual behavior patterns of Preferential Child Molesters, or pedophiles. First, it is essential that the law enforcement investigator attempt to determine if an offender is a Situational or Preferential Child Molester.

There are most likely more Situational than Preferential Child Molesters. Each Situational Child Molester, however, is likely to abuse only a small number of children in a lifetime. A Preferential Child Molester might molest ten, fifty, hundreds, or even a thousand children in a lifetime, depending on the offender and how broadly or narrowly you define child molestation. In his study of 561 sex offenders, Dr. Gene Abel found pedophiles who targeted young boys outside the home committed the greatest number of crimes with an average of 281.7 acts with an average of 150.2 partners. Molesters who targeted girls within the family committed an average of 81.3 acts with an

average of 1.8 partners. He also found that 23.3 percent of the 561 subjects offended against both family and nonfamily targets. Although pedophiles vary greatly, their sexual behavior is repetitive and highly predictable. Knowledge of these sexual behavioral patterns or characteristics is extremely valuable to the law enforcement investigator.

These highly predictable and repetitive behavior patterns make cases involving Preferential Child Molesters far easier to investigate than those involving Situational Child Molesters. If enough of these characteristics can be identified through investigation, many of the remaining ones can be assumed. Most of these indicators mean little by themselves. As they are identified and accumulated through investigation, however, they can constitute reason to believe a certain offender is a Preferential Child Molester. You do not have proof beyond a reasonable doubt, but you may have *probable cause*.

The Preferential Child Molester (Pedophile)

The four major characteristics of the Preferential Child Molester (pedophile) are 1) long-term and persistent pattern of behavior, 2) children as preferred sexual objects, 3) well-developed techniques in obtaining victims, and 4) sexual fantasies focusing on children. These characteristics, together with the listed indicators, will assist the investigator in identifying the Preferential Child Molester and collecting the evidence necessary to arrest and convict him. At the outset, it must be stated and emphasized that *the indicators alone mean*

little. Their significance and weight comes as they are accumulated and come to form a pattern of behavior. If the investigator determines the existence of enough of these indicators, there is probable cause to believe the individual is a Preferential offender. In order to identify these indicators, the investigator must be willing to go beyond the typical background check of date of birth and credit and criminal histories and learn everything legally possible. Indicators and counter-indicators must be identified and evaluated.

1. Long-Term and Persistent Pattern of Behavior

Sexual abuse in background Although most victims of child sexual abuse do not become offenders, research indicates that many offenders are former victims. It is well worth the investigator's time and effort to determine if a suspect had ever been the victim of sexual abuse and what was the nature of the abuse (age it occurred, relationship with offender, acts performed, etc.).

Limited social contact as teenagers

The pedophile's sexual preference for children usually begins in early adolescence. Therefore, during his teenage years he may have exhibited little sexual interest in people his own age. But, as with several of these indicators, that fact alone means little.

Premature separation from military

If an individual was dishonorably discharged for molesting children, there is not much doubt about the significance. It was far more common, though, for

this type of individual to be prematurely separated from the military with no specific reason given or available. The military, like most organizations, was frequently interested in only getting rid of such individuals and not necessarily in prosecuting them. Fortunately, this attitude seems to be changing.

Frequent and unexpected moves

When they are identified, pedophiles are frequently "asked" to leave town by someone in authority, by the parent of one of the victims, or by an employer. This was, and still is, a common way to deal with the problem. The result is that pedophiles frequently show a pattern of living in one place for several years with a good job and then suddenly and for no apparent reason moving and changing jobs. Chances are the investigator will find no official record of what happened. The pedophile will usually have an explanation for the move, but it probably will not reflect the true circumstances. This moving pattern can sometimes be determined from examination of drivers license records.

Prior arrests

In some cases, pedophiles have previously been arrested for child molestation or sexual abuse. Certainly, such an arrest record is a major indicator, particularly if the arrest goes back many years or is repeated. Investigators must also be alert to the fact that pedophiles may have arrest records for actions that do not appear to involve sexual abuse. These might include impersonating a police officer, writing bad checks, violating child labor laws, or

other violations that may indicate a need to check further. Any arrest of an adult in the company of a child not his own should be evaluated with suspicion. The investigator should attempt to get copies of the reports concerning the arrests in order to evaluate their significance properly.

Multiple victims If investigation reveals that an individual molested many different victims, that is a very strong indicator that the offender is a pedophile. More important, if other factors indicate that the offender is a pedophile then a concerted effort should be made to identify the multiple victims. If you know of only one victim, but have reason to believe the offender is a pedophile, then begin looking for the other victims. For instance, if a teacher who is a suspected pedophile molests one child in his class, the chances are high that he has molested or attempted to molest other children in the class as well as children in all the other classes he has taught. This is also true of incest offenders suspected of being Preferential Child Molesters.

Planned, repeated, or high-risk attempts Bold and repeated attempts to obtain children that have been carried out in a cunning and skillful manner is a strong indication that the offender is a pedophile.

2. Children as Preferred Sexual Objects

Over 25, single, never married By itself, this indicator means nothing. It has significance only when combined with several other indicators. Because they

have a sexual preference for children, pedophiles usually have some degree of difficulty in performing sexually with adults. Therefore, they typically do not marry. Some pedophiles, though, do enter into marriage for specific reasons, and these will be discussed below.

Lives alone or with parents This indicator is closely related to the above. Again, by itself, it has little meaning. The fact that a man lives alone does not mean he is a pedophile. The fact that an individual who possesses many of the other traits discussed here and also lives alone might be significant.

Limited dating relationships if not married A man who lives alone, has never been married, and does not date should arouse suspicion if he possesses other characteristics discussed here.

If married, "special" relationship with spouse When they do marry, pedophiles often marry either a strong, domineering woman or a weak, passive woman-child. In any case, they will marry a woman who does not have high sexual expectations or needs. A woman married to a pedophile may not realize that her husband is a pedophile but she does know he has a "problem"—a sexual performance problem. Because she may blame herself for this problem and because of the private nature of people's sex lives, most wives will usually not reveal this information to an investigator. However, a wife, ex-wife, or girlfriend should always be considered as a possible source of information concerning the sexual preferences of an offender. Pedophiles sometimes marry

3. Well-Developed Techniques in Obtaining Victims

Skilled at identifying vulnerable victims

Some pedophiles can watch a group of children for a brief period of time and then select a potential target. More often than not, the selected child turns out to be from a broken home or the victim of emotional or physical neglect. This skill is developed through practice and experience.

