

STATE OF NEW HAMPSHIRE

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

11279

PHILIP T. MCLAUGHLIN
ATTORNEY GENERAL



STEPHEN J. JUDGE
DEPUTY ATTORNEY GENERAL

March 21, 2002

[REDACTED]

Dear Ms. [REDACTED]

I am writing in response to your letter, which I received on March 8, 2002, regarding the accusations against Catholic priests and the conduct of the Diocese of Manchester in this matter. As you correctly recognize, the situation is terrible and deeply troubling. At this juncture, I cannot comment directly about your concerns regarding the hierarchy of the Catholic Church because all aspects of the situation regarding sexual abuse by priests are part of an active investigation. Nevertheless, I assure you that we are diligently pursuing every aspect of this situation. If criminal conduct comes to our attention that can be pursued, we will do so aggressively.

Thank you for taking the time to express your concern regarding this situation.

Sincerely,

A handwritten signature in cursive script that reads "N. William Delker".

N. William Delker
Senior Assistant Attorney General
Chief, Criminal Justice Bureau
(603) 271-3671

NWD/mmp
183162

Dear Sir: (and to whom it may concern -
which should be all of us)

11280

I am in a state of total amazement and dismay that although those Catholic priests who abused children may now be deemed as accountable for their behavior - those who are even more guilty - those who were accessories to the crimes, and enabled those priests to abuse even more children as they were transferred to other areas - are apparently going to get away without any form of punishment.

I speak, of course, of the hierarchy of the church - the majority of whom have long been aware of this terrible situation.

There are few crimes as heinous as sexually abusing a child - and in many crimes of lesser proportions - those who supported the perpetrators are often punished to the full extent of the law - and yet there are to be no charges brought against the hierarchy of the Catholic church?

This is insane, and in my viewpoint a degree of injustice seldom seen - even in our system. I really don't want to believe that the power and finances of any organization can influence anyone in our legal system to behave without integrity.

If there is something I am missing, would you be kind enough to inform me of same? I have enclosed an addressed and stamped envelope for this purpose.

I thank you for whatever efforts you are making in the name of justice.

Sincerely

[REDACTED]

c.c. Boston Globe

ATTORNEY GENERAL
STATE OF NEW HAMPSHIRE

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

11282

PHILIP T. MCLAUGHLIN
ATTORNEY GENERAL



STEPHEN J. JUDGE
DEPUTY ATTORNEY GENERAL

March 11, 2002

Bradford Cook, Esquire
Sheehan, Phinney, Bass & Green
PO Box 3701
Manchester, New Hampshire 03105-3701

Re: Diocese of Manchester

Dear Brad:

I have reviewed the information that the Diocese of Manchester provided to our office on Thursday, February 28, 2002. I appreciate the time and effort that you and the Diocese have spent on this very important issue. I believe that the approach that the Diocese of Manchester has taken with respect to this difficult and painful issue is a credit to the institution.

As we discussed on the telephone, we still need some additional information before we can begin the process of determining whether there are any viable cases that can be pursued. In as much detail as you possess, please provide the following information on each and every accusation involving the fifteen priests that you identified: (1) name of the victim; (2) age of the victim when the abuse took place; (3) date of the abuse; (4) the city or town where the abuse took place; (5) date of the complaint to the Diocese; (6) age of the victim when the complaint was made to the Diocese; and (7) description of the abuse in as much detail as possible. This last piece of information is especially important so that we can determine whether the abuse was a felony or a misdemeanor.

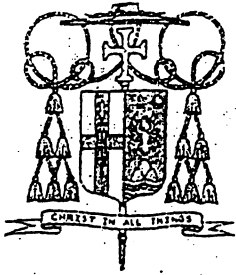
If you do not have a particular piece of information, such as how old the victim was when the abuse occurred or where the abuse took place, please include any information you have which may assist us in finding the missing details. While I realize that you may not have all of information requested, please indicate which details you are missing so that we will be able to determine whether and how to obtain that information in the future.

Sincerely,

A handwritten signature in cursive script that reads "N. William Delker".

N. William Delker
Senior Assistant Attorney General
Criminal Justice Bureau
(603) 271-3671

NWD:mjt
2/1



11283

OFFICE OF THE BISHOP

DIOCESE OF MANCHESTER

March 2, 2002

Dear Friend in Christ:

It is about two weeks since I wrote to you about my concerns, intentions and efforts regarding the protection of our children. These past few weeks have been marked by feelings of anguish and questions about the acts of sexual misconduct by a few of our priests. Sensing that as faithful parishioners you must be experiencing similar feelings and thoughts, I decided to share a reflection with you.

A phrase often quoted to me by a friend as being inscribed above the altar of a church in Rome surfaced in my mind several times. The phrase is, "PIANGO, PREGO, SPERO – I cry, I pray, I hope." Remembering this phrase helped me to think and pray about what concerned me, and so I share it and my thoughts about it with you.

"PIANGO – I cry." It is easy to sense and shed tears these days for all that has happened and is happening. Tears are about loss, the loss that so many of us feel within our Church — for the victims who have lost their sense of trust and joy, for the priests who through their actions have lost their good name and their pastoral ministry, and for parishioners and their priests who grieve over the cloud that overshadows the good name and work done by the Church and her ministers these many years. Yet, acknowledging the sense of loss is helpful for us, because "tears cleanse" our anxious hearts. They help us to let go of the things that need letting go and to believe and hope that from the ashes of these difficult days the Lord will bring about a renewed life for us and for our Church.

"PREGO, I pray." Our constant and faithful friend is the Lord Jesus. "I shall be with you all days, even to the end of the world." And so it is with Him that we gather in our prayer, giving to Him all our disappointments, pain and sorrow; seeking from Him understanding and strength; knowing He will guide us through all this. I find myself daily asking Him to help me to continue to face these matters in a manner that is respectful, honest and understanding; to help people deeply affected by sexual misconduct and their families to deal with these matters in a helpful and healing way; to help the priests, members of parish staffs and parishioners assist and support one another.

"SPERO, I hope." There is part of me that wants and hopes that these matters will be over soon. Yet, there is another part of me that is reminded that deep wounds heal slowly. So what kind of healing can you and I hope for in the coming weeks?