Identifies with children (better than with adults)

Pedophiles usually have the ability to identify with children better than they do with adults—a trait that makes most pedophiles master seducers of children. They especially know how to *listen to children*. Many pedophiles are described as “pied pipers” who attract children.

Access to children

This is one of the most important indicators of a pedophile. The pedophile will surely have a method of gaining access to children. Other than simply hanging around places children congregate, pedophiles sometimes marry or befriend women simply to gain access to their children. Pedophiles are frequently the “nice guys” in the neighborhood who like to entertain the children after school or take them on day or weekend trips. Also, a pedophile may seek employment where he will be in contact with children (teacher, camp counselor, babysitter, school bus driver) or where he can eventually specialize in dealing with children (physician, dentist, minister, photographer, social worker, po-

lice officer). The pedophile may also become a scout leader, Big Brother, foster parent, Little League coach, and so on. The pedophile may operate a business that hires adolescents. In one case known to the author, a pedophile married, had a daughter, and he molested her. He was the “nice guy” in the neighborhood who had the neighborhood girls over to his house for parties, at which he molested them. He was a coach for a girl’s softball team, and he molested the players. He was a dentist who specialized in child patients, and he molested them.

Activities with children, often excluding other adults

The pedophile is always trying to get children into situations where there are no other adults present. On a scout hike he might suggest the fathers go into town for a beer. He will “sacrifice” and stay behind with the boys.

Seduces with attention, affection, and gifts

This is the most common technique used by pedophiles. They literally seduce the children by befriending them, talking to them, listening to them, paying attention to them, spending time with them, and buying gifts for them. If you understand the courtship process, it should not be difficult to understand why some child victims develop positive feelings for the offender. Many people can understand why an incest victim might not report his or her father, but they cannot understand why a victim not related to the offender does not immediately report molestation. There are many reasons for a victim not

immediately reporting molestation (fear, blackmail, embarrassment, confusion), but the results of the seduction process are often ignored or not understood at all.

Skilled at manipulating children In order to operate a child sex ring involving simultaneous sexual relations with multiple victims, a pedophile must know how to manipulate children. The pedophile uses seduction techniques, competition, peer pressure, child and group psychology, motivation techniques, threats, and blackmail. The pedophile must continuously recruit children into and move children out of the ring without his activity being discovered. Part of the manipulation process is lowering the inhibitions of the children. A skilled pedophile who can get children into a situation where they must change clothing or stay with him overnight will almost always succeed in seducing them. Not all pedophiles possess these skills. The introverted Preferential Child Molester is an example of a pedophile who typically lacks these abilities.

Has hobbies and interests appealing to children This is another indicator that must be considered for evaluation only in connection with other indicators. Pedophiles might collect toys or dolls, build model planes or boats, or perform as clowns or magicians to attract children. A pedophile interested in older children might have a "hobby" involving alcohol, drugs, or pornography.

Shows sexually explicit material to children Any adult who shows sexually explicit material to children of any age should be viewed with suspicion. This is generally part of the seduction process in order to lower inhibitions. A pedophile might also encourage or allow children to call a dial-a-porn service or send them sexually explicit material via a computer as part of this process.

4. Sexual Fantasies Focusing on Children

Youth-oriented decorations in house or room Pedophiles attracted to teenage boys might have their homes decorated the way a teenage boy would. This might include toys, games, stereos, rock posters, and so on. The homes of some pedophiles have been described as shrines to children or as miniature amusement parks.

Photographing of children This includes photographing children fully dressed. One pedophile bragged that he went to rock concerts with thirty or forty rolls of film in order to photograph young boys. After developing the pictures, he fantasized about having sex with them. Such a pedophile might frequent playgrounds, youth athletic contests, child beauty pageants, or child exercise classes with his camera.

Collecting child pornography or child erotica This is one of the most significant characteristics of pedophiles, discussed in detail on pages 23-35.



The Commonwealth of Massachusetts

Department of Public Safety
 1010 Commonwealth Avenue, Boston 02133
 May 9, 1972

LAB. 90. 38039 - Examination of Materials
 in connection with the Fatal Beating at
 Chicopee on April 15, 1972. Victims: Daniel
 Grotan, 106 Fernaliff, Springfield.

On April 18, 1972, Trooper James Mitchell of the State Police Detective Bureau delivered the following items to this laboratory in connection with the above subject:

1. Decedent's clothing
2. Soil from probable location of struggle
3. Soil from tire imprints
4. Soil from location of body
5. Soil from near tire imprints
6. Stones
7. Stained paper
8. Decomposed blood from south side of river
9. Plastic straw and cotton rags from river bank
10. "Certs" gum and gum wrappers
11. Piece of newspaper

These items, submitted by Detective Lieutenant James Fitzgibbon of the State Police Detective Bureau and Captain Edward Rajowski of the Chicopee Police Department, were to be examined for human blood, blood group and evidential traces.

EXAMINATION

Item 1 - Decedent's clothing:

- A. Beige wool jacket "Yee-Gee, RM 36021": A 8" x 6 1/2" piece is missing from the lower front. A portion of the lining is partially torn away. A tear was also noted on the left sleeve near the cuff.

Traces of blood were indicated by positive benzidine reagent tests.

- B. Blue corduroy trousers with wide brown belt: The garment is heavily soiled.

Trace blood was detected.

MAY 9, 1972

- C. White T-shirt, and D. White locker shorts: Both garments are heavily soiled.
- E. Blue necktie with "GILSON" monogram: The tie is soiled. Trace blood was detected.
- F. Badge suede cloth with pocket attached (matches Item A): Bloodstaining, as indicated by positive benzidine reagent tests, was observed on the inner surface.
- G. Black socks with white cuffs: Nothing significant was found.
- H. Tan suede ankle boots: Both boots are soiled.

Item 2 - Soil from location of probable struggle and Item 3 - Soil from tire imprints: Nothing significant was found on these items.

Item 4 - Soil from location of body; Item 5 - Soil from near tire imprints; and Item 6 - Stoppers: Dried blood was found in each of these items. Positive benzidine reagent and precipitin tests indicated human blood.

Item 7 - Stained paper: Positive benzidine reagent and precipitin tests indicated human blood.

A direct blood grouping test indicated group "O".

Item 8 - Decomposed blood from south side of river: Positive benzidine and precipitin tests indicated human blood.