First, I hope that our anguish for the Church, for the victims and for the priests accused does not cloud the faith we have in God and the respect and care people have for their local parish and priest. Knowing the grief and embarrassment you and I can feel for all these matters, there is a danger of feeling alone and not dealing with our anxieties and our sentiments in a constructive way. I encourage you to talk about your sentiments and feelings with other parishioners, with your parish priests whom you know and

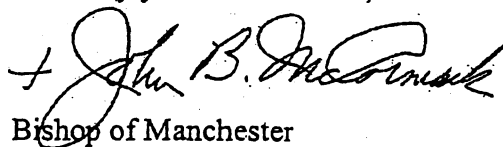
with friends. The more we are able to talk about our concerns, the more our wounds now opened, can be healed Then we will begin to experience needed support.

Secondly, I hope you know how much I want to serve you and the Church in New Hampshire well, in the best way I can. I can best serve you by serving your pastors – our priests. Whatever I can do to help them during this period of trial, I am pleased to do. I hope too that you will avail yourselves of the good and competent services offered by the staff of Catholic Charities. They have skills about coping with such issues and understanding such matters that many of us do not have. They are ready and willing to assist us all in dealing with these matters, be it a personal concern or in helping people through a local or regional listening session or through individual counseling.

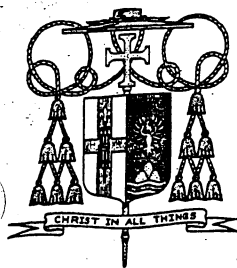
I hope because God has helped me to pray 'with tears.' May our tears cleanse us, our prayer strengthen our trust in Jesus, so that we might be patient in healing and firm in our hope. "PIANGO, PREGO, SPERO."

With prayerful best wishes, I remain

Sincerely yours in our Lord,

A handwritten signature in cursive script, appearing to read "John B. McManis".

Bishop of Manchester



OFFICE OF THE BISHOP

DIOCESE OF MANCHESTER

February 15, 2002

Dear Friend in Christ,

The Season of Lent offers each of us the opportunity to seek the Lord where He may be found, and to call to God while He is near. This year, Lent takes on a special meaning as our local Church reflects on our errors of the past and seeks to turn back to the Lord, who is ever faithful and ever true.

The news regarding the handling of priests accused of sexual misconduct in Greater Boston has an effect on the Church in New Hampshire. It is normal for people to ask if it has happened there, what about here?

People wonder not only what has the Church in New Hampshire done about this in the past but also what is it doing to make the Church safe for children in the future. There have been instances in New Hampshire where priests have had inappropriate contact with children. In each instance, the Church has responded to those affected by these criminal acts, reported the matters to civil authorities in accordance with State law and sought to heal the deep wounds that these violations of trust leave behind.

As bishop and pastor of the Church in New Hampshire, I have responsibility for the teaching, worship and administration that is carried out in our parishes. I want the membership of our Church, as well as the members of the wider New Hampshire community, to know that there is no tolerance for sexual abuse of children and youth in our Church.

My delegate has reviewed all our files regarding past allegations of misconduct by priests with children. These allegations are now being reviewed according to the 1998 Diocesan Policy on Sexual Misconduct, which states that, "no priest will be assigned to pastoral ministry who has abused a child". I assure you today that in view of all the cases we know no priest who has abused a child is presently assigned to pastoral ministry.

Our diocesan policy in this regard is thorough, clear and carried out by people whom I trust to represent me well. More information on this policy and ways of contacting those who implement the policy will be made available in the coming week to everyone in our parish communities.

To ensure that this is our practice as well as our policy, we have taken steps over the years to inform and assist parish priests and pastoral ministers, as well as the heads of our educational and social service institutions, in understanding sexual misconduct and their responsibility in acting on any sense that sexual misconduct may be taking place.

Presently we are in the process of providing additional training to priests and training to deacons, religious and lay employees in our parishes and institutions regarding our policy. This training includes forthright discussions about the nature of sexual abuse of children and what to do if any such abuse is seen or even suspected. As with any policy, its effectiveness relies on the cooperation of us all and a spirit of accountability in our community. We all must be diligent in helping to protect our children. I know that trust lost or questioned must be restored.

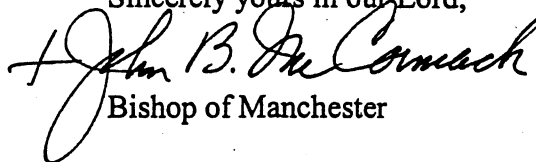
Sexual misconduct by priests affects the very core and well being of the victims and the long standing trust of every member of our Church. In addition to helping victims through assistance for counseling, there is a further need to help all members of the diocesan Church.

As a way of helping parishioners deal with their concerns about these matters and their trust in the Church, I am asking pastors to focus on providing a time to listen to the concerns of their parishioners and to gather with other parish communities later in Lent to pray for the victims of sexual abuse and their families. We need to ask God to help us as Church to see and accept our failings in preventing this in the past and to strengthen our resolve and awareness to prevent such incidents in the present and the future.

I would be remiss if I did not thank God for the gift of the many good and faithful ministers — priests, deacons, religious and laity — who serve the Lord well in church ministry in New Hampshire. The failings of some sadly affect us all. Yet, Easter will come soon. The handful of ashes with which we begin this Lenten journey becomes, through God's Spirit, the fruitful earth for our rebirth. Whatever we do well, we need to do together. May our resolve to be a people of hope be more powerful than ever during this Lent and Easter Season.

Assuring you of my faithful care and respect, I remain

Sincerely yours in our Lord,


Bishop of Manchester

PRESS CONFERENCE DIOCESE OF MANCHESTER

15 FEB 02 1230 hrs.

Bishop McCormack, Aux. Bishop Christian and Chancellor Arsenault.

The Bishop had read the prepared statement word for word. I arrived as Chancellor Arsenault was making his statements.

A review of all files was begun in response to the issues in MA. All of the files were reviewed and they communicated with the Attorney General. The review was for a thirty (30) year period. There are fourteen (14) priests that were identified. One was currently assigned to a parish, six (6) were retired but still celebrating the Mass. These seven (7) have been removed from performing any further functions. The remaining seven (7) had been removed from ministering in the past.

Ques. when the complaints were received, were they reported to the police?

The Diocese complied with the mandatory reporting law. As each report was received, if there was a minor involved, it was reported to the police. If the reporting person was no longer a child the matter was not reported to the police. The Diocese dealt with the reporting person and at times there was a monetary settlement. The Diocese did a lot with the reporting individuals.