Putrefaction precluded grouping tests.

Item 9 - Cotton rope and plastic strips from river bank: Bloodstaining was observed on the rope. Positive benzidine reagent and precipitin tests indicated human blood.

Direct and absorption-elution grouping tests indicated group "B".

Item 10 - "Certs" gum and gum wrappers from left front pocket: Nothing significant was found on these items.

Item 11 - Pieces of newspaper: A tire tread impression with five 1/8" grooves 3/4" apart was observed on the paper.

CONCLUSION

Blood was found on Items 1-7, 4, 5, 6, 7, 8, and 9.

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LAB. NO. 3839

-3-

MAY 9, 1972

The blood on Items 4, 5, 6, 7, 8, and 9 is of human origin.

The blood on Item 7 is group "O".

The blood on Item 9 is group "B".

A tire tread impression was observed on Item 11.

Montgomery H. Talbot
Montgomery H. Talbot
Assistant Chemist
Chemical Laboratory

MHT:ps

Report to: Det. Lt. Pitagibbons
Capt. Rejowski



Forensic Science Associates

3053 Research Drive, Richmond, CA 94806

FAX (510) 222-8887

(510) 222-8883

January 8, 1993

William Bennett
Office of the District Attorney
50 State Street
Springfield, MA 01103

Re: Examination of Rope and Plastic Straw
Our File No. 92-434
Report

Background

The following information was communicated to us by Michael Sullivan of the Massachusetts State Police: This anonymous case involves a homicide that occurred about 20 years ago. The names of the victim and potential suspects have not been made known to us at the present time. Pursuant to the investigation of the case a blood stained rope and a plastic straw were collected. It was requested that DNA typing be conducted on the biological evidence using the PCR DNA amplification procedure in order to determine genetic traits associated with the blood on the rope and straw.

Items of Physical Evidence

The following items of physical evidence were received from Michael Sullivan of the Massachusetts State Police on March 13, 1992 via Federal Express mail:

Items

1. Tape sealed envelope labeled "#9 next to riverbank, straw and cord" containing the following two items:
 - 1-1. Piece of rope.
 - 1-2. Plastic straw.

Examination of the Rope [Item 1-1].

The blood stained rope [Item 1-1] is illustrated in figure 1A. The rope was examined for the presence of blood using a sensitive presumptive test [o-tolidine and hydrogen peroxide]. Blood traces were detected along the entire length of the rope. Four areas from the rope [A, B, C and D] were removed and the DNA extracted as described below. These areas are illustrated in figures 1B and 1C.

Examination of the Partial Plastic Straw [Item 1-2].

The partial plastic straw is illustrated in figure 2A. The straw possesses a blunt end and a torn end. In addition the straw has been split down the length of the straw barrel. Presumptive tests for blood indicate that a thin film of blood is present on the straw surface down its length; and much of this thin smear is visible to the eye. Two pieces of the straw [Areas A and B] were remove from near the torn end [see figure 2B] for DNA extraction as described below.

Genetic Analysis of DNA

Recent advances in molecular biology have revealed an enormous extent of genetic variation at the level of the primary genetic material, the DNA. These findings are, to a large extent, a by-product of the recombinant DNA industry that has revolutionized the medical approach to genetic disease diagnosis and treatment. Recently it has been recognized that genetic analysis at the DNA level has particular application in the forensic sciences [Jeffreys *et al.*, *Nature*, 316, 1985, 76-79; Gill *et al.*, *Nature*, 318, 1985, 577-579;

Dodd, *Nature*, 318, 1985, 506-507; Jeffreys *et al.*, *Nature*, 322, 1986, 290-291; Lewin, *Science*, 233, 1986, 521-522; Tyler *et al.*, *Forens. Sci. Intern'l.*, 31, 1986, 267-272; Sensabaugh, *J. For. Sci.*, 31(2), 1986, 393-396; Kantner *et al.*, *J. For. Sci.*, 31(2), 1986, 403-408; Giusti *et al.*, *J. For. Sci.*, 31(2), 1986, 409-417, Higuchi *et al.*, *Nature*, 322, 1988, 543-546]. Furthermore, application of DNA technology by anthropologists to mummified tissues of now extinct species is witness to the robust nature of the DNA encapsulated within the nucleus of tissue cells [Higuchi *et al.*, *Nature*, 312, 1984, 282-283; Paabo, *Nature*, 314, 1985, 644-645]. Similar recent anthropological studies have shown that the effect of profound DNA degradation is a failure to obtain any result rather than the production of a false or misleading finding [Hughes *et al.*, *Nature*, 323, 1986, 208]. The thrust of this work indicates that biological evidence is susceptible to successful analysis using DNA technology.

The San Francisco Bay area is a center for recombinant DNA research; and one of the leaders in this field is Cetus Corp. The DNA analysis in this case has been conducted employing DNA technology developed by Dr. Henry Erlich and his colleagues within the human genetics laboratory of Cetus Corp. Dr. Erlich's laboratory has been a pioneer in the study of genetic variation in the DNA associated with the HLA region of the human genome [Erlich *et al.*, *Bio/Technology*, 4, 1986, 975-981]; conventional serological HLA typing has been a routine tool for paternity testing for many years. In addition Dr. Erlich's laboratory has been involved in the development of DNA technology that is capable of amplifying relatively small quantities [sub-nanogram range] of DNA for genetic analysis [Saiki *et al.*, *Science*, 230, 1985, 1350-1354; Saiki *et al.*, *Nature*, 324, 1986, 163-166; Higuchi *et al.*, *Nature*, 332, 1988, 543-546; Saiki *et al.*, *PNAS*, 86, 1989, 6230-6234]. The amplification strategy employed here also has been used to develop a direct test for the AIDS virus in blood [Ou *et al.*, *Science*, 239, 1988, 295-297].

The particular DNA region exploited in these studies is the DQ segment within the HLA Class II group: this region has the subclass designation DQ α . The DQ α DNA region can be considered a genetic marker system in its own right in a similar manner to the ABO genetic marker system. Within the DQ α marker system there are 6 alleles (or traits) designated 1.1, 1.2, 1.3, 2, 3, and 4. Since each individual has two alleles, this

genetic marker gives rise to 21 possible types as follows: [1.1,1.1], [1.1,1.2], [1.1,1.3], etc. Each allele is associated with a specific and known DNA sequence. The DNA associated with the conventional HLA genetic markers (A, B, and C loci) is in the Class I group. All of these genetic markers are associated with the short arm of chromosome 6.