Ques. so you always had the details?

The Diocese knew the details from the day the reports were filed. The details have been kept within the respective files.

Ques. How many victims, amount of awards, boys or girls?

Do not have those types of details. Do not know the number of victims, if there were multiple victims associated with one priest. Do not have the particular amounts of the monetary settlements. Can not comment on the number of boys or girls. Can say that every allegation was responded to.

Ques. the number of parishes and priests?

There are 130 parishes and 145 active priests.

Ques. if 14 priests were removed from ministering?

NO, 6 or 7 of the cases the psychiatrist said they could continue in some form of ministry.

Ques. 9 or 10 yrs. ago Rev. McCray and Shea were prosecuted. Shouldn't you have done the same with these?

NO medical personnel felt these 6 or 7 were not at the Shea level and they could continue in some form. NOW, the medical personnel are not willing to say that they can continue.

Ques. is this in response to MASS?

Yes, because of MASS. the standard has been raised and a new policy instituted. "No priest accused and confirmed will continue in the ministry."

Ques. pedophiles seek out the priesthood?

Bishop responded that there are pedophiles in all walks of life. The selection process attempts to discover anyone of this capacity but not at times evident.

Ques. if medical personnel associated with church?

NO, these are independent in house or out patient facilities.

There have been no reports involving a minor since 1987.

All priests received treatment before returning.

Presume Attorney General will now do what is necessary with the list.

PHILIP T. MCLAUGHLIN
ATTORNEY GENERALSTEPHEN J. JUDGE
DEPUTY ATTORNEY GENERALNEWS RELEASE

Released By: Philip T. McLaughlin, Attorney General
Subject: Roman Catholic Diocese of Manchester
Date: February 12, 2002
Release Time: Immediate

At the request of the Roman Catholic Diocese of Manchester, Attorney General Philip McLaughlin met in Concord on Monday, February 11, 2002 with Reverend Edward J. Arsenault, Chancellor and Secretary for Administration of the Diocese. Father Arsenault requested the meeting in light of recent and widely publicized disclosures of the names of priests assigned to the Archdiocese of Boston who either have committed or have been suspected of committing sexual crimes against children.

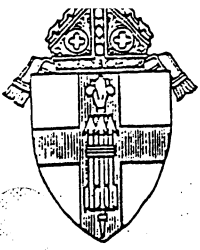
Father Arsenault, in a letter which he personally delivered to the Attorney General, stated that the Roman Catholic Diocese of Manchester, since the enactment of mandatory child abuse reporting laws in 1979, "... has complied and continues to comply with the child protection laws and the mandatory reporting requirements of the State of New Hampshire."

The Attorney General has spoken personally with each of the state's ten County Attorneys regarding the events in Boston and has forwarded Father Arsenault's letter of reassurance to each county. The County Attorneys are responsible for sexual assault prosecutions in New Hampshire.

The Attorney General commented that, "In light of events in Boston, Father Arsenault's visit and his letter are most welcome and reassuring. New Hampshire reporting laws exist to protect children, and all of us, including clergy of all faiths, have a duty to report child abuse and to comply with the letter and spirit of the law. Law enforcement personnel will continue to investigate any allegations of abuse which are brought to light."

Note: Father Arsenault's letter of February 11, 2002 is included, Attachment #1. The New Hampshire reporting statute is photocopied and enclosed, Attachment #2.

#180547



Diocese of Manchester
Reverend Edward J. Arsenaault
Chancellor
Secretary for Administration

153 Ash Street - Box 310
Manchester, NH 03105-0310
(603) 669-3100
Fax: (603) 669-0377

11291

February 11, 2002

The Honorable Philip T. McLaughlin
Attorney General of New Hampshire
New Hampshire Department of Justice
33 Capitol Street
Concord, NH 03301

Dear Mr. McLaughlin,

I serve as the Delegate of Bishop John B. McCormack for matters associated with allegations of sexual misconduct by church personnel in the Diocese of Manchester. In this regard, I am the principal administrator of our diocesan Policy on Sexual Misconduct and the person who coordinates the training of church personnel regarding this policy.

As you are aware, the Diocese of Manchester is a separate civil and ecclesiastical jurisdiction from the Archdiocese of Boston. Notwithstanding this point, in light of the events that have unfolded in the Archdiocese of Boston over the last several weeks, I have taken the opportunity to review our diocesan records, our policies and our training regarding compliance with the child protection laws of the State of New Hampshire, in particular RSA 169-C: 29, 1996. Mindful of your role as the chief law enforcement officer of the State of New Hampshire, I am providing this report to you personally.

Since the enactment of the above noted statute in 1979, the Diocese of Manchester has complied and continues to comply with the child protection laws and the mandatory reporting requirements of the State of New Hampshire. In 1980, diocesan administration officials took the proactive step of training our priests about this state law. More recently, our training regarding mandatory reporting has been included in our diocesan Policy on Sexual Misconduct and the training associated with this policy. Bishop McCormack, like his predecessors, remains committed to a proactive policy in our churches, schools and institutions in the area of child protection and mandatory reporting.

We are fortunate in New Hampshire to have a long history of cooperation between the Roman Catholic Church and our state and local government. It is my firm intent to continue this tradition of mutual confidence and trust. In this spirit, if I can be of any further assistance to you regarding the aforementioned matters, please do not hesitate to contact me personally.

*I remain grateful for your concern in this regard and for your service to the people of New Hampshire.

Sincerely yours,

Delegate of the Bishop of Manchester

File
on
Eradicate Child Abuse

169-C:29 Persons Required to Report. Any physician, surgeon, county medical examiner, psychiatrist, resident, intern, dentist, osteopath, optometrist, chiropractor, psychologist, therapist, registered nurse, hospital personnel (engaged in admission, examination, care and treatment of persons), Christian Science practitioner, teacher, school official, school nurse, school counselor, social worker, day care worker, any other child or foster care worker, law enforcement official, priest, minister, or rabbi or any other person having reason to suspect that a child has been abused or neglected shall report the same in accordance with this chapter.

HISTORY

Source. 1979, 361:2, eff. Aug. 22, 1979. light of changes made by 1979, 66. See RSA 611.
 Revision note. Substituted "county medical examiner" for "county medical referee" in

ANNOTATIONS

1. Construction with other laws

This section imposes an absolute obligation on all persons to report suspected cases of child abuse and neglect, and this obligation is not limited by religious exemption contained in RSA 169-C:3. Op. Atty. Gen. #0-93-3.

Cited

Cited in State v. Howland (1984) 125 NH 497, 484 A2d 1076; Petition of Bagley (1986) 128 NH 275, 513 A2d 331; Watterson v. Page, 987 F.2d 1 (1st Cir. 1993).

LIBRARY REFERENCES

New Hampshire Bar Journal

For article, "Child Abuse in Delinquency and Divorce/Custody Cases," see 26 N.H.B.J. 215 (1985).

ALR

Validity, construction, and application of state statute requiring doctor or other person to report child abuse. 73 ALR4th 782.

STATE OF NEW HAMPSHIRE

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

11293

PHILIP T. MCLAUGHLIN
ATTORNEY GENERAL



STEPHEN J. JUDGE
DEPUTY ATTORNEY GENERAL

February 12, 2002

Lauren J. Noether, Esquire
Belknap County Attorney
64 Court Street
Laconia, New Hampshire 03246

Peter J. McDonough, Esquire
Hillsborough County Attorney
300 Chestnut Street
Manchester, New Hampshire 03101

Robin J. Gordon, Esquire
Carroll County Attorney
PO Box 218
Ossipee, New Hampshire 03864

Howard A. Helrich, Esquire
Merrimack County Attorney
4 Court Street
Concord, New Hampshire 03301

Peter W. Heed, Esquire
Cheshire County Attorney
12 Court Street, PO Box 444
Keene, New Hampshire 03431

James M. Reams, Esquire
Rockingham County Attorney
PO Box 1209
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Pierre J. Morin, Esquire
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Janice K. Rundles, Esquire
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Marc B. Hathaway, Esquire
Sullivan County Attorney
14 Main Street
Newport, New Hampshire 03773

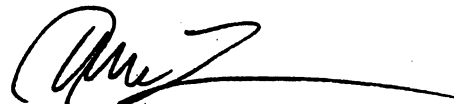
Re: Diocese of Manchester

Dear Colleagues:

Thank you all for being so quickly responsive to today's inquiries.

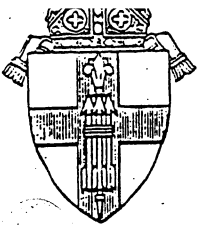
Enclosed you will find a copy of the letter given to me by Father Arsenault and a copy of the press release. Please let me know if in the wake of the incidents in Boston and Father Arsenault's statement if you experience any spike in reporting with regard to allegations of clergy sexual abuse. Thanks again for your cooperation.

Sincerely,



Philip T. McLaughlin
Attorney General

PTM/der
Enclosures
#180533



Reverend Edward J. Arsenault
Chancellor
Secretary for Administration

153 Ash Street - Box 310
Manchester, NH 03105-0310
(603) 669-3100
Fax: (603) 669-0377

11295

February 11, 2002

The Honorable Philip T. McLaughlin
Attorney General of New Hampshire
New Hampshire Department of Justice
33 Capitol Street
Concord, NH 03301

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I remain grateful for your concern in this regard and for your service to the people of New Hampshire.

Sincerely yours,

Delegate of the Bishop of Manchester

PHILIP T. MCLAUGHLIN
ATTORNEY GENERALSTEPHEN J. JUDGE
DEPUTY ATTORNEY GENERALNEWS RELEASEReleased By: Philip T. McLaughlin, Attorney General *PTM*

Subject: Roman Catholic Diocese of Manchester

Date: February 12, 2002

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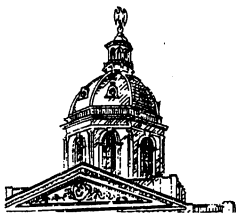
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#180547



THOMAS D. RATH
Attorney at Law

RATH, YOUNG AND PIGNATELLI

Professional Association

ONE CAPITAL PLAZA · P.O. BOX 1500 · CONCORD, NEW HAMPSHIRE 03302-1500

TELEPHONE (603) 226-2600 · FACSIMILE (603) 226-2700

July 9, 2002

N. William Delker, Senior Assistant Attorney General
Department of Justice
Criminal Bureau
33 Capitol Street
Concord, NH 03301

Re: Bishop John McCormack

Dear Mr. Delker:

Thank you for your letter of July 1, 2002.

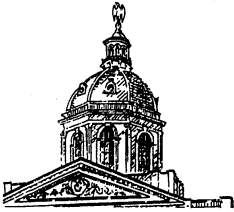
I understood from discussions with the Attorney General that Bishop McCormack was neither a subject nor a target of your inquiry. We were subsequently told that representatives of your office needed to speak personally with the Bishop before the Attorney General's verbal assurances about the Bishop's status would be put in writing. Such a meeting was scheduled for June 28, 2002, but was canceled by you on June 27.

I want to reiterate Bishop McCormack's willingness to meet with your investigators and you to answer whatever questions you may have. We hope such a meeting will be scheduled promptly.

Very truly yours,

Thomas D. Rath
Thomas D. Rath 

TDR/djv



BRIAN T. TUCKER
Attorney at Law

RATH, YOUNG AND PIGNATELLI
Professional Association

11361

ONE CAPITAL PLAZA · P.O. BOX 1500 · CONCORD, NEW HAMPSHIRE 03302-1500
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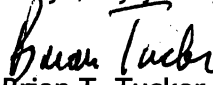
November 6, 2002

N. William Delker
Senior Assistant Attorney General
Criminal Justice Bureau
Department of Justice
33 Capitol Street
Concord, NH 03301-6397

Re: *Father George Ham*

Dear Wil:

Father Ham and I are available to meet with you on November 14, 18, or 20. I understand you estimate you will need two or three hours with him. Please let me know which date is best for you.