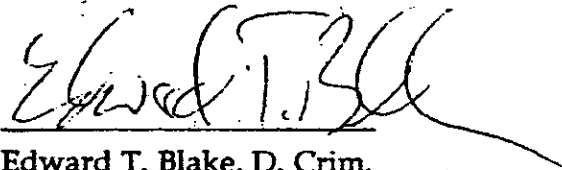
Genetic analysis of the specimens in this case involved the following essential steps:

1. Digestion of blood with SDS and proteinase K.
2. Extraction of DNA from sample digests with chloroform/phenol and concentration of DNA using Centricon molecular filters.
3. Amplification of the DQ α DNA gene using the Polymerase Chain Reaction [PCR] employing 12.5 U Taq polymerase.
4. Hybridization probe analysis of the amplified sample DNA with Allele Specific Oligonucleotides (ASO's) for the six DQ α alleles [1.1,1.2,1.3, 2, 3, 4] using a Dot Blot Assay.

The results of this analysis are summarized in Table 1. These findings revealed the following observed facts:

1. A low level of the DQ α gene was amplified from the straw [Item 1-2] in Area A. The DQ α type of this DNA was determined to be type 1.1.4. This DQ α type occurs in approximately 8% of the Caucasian population and approximately 9% of the Black population.
2. The DQ α gene could not be amplified or typed from the straw in Area B due to the small amount of material and inhibition by the sample of the enzyme [Taq] responsible for the amplification process.
3. The DQ α gene could not be amplified or typed from any of the specimens obtained from the rope [Item 1-1] despite repeated attempts to overcome PCR inhibition.

Should you have any questions concerning this work, please contact
us.



Edward T. Blake, D. Crim.



Jennifer S. Mihalovich
Criminalist

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PCR AMPLIFIED DNA AND O PROBE TYPING: 92-434

TABLE 1

PCR SAMPLE NO.	ITEM NO.	SAMPLE TYPE	DESCRIPTION	EST. DNA CONC. (ng/ml)	VOL. AMPLIFIED (ul)	NO. OF CYCLES	PCR RESULT	DOA Type
19	1-1	BLOOD STAIN	ROPE, AREA A	0.5[D]	2	35	NAI	NO TEST
20	1-1	BLOOD STAIN	ROPE, AREA A	0.5[D]	10	35	NAI	NO TEST
21	1-1	BLOOD STAIN	ROPE, AREA B	0.5[D]	2	35	NAI	NO TEST
22	1-1	BLOOD STAIN	ROPE, AREA B	0.5[D]	10	35	NAI	NO TEST
23	1-1	BLOOD STAIN	ROPE, AREA C	0.5[D]	2	35	NA	NA
24	1-1	BLOOD STAIN	ROPE, AREA C	0.5[D]	10	35	NAI	NO TEST
25	1-1	BLOOD STAIN	ROPE, AREA D	0.5[D]	2	35	NA	NA
26	1-1	BLOOD STAIN	ROPE, AREA D	0.5[D]	10	35	NA	NA
27		BLOOD STAIN	EXTRACTION BLANK	0	10	35	NA	NA

NA: No Activity
 NAI: No Activity Due to Inhibition
 D: Degraded

H: High
 M: Medium
 L: Low

230

PCR AMPLIFIED DNA ANALYSIS PROBE TYPING: 92-434

TABLE 1

PCR SAMPLE NO.	ITEM NO.	SAMPLE TYPE	DESCRIPTION	EST. DNA CONC. (ng/ml)	VOL. AMPLIFIED (µl)	NO. OF CYCLES	PCR RESULTS	DQg Type
28	1-2	BLOOD STAIN	STRAW, AREA A	<0.5	2	35	VL?	TOO WEAK [Trace 1.1,4]
29	1-2	BLOOD STAIN	STRAW, AREA A	<0.5	10	35	VL	1.14 [Weak]
30	1-2	BLOOD STAIN	STRAW, AREA B	<0.5	2	35	NA	NA
31	1-2	BLOOD STAIN	STRAW, AREA B	<0.5	10	35	NAI	NO TEST
32		CONTROL	EXTRACTION BLANK	0	10	35	N/A	NA
1	1-1	BLOOD STAIN	ROPE, AREA E	0.5[D]	5	35	NAI	NO TEST
2	1-1	BLOOD STAIN	ROPE, AREA E	0.5[D]	1	35	NAI	NO TEST
3		CONTROL	EXTRACTION BLANK	0	5	35	NA	NO TEST
4	1-1F	BLOOD STAIN	ROPE, AREA F, CHELEX EXTRACTION		20	35	NA	NO TEST

NA: No Activity
 NAI: No Activity Due to Inhibition
 D: Degraded

Hi: High
 Mi: Medium
 L: Low

PCR AMPLIFIED DNA ANALYSIS TO PROBE TYPING: 92-434

TABLE 1

PCR SAMPLE ITEM NO.	PCR SAMPLE NO.	SAMPLE TYPE	DESCRIPTION	EST. DNA CONC. (ng/ul)	VOL. AMPLIFIED (ul)	NO. OF CYCLES	PCR RESULT	DQα Type
5	1-1F	BLOOD STAIN	ROPE, AREA F, CHELEX EXTRACTION		10	35	NA	NO TEST
6	1-1F	BLOOD STAIN	ROPE, AREA F, CHELEX EXTRACTION		5	35	NA	NO TEST
7	1-1F	BLOOD STAIN	ROPE, AREA F, CHELEX EXTRACTION		1	35	NA	NO TEST
8		CONTROL	EXTRACTION BLANK, CHELEX	0	10	35	NA	NO TEST
9		CONTROL	EXTRACTION BLANK, CHELEX	0	1	35	NA	NO TEST

2002

NA: No Activity
 NAI: No Activity Due to Inhibition
 D: Degraded

H: High
 M: Medium
 L: Low

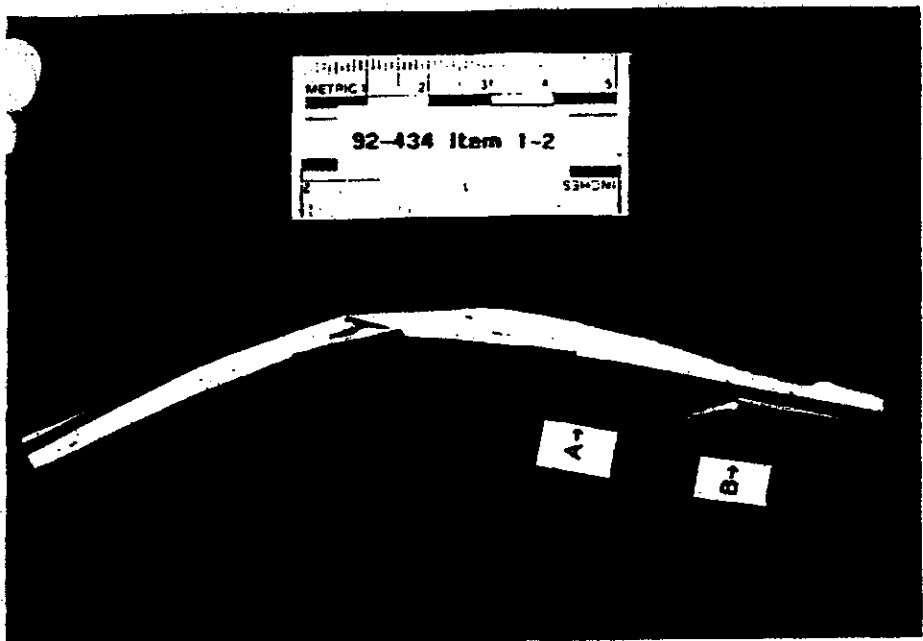


FIGURE 2A
ITEM 1-2
STRAW OVERVIEW

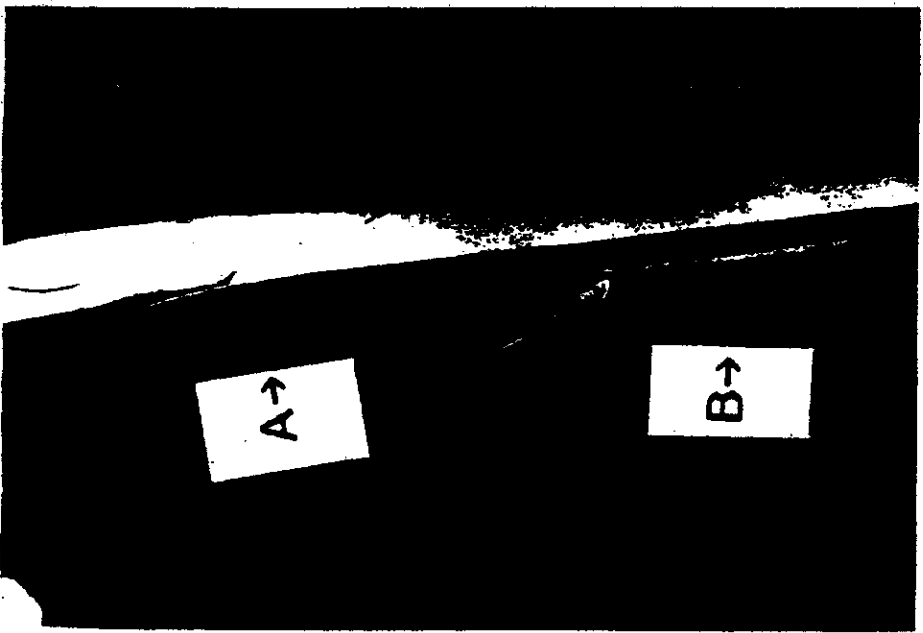


FIGURE 2B
ITEM 1-2
STRAW INDICATING
AREAS A & B

FIGURE 1A
ITEM 1-1
ROPE OVERVIEW

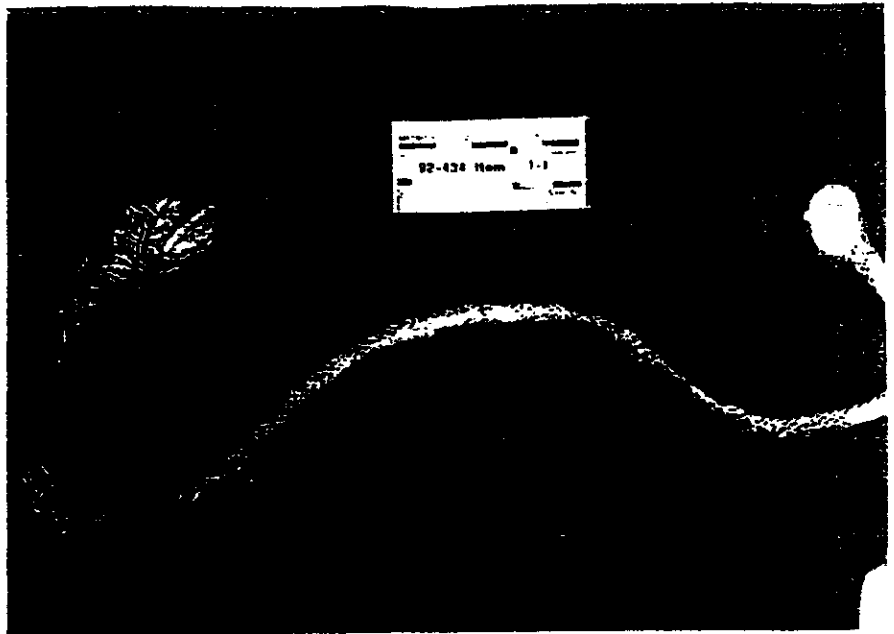


FIGURE 1B
ITEM 1-1
ROPE INDICATING
AREAS A & B

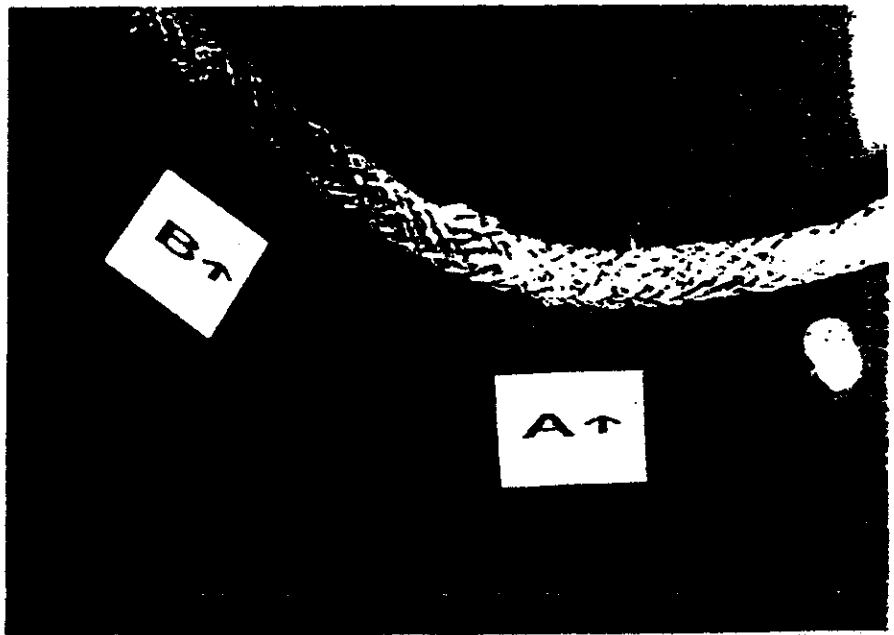
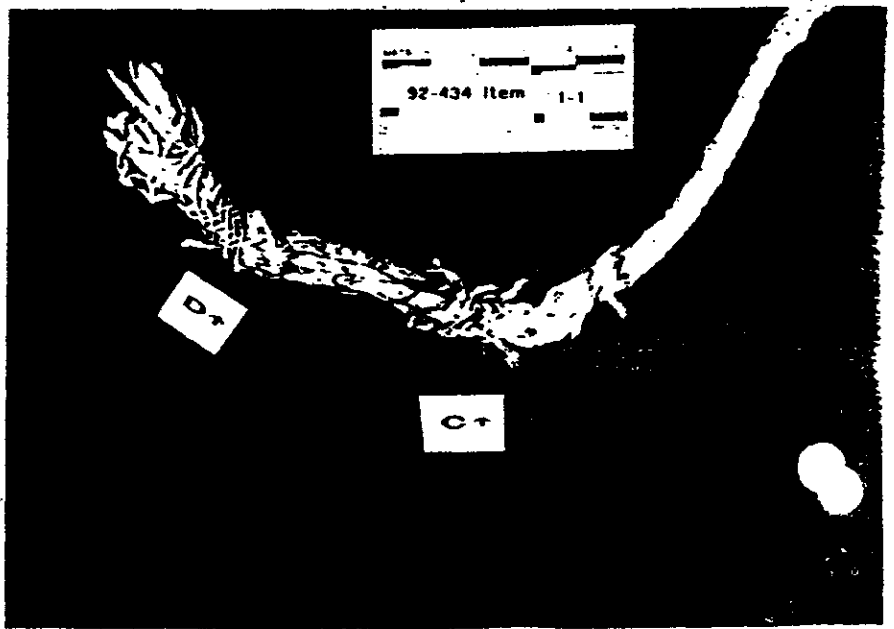


FIGURE 1C
ITEM 1-1
ROPE INDICATING
AREAS C & D



IMMOBILIZED ASO PROBE DQ α TYPING

Amplified Using
12.5 U Taq/PCR Cocktail

1
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 3
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 34
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 40
 41
 42
 43
 44
 45
 46
 47
 48
 49
 50
 All Control

Well	Sample	Amplification	Result
1	Control	Amplified	Control
2	Control	Amplified	Control
3	Control	Amplified	Control
4	Control	Amplified	Control
5	Control	Amplified	Control
6	Control	Amplified	Control
7	Control	Amplified	Control
8	Control	Amplified	Control
9	Control	Amplified	Control
10	Control	Amplified	Control
11	Control	Amplified	Control
12	Control	Amplified	Control
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41	Control	Amplified	Control
42	Control	Amplified	Control
43	Control	Amplified	Control
44	Control	Amplified	Control
45	Control	Amplified	Control
46	Control	Amplified	Control
47	Control	Amplified	Control
48	Control	Amplified	Control
49	Control	Amplified	Control
50	Control	Amplified	Control

DNA Type	Sample
NA	(1-1) Rope, Area C
NA	(1-1) Rope, Area D
NA	(1-1) Rope, Area D
NA	Extraction Blank
1,3,4	1,3,4 DNA STD
2,3	2,3 DNA STD
NA	Blank
NA	Blank