Very truly yours,

Brian T. Tucker

BTT/omk

COUNSELLORS AT LAW

NASHUA OFFICE: THE GLASS TOWER · 20 TRAFALGAR SQUARE · NASHUA, NEW HAMPSHIRE 03063 · (603) 889-9952 · FAX (603) 595-7489
www.rathlaw.com

ATTORNEY GENERAL
STATE OF NEW HAMPSHIRE

33 CAPITOL STREET
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11362

WILLIAM T. MCLAUGHLIN
ATTORNEY GENERAL



STEPHEN J. JUDGE
DEPUTY ATTORNEY GENERAL

November 27, 2002

Peter Mosseau, Esq.
Nelson, Kinder, Mosseau & Saturley, PC
99 Middle Street
P.O. Box 1510
Manchester, New Hampshire 03105-1510

Re: Gordon MacRae

Dear Attorney Mosseau:

Attached are 5 pages relating to a 1983 complaint against Father Gordon MacRae for inappropriate sexual contact with a minor. This was the only material that I could locate in our files. I am trying to determine whether the Attorney General's Office had further involvement with the MacRae matter than what is reflected here.

Once you have had a chance to review this material, please give me a call and let me know whether any of this jogs your memory.

Sincerely,

A handwritten signature in cursive script, appearing to read "Will Delker".

N. William Delker
Senior Assistant Attorney General
Bureau Chief
Criminal Justice Bureau
(603) 271-3671

ATTORNEY GENERAL
STATE OF NEW HAMPSHIRE

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

11363

PHILIP T. MCLAUGHLIN
ATTORNEY GENERAL



STEPHEN J. JUDGE
DEPUTY ATTORNEY GENERAL

November 27, 2002

Edward J. O'Brien
O'Brien Law Office
19 Vernon Street
Keene, New Hampshire 03431

Re: Gordon MacRae

Dear Attorney O'Brien:

I am following-up on our telephone conversation regarding Gordon MacRae. The Attorney General's Office is conducting an investigation regarding the manner in which the Diocese of Manchester handled allegations of sexual misconduct by priest. Attached are 5 pages relating to a 1983 complaint against Father Gordon MacRae for inappropriate sexual contact with a minor. I am interested in talking with you about this matter. In particular, I would like to discuss any communication you had with the Diocese regarding this case or any other matter involving a priest.

Once you have had a chance to review this material, please give me a call so that we can discuss this further. Thank you for taking the time to talk with me.

Sincerely,

A handwritten signature in cursive script that reads "Will Delker".

N. William Delker
Senior Assistant Attorney General
Bureau Chief
Criminal Justice Bureau
(603) 271-3671

ATTORNEY GENERAL
GREGORY H. SMITH

THE STATE OF NEW HAMPSHIRE

11364

DEPUTY ATTORNEY GENERAL
PETER W. MOSSEAU



ASSISTANT ATTORNEYS GENERAL
JOHN T. PAPPAS
ANNE R. CLARKE
MARC R. SCHEER
DONALD J. PERRAULT
MARTIN R. JENKINS
BETSY S. WESTGATE
EDWARD L. CROSS, JR.
PETER C. SCOTT
MICHAEL A. PIGNATELLI
BRIAN T. TUCKER
PAUL BARBADORO
BRUCE E. MOHL
JOHN A. MALMBERG
DOUGLAS L. PATCH
LORETTA S. PLATT
ROBERT P. CHENEY, JR.

THE ATTORNEY GENERAL
STATE HOUSE ANNEX
25 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

ASSISTANT ATTORNEYS GENERAL
LESLIE J. LUDTKE
ANDREW L. ISAAC
RONALD F. RODGERS
G. DANA BISBEE
PETER T. FOLEY
STEVEN M. HOURAN
JEFFREY R. HOWARD
EVE H. OYER
GREGORY W. SWOPE
JAMES D. CAHILL, III
CHARLES W. GRAU
DANIEL J. MULLEN
T. DAVID FLOURDE

ATTORNEYS
EDNA M. CONWAY
AMY L. IGNATIUS
DAVID K. MULHERN
JAMES A. SWEENEY
ROBERT B. MUH

January 6, 1984

Edward J. O'Brien, Esquire
Cheshire County Attorney
P. O. Box 612
Keene, New Hampshire 03431

Re: Child Sexual Abuse

Dear Ed:

I have enclosed a copy of a child sexual abuse report this office received on December 30, 1983 regarding [REDACTED]

This report was forwarded to us by the Division of Welfare pursuant to RSA 169-C:38. I am not aware of any police investigation that has been conducted regarding this incident.

I am sending this report to you for whatever further investigation and/or prosecution you believe is appropriate.

Sincerely yours,

A handwritten signature in cursive script that reads "Peter W. Mosseau".

Peter W. Mosseau
Deputy Attorney General

PWM/der

Encl.

cc: Ms. Jeannette Gagnon





County Attorney
Cheshire County

6731

11365

EDWARD J. O'BRIEN
COUNTY ATTORNEY

MARILYN R. CROCKER
ASST. COUNTY ATTORNEY

January 13, 1984

TEL. 603-352-4110
P. O. BOX 612
KEENE, NEW HAMPSHIRE 03431

Peter W. Mosseau, Deputy Attorney General
Office of Attorney General
State House Annex
25 Capitol Street
Concord, New Hampshire 03301-6397

Re: Child Sexual Abuse
In Re: [REDACTED]

Dear Peter:

This is to acknowledge receipt of your letter of January 6, 1984 concerning the above child sexual abuse report.

Ms. Jeannette Gagnon, Administrator of the Office of Social Services, Division of Welfare, called me today to discuss your letter.

The incident occurred in Hampton, New Hampshire, Rockingham County, and subsequently, Father MacRae transferred to Keene. Ms. Gagnon informs me that she has been in touch with Rev. Quinn, Father MacRae's superior, and the incident has been admitted to by Father MacRae.

Apparently, appropriate counselling and other actions are being taken to monitor Father MacRae and in the event that there are any other incidents of child sexual abuse reported, appropriate action would be taken and reports would be filed with this office and/or the appropriate County Attorney's office.

Since this incident occurred in Rockingham County and not in Cheshire County and since Father MacRae is receiving counselling and is being strictly monitored, I do not plan to take any further action at this time unless I hear further from Ms. Gagnon or Rev. Quinn.

Very truly yours,

Edward J. O'Brien,
County Attorney
O'B/dw

CC: Ms. Jeannette Gagnon, Administrator
Office of Social Services
Division of Welfare

3mb/83
Dg/20/02

INTER-DEPARTMENT COMMUNICATION

DATE

December 28, 1983
11366
Division of Welfare

FROM

Susan Saggiotes,
Office of Legal Affairs

AT (OFFICE)

SUBJECT

Child Sexual Abuse Reports ([REDACTED])

TO

Attorney Peter Foley
Assistant Attorney General

The attached reports of child sexual abuse are being reported to your office pursuant to RSA 169-C:38 and Division of Welfare policy.