IMMOBILIZED ASO PROBE DQ α TYPING

Amplified Using
12.5 U Taq/PCR Cocktail

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

Well	Sample	DO α Type	Amplification
1-10	Control	NA	Amplified (23) 1-10
11-20	Control	NA	Amplified (25) 1-10
21-30	Control	NA	Amplified (26) 1-10
31-40	Control	NA	Amplified (27) 1-10
41-50	1,3,4 DNA STD	1,3,4	Amplified (45) 1,3,4
51-60	2,3 DNA STD	2,3	Amplified (46) 2,3
61-70	Blank	NA	Amplified (47) Blank
71-80	Blank	NA	Amplified (48) Blank

DO α Type	Sample
NA	(1-1) Rope, Area C
NA	(1-1) Rope, Area D
NA	(1-1) Rope, Area D
NA	Extraction Blank
1,3,4	1,3,4 DNA STD
2,3	2,3 DNA STD
NA	Blank
NA	Blank

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss:

Superior Court
No. [Impounded]

In re Richard Lavigne,
Petitioner

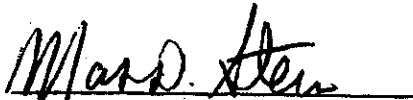
JOINT MOTION OF THE COMMONWEALTH
AND THE DEFENDANT TO RELEASE BLOOD SAMPLE FOR TESTING

The Commonwealth and the petitioner hereby jointly move that the Court enter the attached proposed Order, releasing the blood sample for prompt testing, upon certain stated conditions. In support thereof, the parties state as follows:

1. The Supreme Judicial Court rendered its decision in this matter on November 16, 1994. Under that ruling, the petitioner has the right to a hearing prior to the Commonwealth obtaining blood from him for testing.

2. The petitioner agrees to release of the blood sample currently in the custody of Bay State Medical Center, and waives his right to contest the taking of his blood, provided that the conditions set forth in the Order are complied with, including, prompt testing and reporting of the results, and provision of the results to petitioner as set forth therein.