Due to the sensitive nature of the information and the individuals involved, we would appreciate it if every precaution could be taken to ensure that this information remains confidential.

SS/slc

CHILD SEXUAL ABUSE REPORT TO ATTORNEY GENERAL

6732

(CONFIDENTIAL)

11367

Name of Victim:

[REDACTED]

Child of

[REDACTED]

Tel:

[REDACTED]

Name of Perpetrator:

Rev. Gordon MacRae
St. Bernards Church
173 Main Street
Keene, N.H.

Report of the Incident

On November 23, 1983, Division of Welfare Director Richard Chevrefils received a report of suspected child sexual abuse of fifteen-year-old [REDACTED]. The alleged perpetrator was Rev. Gordon MacRae previously of Hampton, N.H. now of Keene, N.H.

Director Chevrefils assigned the investigation and report to law enforcement official to Jeannette Gagnon, Administrator of the Office of Social Services, N.H. Division of Welfare.

Incident of Sexual Abuse

The incident/act occurred in the early summer, 1983. Rev. MacRae allegedly had [REDACTED] sitting on his lap and was kissing the adolescent.

The incident of abuse was made known to the child's counselor Judy Patterson of Catholic Social Services during a counselling session. The child had been referred for counselling by Rev. MacRae for matters other than the alleged incident of sexual abuse.

Founded Abuse: Rev. MacRae has admitted the incident to his superiors.

Victim/Family: Mr. and Mrs. [REDACTED] are aware of the incident and that the report has been made to the Division.

The victim [REDACTED] is currently an in-patient at Hampstead Hospital in New Hampshire.

The adolescent's parents are also involved in therapy related to a number of difficult problems.

NOTE: For therapeutic purposes, the child's therapist feels he is vulnerable and requests that no information be shared with or discussed with the child regarding the referral of Rev. MacRae to the Division of Welfare.

SMJ/83
9/30/83

Treatment/Outcome: Rev. MacRae is currently in active, regular therapy with Dr. Henry Guertin-Ouellette. Dr. Ouellette feels very confident that therapy is positive and that Rev. MacRae is now self-controlled enough to give some meaningful assurance that he is not likely to engage in deviant behavior.

Rev. MacRae is aware of the report to the Division of Welfare.

Report to Legal Authority: This report is made in accordance with RSA 169-6:38. The Division's Administrator, Jeannette Gagnon and the reporter of the sexual abuse Father John Quinn of Catholic Social Services, Inc., are available to discuss this matter.

Report by: Jeannette Gagnon
Jeannette Gagnon, Administrator
Office of Social Services
Division of Welfare
Hazen Drive
Concord, N.H. 03301

Dated: December 27, 1983

BMB/83
9/20/02

ATTORNEY GENERAL
STATE OF NEW HAMPSHIRE

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

11369

PHILIP T. MCLAUGHLIN
ATTORNEY GENERAL



STEPHEN J. JUDGE
DEPUTY ATTORNEY GENERAL

July 19, 2002

VIA FACSIMILE & FIRST CLASS MAIL

David Vicinanza, Esquire
Nixon Peabody, LLP
889 Elm Street
Manchester, NH 03101

Re: Communication with priests

Dear Dave:

Following up on our telephone conversations of earlier this week, I am writing to confirm our discussions relating to the protocol that Jim Rosenberg outlined in his letter to you on July 12, 2002. You indicated that the protocol was acceptable as written but noted that it did not reflect our earlier discussions concerning your response to any inquiry by a priest as to whether he should consult with an attorney prior to, or have an attorney present for, an interview with our investigators. After further discussion, it was agreed that you would inform the priest that he is free to consult with counsel or have counsel present, if he so desires. I indicated, however, that it would be problematic if a priest requests that you serve as counsel. You agreed that in the event such a request is made, you will inform us and, at that juncture, we will decide how to proceed.

I trust that this comports with your understanding of our conversation. If it does not, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann M. Rice".

Ann M. Rice
Associate Attorney General
Criminal Justice Bureau
(603) 271-3671

cc: Will Delker, Senior Assistant Attorney General
James Rosenberg, Assistant Attorney General

Abramson, Brown
& Dugan

A T T O R N E Y S

11370

July 22, 2002

Stanley M. Brown
(1916-1998)

Kenneth C. Brown
Mark A. Abramson
Kevin F. Dugan*
Jared R. Green

Ann Miller Rice, Esquire
Attorney General's Office
33 Capitol Street
Concord, NH 03301

Dear Ann:

I am getting the same response from all of my John Doe clients that they will speak to you, but they want assurance that their name will not be made public. Can you please provide me with that?

Very truly yours,



Mark A. Abramson

MAA/cao



1819 Elm Street, Manchester, NH 03104-2910
(603) 627-1819 • www.arbd.com

Jesus Morea, Ph.D.

[REDACTED]

August 15, 2002

[REDACTED]

[REDACTED]

[REDACTED]

I am sure that by this time you have received the letter that Bishop McCormack has written to you, and in which he mentioned my name as a contact person between both of you, if you so wish.

As the bishop stated, I have been an inactive priest for the last 30 years. I spent all those years working as a psychologist for the state of NH. I also in private practice and worked part time for the Marriage Tribunal Office for over 20 years. Presently I am retired and enjoying my private life. My educational background includes a master degree in Theology, doctoral degree in Canon Law and a Ph.D. in Clinical Psychology.

Mindful of the terrible time you are going through, I wrote to bishop McCormack offering my free services to help you, if you so wish. I am very well aware of the feelings of loneliness, anger, abandonment, humiliation, uncertainty, hopelessness and depression you are going through, as I did when I decided to leave the priesthood. As I recall it was a very difficult time in my life, mostly feeling abandoned by my own brothers in the priesthood.

If you think that I can help you, I want to let you know that our meetings will be confidential unless you wish them to be otherwise. Also in order for us to meet more privately, arrangements have been made for me to use one of the offices at the Tribunal, and if for any reason you think that even this arrangement is not private enough, we could meet in a place more convenient for both of us. Finally I want to state that all my services will be voluntary and free of any charge.

You can contact me at the above mail address, or by phone: [REDACTED] during summer time, or [REDACTED] from October to May, and if you have access to a computer, my email address is: [REDACTED] The latter would be better for me.

Sincerely,

Jesus Morea

4 Bicentennial Square, Concord NH 03301
Tel: 603 224-4333 Fax: 603 224-4994

The Law Offices of
Robert F. McDaniel

Fax

To: Will Delker

From: Bob McDaniel

Fax: 271 2110

Pages: 1

Phone:

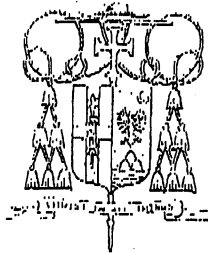
Date: 08/20/02

Re: Diocese

CC:

Will,

Enclosed is the letter received by 4 of our clients. I will forward the other documents when I get them.



11373

OFFICE OF THE BISHOP

DIOCESE OF MANCHESTER

August 5, 2002

[REDACTED]
Box 6272
Manchester, NH 03105-6272
[REDACTED]

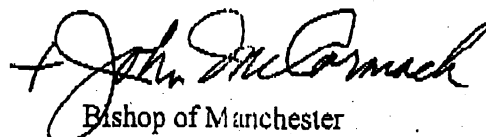
I am mindful that these last several weeks have been challenging ones for you. As the Church struggles to cope with the crisis of trust in her ministers, there are many people whose lives have been affected. I need to do everything that I can to help them to be confident in the Church and hopeful in the Lord. It is with this in mind that I write to you.

As you are aware, the Bishops' Conference finalized a Charter for the Protection of Children and Young People that contemplates specific pastoral and canonical responses to priests who have been credibly accused of sexual misconduct with a minor. The provisions of the Charter have yet to be developed specifically enough for me to act further on them. We must wait patiently as the Holy See evaluates our work and determines that it conforms to the tradition of the Church. What I can tell you is that whatever actions the diocese will take regarding your status as a diocesan priest, we will not leave you without support. I will do all that I can to assist you.

I cannot begin to describe how the current crisis has affected my own life and ministry as bishop. I am sorry that I have not been as present to you as I would want to be. In an effort to be helpful, I have asked a trusted colleague, an inactive priest, Dr. Jesus Morea, to contact you on my behalf. It is my hope that he can help you by listening to your concerns and letting me know how the diocese or I can be of service.

Dr. Morea will contact you soon. I encourage you to accept his offer to visit with you. You remain in my prayer.

Sincerely in our Lord,


Bishop of Manchester



STATE OF NEW HAMPSHIRE
NH DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
CRIMINAL JUSTICE BUREAU
33 CAPITOL STREET, CONCORD, NH 03301
TELEPHONE: 603-271-3671 / FAX: 603-271-2110

FAX COVER SHEET

FROM: Will Deltor

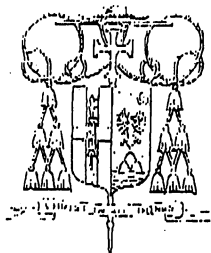
TO: Dave Vicinanza

PHONE NUMBER: 628-4040

OF PAGES (including cover): 3

DATE: 8/22/02 TIME: _____

SPECIAL REMARKS: _____



OFFICE OF THE BISHOP
DIOCESE OF MANCHESTER

11376

August 5, 2002

Box 6272
Manchester, NH 03105-6272

I am mindful that these last several weeks have been challenging ones for you. As the Church struggles to cope with the crisis of trust in her ministers, there are many people whose lives have been affected. I need to do everything that I can to help them to be confident in the Church and hopeful in the Lord. It is with this in mind that I write to you.

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I cannot begin to describe how the current crisis has affected my own life and ministry as bishop. I am sorry that I have not been as present to you as I would want to be. In an effort to be helpful, I have asked a trusted colleague, an inactive priest, Dr. Jesus Morea, to contact you on my behalf. It is my hope that he can help you by listening to your concerns and letting me know how the diocese or I can be of service.

Dr. Morca will contact you soon. I encourage you to accept his offer to visit with you. You remain in my prayer.

Sincerely in our Lord,

John J. Carmack
Bishop of Manchester

Jesus Morea, Ph.D.

[REDACTED]

August 15, 2002

[REDACTED]

[REDACTED]

[REDACTED]

I am sure that by this time you have received the letter that Bishop McCormack has written to you, and in which he mentioned my name as a contact person between both of you, if you so wish.

As the bishop stated, I have been an inactive priest for the last 30 years. I spent all those years working as a psychologist for the state of NH. I also in private practice and worked part time for the Marriage Tribunal Office for over 20 years. Presently I am retired and enjoying my private life. My educational background includes a master degree in Theology, doctoral degree in Canon Law and a Ph.D. in Clinical Psychology.

Mindful of the terrible time you are going through, I wrote to bishop McCormack offering my free services to help you, if you so wish. I am very well aware of the feelings of loneliness, anger, abandonment, humiliation, uncertainty, hopelessness and depression you are going through, as I did when I decided to leave the priesthood. As I recall it was a very difficult time in my life, mostly feeling abandoned by my own brothers in the priesthood.

If you think that I can help you, I want to let you know that our meetings will be confidential unless you wish them to be otherwise. Also in order for us to meet more privately, arrangements have been made for me to use one of the offices at the Tribunal, and if for any reason you think that even this arrangement is not private enough, we could meet in a place more convenient for both of us. Finally I want to state that all my services will be voluntary and free of any charge.

You can contact me at the above mail address, or by phone: [REDACTED] during summer time, or [REDACTED] from October to May, and if you have access to a computer, my email address is: [REDACTED] The latter would be better for me.

Sincerely,

Jesus Morea

ATTORNEY GENERAL
STATE OF NEW HAMPSHIRE

11378

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

1 JIP T. MCLAUGHLIN
ATTORNEY GENERAL



STEPHEN J. JUDGE
DEPUTY ATTORNEY GENERAL

August 23, 2002

Mark Abramson, Esq.
Abramson, Brown & Dugan
1819 Elm Street
Manchester NH 03104-2910

Re: Clergy Sexual Abuse Investigation

Dear Mark:

As you are aware, the Attorney General's Office is in the process of investigating whether the Diocese of Manchester or its representatives engaged in criminal conduct with respect to the manner in which they handled allegations of child sexual abuse by clergy members. You represent a number of clients who have information that would be helpful to this investigation. I understand that several of your clients are reluctant to be interviewed by investigators from the Attorney General's Office because of concern regarding the public disclosure of their identities.