Respectfully submitted,



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BBO# 479560
Patricia Garin
BBO# 544770
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& GARIN
90 Canal Street
Boston, MA 02114-2022
(617) 742-5800



William B. Bennett
District Attorney
Hall of Justice
50 State Street
3rd Floor
Springfield, MA 01103
(413) 781-8100

RECEIVED

JAN 12 1995

CLERK OF COURTS
HAMPDEN COUNTY

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss:

Superior Court
No. [Impounded]

In re Richard Lavigne,
Petitioner

ORDER

It is hereby ORDERED as follows:

1. The sample of the blood of the petitioner which is now in the custody of the Baystate Medical Center shall be turned over to the Hampden County District Attorney forthwith solely for the purpose of conducting the tests set forth in paragraph #2, below.

2. The District Attorney shall cause the sample to be tested in a professional and reliable manner as soon as possible. Except as otherwise agreed by the Commonwealth and the petitioner, or ordered by the Court after notice and hearing, such testing may include only ABO analysis and DQ Alpha analysis and shall be completed within 30 days of this Order.

3. The District Attorney shall provide a copy of the report or reports of the testing to petitioner, through his counsel, as soon as received. No person shall make any public disclosure of the information contained in the report[s] until the District Attorney has provided petitioner's counsel with a copy.


Associate Justice

Dated: 01/12/95
K:\LAVIGNE\ORDER

RECEIVED
JAN 12 1995
CLERK OF COURTS
HAMPDEN COUNTY

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss:

Superior Court
No. [Impounded]

In re Richard Lavigne,
Petitioner

AFFIDAVIT OF RICHARD R. LAVIGNE

I, Richard R. Lavigne, make the following statements under the pains and penalties of perjury:

1. I am the petitioner in the above action.
2. I have read the decision of the Supreme Judicial Court issued in the above case on November 16, 1994. It is my understanding that under that ruling, I have the right to a hearing at which I could contest the taking of a sample of my blood prior to the Commonwealth obtaining a blood sample from me for the purpose of blood typing or testing.

3. I hereby waive my right to a hearing at which I could contest the taking of a sample of my blood and I agree that the sample of my blood which is currently in the custody of Bay State Medical Center may be released to the Commonwealth for testing, provided that the conditions set forth in the attached Order are complied with, including, prompt testing and reporting of the results, and provision of the results to petitioner as set forth therein.

Dated:

1/10/95

Richard R. Lavigne
Richard R. Lavigne

Witnessed:

Patricia A. Garin
Patricia Garin

G:\LAVIGNE\CROCRIM.AFF

RECEIVED

JAN 12 1995

CLERK OF COURTS
HAMPDEN COUNTY

before me, this date,
1/10/95.
Maria A. Stein
Notary Public

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss:

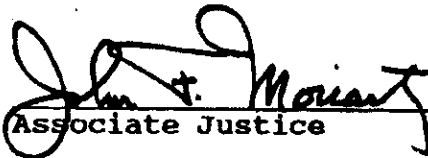
Superior Court
No. [Impounded]

In re Richard Lavigne,
Petitioner

ORDER

It is hereby ORDERED as follows:

1. The sample of the blood of the petitioner which is now in the custody of the Baystate Medical Center shall be turned over to the Hampden County District Attorney forthwith solely for the purpose of conducting the tests set forth in paragraph #2, below.
2. The District Attorney shall cause the sample to be tested in a professional and reliable manner as soon as possible. Except as otherwise agreed by the Commonwealth and the petitioner, or ordered by the Court after notice and hearing, such testing may include only ABO analysis and DQ Alpha analysis and shall be completed within 30 days of this Order.
3. The District Attorney shall provide a copy of the report or reports of the testing to petitioner, through his counsel, as soon as received. No person shall make any public disclosure of the information contained in the report[s] until the District Attorney has provided petitioner's counsel with a copy.


Associate Justice

Dated: 01/12/95
K:\LAVIGNE\ORDER

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JAN 12 1995
CLERK OF COURTS
HAMPDEN COUNTY

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss:

Superior Court
No. [Impounded]

In re Richard Lavigne,
Petitioner

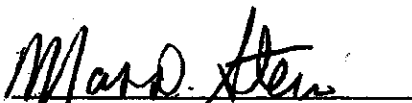
**JOINT MOTION OF THE COMMONWEALTH
AND THE DEFENDANT TO RELEASE BLOOD SAMPLE FOR TESTING**

The Commonwealth and the petitioner hereby jointly move that the Court enter the attached proposed Order, releasing the blood sample for prompt testing, upon certain stated conditions. In support thereof, the parties state as follows:

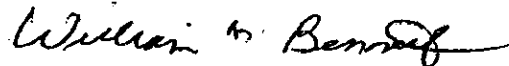
1. The Supreme Judicial Court rendered its decision in this matter on November 16, 1994. Under that ruling, the petitioner has the right to a hearing prior to the Commonwealth obtaining blood from him for testing.

2. The petitioner agrees to release of the blood sample currently in the custody of Bay State Medical Center, and waives his right to contest the taking of his blood, provided that the conditions set forth in the Order are complied with, including, prompt testing and reporting of the results, and provision of the results to petitioner as set forth therein.

Respectfully submitted,



Max D. Stern
BBO# 479560
Patricia Garin
BBO# 544770
STERN, SHAPIRO, WEISSBERG
& GARIN
90 Canal Street
Boston, MA 02114-2022
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William B. Bennett
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Petitioner

AFFIDAVIT OF RICHARD R. LAVIGNE

I, Richard R. Lavigne, make the following statements under the pains and penalties of perjury:

1. I am the petitioner in the above action.

2. I have read the decision of the Supreme Judicial Court issued in the above case on November 16, 1994. It is my understanding that under that ruling, I have the right to a hearing at which I could contest the taking of a sample of my blood prior to the Commonwealth obtaining a blood sample from me for the purpose of blood typing or testing.

3. I hereby waive my right to a hearing at which I could contest the taking of a sample of my blood and I agree that the sample of my blood which is currently in the custody of Bay State Medical Center may be released to the Commonwealth for testing, provided that the conditions set forth in the attached Order are complied with, including, prompt testing and reporting of the results, and provision of the results to petitioner as set forth therein.

Dated:

1/10/95

Richard R. Lavigne
Richard R. Lavigne

Witnessed:

Patricia L. Garin
Patricia Garin

G:\LAVIGNE\CROCRIM.AFF

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HAMPDEN COUNTY

*agree me, this date,
1/10/95.*

*Mark D. Steen
Attorney Public*

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss:

Superior Court
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In re Richard Lavigne,
Petitioner


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Associate Justice

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These pages were removed from Moriarty J's order date 9-29-93 and replaced with redacted copies

distance of 15 feet in a westerly direction.

In the course of the 1972 investigation of Daniel's murder, Father Richard R. Lavigne was one of numerous persons who were interviewed by the police. Father Lavigne was a Roman Catholic priest who at that time was stationed at St. Mary's parish on Page Boulevard in Springfield. He was a close friend of the Croteau family, including Daniel's father and mother and his four brothers, Carl, Gregory, Joseph and Michael. The friendship had developed during the period from May 6, 1967 to June 29, 1968 while Father Lavigne was assigned to St. Catherine of Siena Parish at 1001 Parker Street in Springfield where the Croteau family were parishioners and where all five of the Croteau brothers had served as altar boys. Lavigne developed a close relationship with the Croteau boys that continued after he was transferred to St. Mary's Parish. He would often visit the Croteau home and would take the Croteau boys on camping trips and other outings. At the time of Daniel's murder he was a trusted family friend and confidant.

On April 16, 1972, Lieutenant Radwanski observed Father Lavigne alone at the scene of the crime. On that same day, the Chicopee police received a report from a [REDACTED] in which she stated that Daniel Croteau had come to the door of her home on Friday, April 7, 1972, at about 10:30 PM. He had told her he was lost and looking for Father Lavigne. She allowed him to use her telephone and he placed a call. She overheard him ask, "Is Father Lavigne still there?" After a short conversation he hung up the phone and said that he

would wait outside. Within about five minutes a car drove up, picked Daniel up and drove off. She described the car as a Ford Mustang and positively identified the boy as Daniel Croteau from a photograph shown to her. She also identified a jacket which had been owned by Daniel as the jacket he was wearing when he arrived at her house. The police had information on file which indicated that Father Lavigne was at that time the owner of a maroon colored Ford Mustang.


On the following day, April 17, 1972, Lieutenant Radwanski interviewed Father Lavigne. In the course of that interview Lavigne asked him, "If a stone was used and thrown in the river, would the blood still be on it?" He also asked, "In such a popular hang-out with so many cars and foot prints, how can the prints you have be of any help?" He also admitted that he had received a phone call from Daniel on April 7th from a home on Granby Road. He said that Daniel had said he was lost and that he had picked him up, called his parents, and that Daniel had spent the night at Lavigne's parents' home in Chicopee. This admission was in contradiction of a statement made by Father Lavigne at an earlier interview when he had stated that whenever he took Daniel anywhere it was with his brothers or a gang of kids.

The evidence of the close relationship that had existed between Father Lavigne and Daniel, his presence at the scene of the crime on the day after the body was discovered, the unusual questions he had asked of the investigators in the course of his interview, and his admission that he had been alone with Daniel on

to visit our family home and continue to take one of our sons on rides and trips. However Danny was the one Father most frequently took for rides and kept him over night. The over night stays happen when Father Lavigne would call around 8:30 pm to 9:30 pm and asked to have Danny over night. This hour was late for our sons. This relationship continue until Danny's murder. There were times that we didn't know that Danny was with Father Lavigne until Father would call us to tell us he was with him and wanted to keep him over night, this would happen occasionally. This statement is written from the best of our knowledge.

The police learned from Daniel's brother Joseph that while he was a student at Our Lady of the Sacred Heart School he was repeatedly molested by Father Lavigne over a period of time. Joseph stated that he stayed many nights at St. Mary's rectory in Springfield and at Father Lavigne's parents house in Chicopee, and that during those overnight visits Lavigne sexually molested him. Another brother, Gregory Croteau, stated that when he was about fourteen years of age Father Lavigne initiated the same type of activity with him and at some time gave him alcohol.

On December 1991, Detective Lieutenant Brad Holmes interviewed



gave him the following statement:

Danny and I were best friends since about 1965, I was about 6 years old. We both attended Our Lady of Sacred Heart elementary school. I knew Danny as a good natured kid, he didn't have alot (sic) of material goods, and not to (sic) many friends. Danny stayed back a year in school and was therefore a year older than the other kids in our class. We were both alter boys at St. Catherine's. I served Mass with Danny for Father Lavigne for about a year before I moved with my family to [redacted]. When we did funeral Masses with Father Lavigne at St. Catherine's, he would usually get us out of school. this was always during the week. After the Mass, Father Lavigne would

out of his car or park any closer like he was trying to conceal his identity. Danny would say "I have to go" and he would run to the car crying with no further explanation. Danny told me that Father Lavigne was his uncle and that's why I never thought any more about it. This would happen alot. And Danny was with Father Lavigne alot (sic). Where Father Lavigne parked his car on Prouty St. was only about five houses from the Croteau house. I know that Father Lavigne did not bring Danny home to his (Danny's) house as he went the opposite direction. They drove towards Sunrise Terrace down Lumae St.

I know Danny seemed to latch on to Father Lavigne because he didn't have many friends, and it seemed like his father was never home. We never went to Danny's house.

The above statement is true and accurate to the best of my knowledge.

On May 3, 1993, [REDACTED]

[REDACTED] sent a written statement to Trooper Daly in which he described an incident that had taken place while he was on an overnight camping trip with Father Lavigne and the Croteau family in the Town of Goshen when he as about ten or eleven years old. That statement is as follows:

To whom it may concern,

I recently had an opportunity to speak to my brother [REDACTED] regarding the weekend I, [REDACTED] n, was sexually molested by Richard Lavigne. We began this discussion with my inquiry of whether (sic) or not [REDACTED] had been molested as well. He had not.

As we spoke of that weekend in Goshen, Ma. a fog seemed to lift from my memory. He spoke of things as he remembered them and those same memories came rushing back to me clear and true. We both agreed upon the recollection of Danny Croteau, being the youngest one there, as the focal point of name calling and mild ridicule by his three brothers, Joe, Michael and Greg and the boys from my family, myself, [REDACTED] and [REDACTED]. It was obvious that Danny was frustrated and upset that Lavigne joined in the taunting. He seemed upset at being the

** TX CONFIRMATION REPORT **

AS OF FEB 16 '96 14:22 PAGE.01

HAMPDEN SUP CLERK OFF

	DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	CMD#	STATUS
01	2/16	14:21	6177425858	EC-S	00"50	02		OK