As we discussed on the telephone today, the Attorney General's Office can take steps to protect the identity of your clients from public disclosure. If we determine that the Diocese or any of its agents engaged in criminal conduct, we would not bring any criminal charges involving any of your clients without first discussing that with the victim and obtaining their approval to proceed with such charges.

In the event that there is a Right to Know request from the media or other members of the public at the conclusion of our investigation, we will make every effort to ensure that the identity of any victim who gave statements to our investigators would not be disclosed. New Hampshire's Right to Know law specifically protects from disclosure "files whose disclosure would constitute [an] invasion of privacy." RSA 91-A:5, IV.

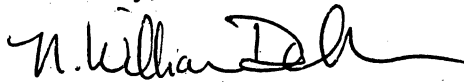
In responding to a Right to Know request, we would redact not only the victims' names but any information that would allow the public to infer the victims' identities. As you are aware, this Office handles many sensitive public integrity cases, in which witnesses

Mark Abramson, Esquire
Page Two
August 23, 2002

often are reluctant to have their identity publicly disclosed. The approach I have set forth in this letter is consistent with our past practice in this matters.

I hope that this letter adequately addresses the concerns of your clients. Our investigators are interested in talking with the victims as soon as possible. Do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,



N. William Delker
Senior Assistant Attorney General
Bureau Chief
Criminal Justice Bureau
(603) 271-3671

ATTORNEY GENERAL
STATE OF NEW HAMPSHIRE

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

11380

PHILIP T. MCLAUGHLIN
ATTORNEY GENERAL



STEPHEN J. JUDGE
DEPUTY ATTORNEY GENERAL

August 29, 2002


Gordon MacDonald, Esq.
Nixon Peabody, LLP
889 Elm Street
Manchester NH 03101

Dear Gordon:

As we discussed on the telephone today, I would like to arrange a time for Sgt. Brenda Blonigen and Det. Brooke Lemoine, two investigators working with our office, to review the Gordon J. MacRae files. Jim Rosenberg and I reviewed MacRae's secret archive file and flagged certain documents, but, given the size of the file, we did not request all of the documents be copied. The investigators believe that we may have overlooked some of the documents that are relevant to our inquiry. In particular, I would request that Sgt. Blonigen and Det. Lemoine be allowed to review the following files related to Gordon MacRae and a mutually convenient time:

- the entire secret archive file;
- any active archive file, including a personnel file;
- any files in the risk management office;
- any files from youth services; and
- any documents in the possession of Sheehan, Phinney Bass & Green that are not protected by attorney-client privilege.

Please contact me so that we can arrange a time for the investigators to review these files. Thank you for your continued cooperation.

Sincerely,

Will Delker
Bureau Chief
Criminal Justice Bureau
(603) 271-3671

194062



STATE OF NEW HAMPSHIRE
NH DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
CRIMINAL JUSTICE BUREAU
33 CAPITOL STREET, CONCORD, NH 03301
TELEPHONE: 603-271-3671 / FAX: 603-271-2110

FAX COVER SHEET

FROM: Will Decker

TO: Gordon MacDonald

PHONE NUMBER: 628-4040

OF PAGES (including cover): 2

DATE: 8/29/02 TIME: 2:20 p.m.

SPECIAL REMARKS: _____

Abramson, Brown
& Dugan

A T T O R N E Y S

11382

September 5, 2002

Stanley M. Brown
(1916-1998)
Kenneth C. Brown
Mark A. Abramson
Kevin F. Dugan*
Jared R. Green

Ann Miller Rice, Esquire
Attorney General's Office
33 Capitol Street
Concord, NH 03301

Dear Ann:

Below you will find a list of my client's names and telephone numbers who have indicated a willingness to speak with you and who have authorized me to disclose their identity:

As you are aware, my clients would prefer that you not disclose their identity and protect their rights to privacy as best you can, as per the recent letter from Mr. Delker.

Should you require anything further, please feel free to call me.

11383

Very truly yours,

A handwritten signature in cursive script, appearing to read "Mark Abramson".

Mark A. Abramson

MAA/ro



Office of the Sheriff

Rockingham County

James "Dan" Linehan, High Sheriff

11384

11384

September 30, 2002

VIA FAX # 271-2110

Philip t. McLaughlin
NH Attorney General
33 Capitol Street
Concord, New Hampshire 03301

RE: Sgt. Brenda Blonigen

Dear Attorney McLaughlin,

I am in receipt of your letter dated September 26, 2002 regarding the status of Sgt. Blonigen's contributions to your investigations into diocesan personnel practices with respect to the issue of priest sexual abuse. Sgt. Blonigen is indeed a respected member of the Rockingham County Sheriff's Office and I am pleased that we could make her professional services available to you these past few months.

Your request to have Sgt. Blonigen continue to work on assignment with your office through November 1st is readily granted. As always, do not hesitate to contact my office any time we can be of assistance.

Sincerely,

Dan
Dan Linehan

Cc: Lt. Peirce
Sgt. Blonigen
Blonigen file



NIXON PEABODY LLP

ATTORNEYS AT LAW
889 Elm Street
Manchester, New Hampshire 03101-2019
(603) 628-4000
Fax: (603) 628-4040
Direct Dial: (603) 628-4083
E-Mail: dvicinanzo@nixonpeabody.com

11385

October 10, 2002

By Facsimile

Will Delker, Esq. Bureau Chief
Criminal Justice Bureau
Department of Justice
State of New Hampshire
33 Capitol Street
Concord, NH 03301

Dear Will:

As a courtesy, I want to give you a head's up that today, Thursday, October 10, at approximately 1:30 p.m. the Diocese and Attorney Chuck Douglas will be announcing the settlement of 16 filed cases alleging sexual abuse of a minor by a priest. While I know that you are aware of the recently filed civil cases, including those filed by Mr. Douglas, I list for your convenience the names of the accused priests: Authier, Breton, Joyal, Lemire, Mann, Osgood, Shea and Talbot. Of the 8 priests, 4 are deceased, 2 are living and no longer have authority to function as priests, and 2 left the ministry in the 1960s.

Please contact me if you have questions.

Very truly yours,


David A. Vicinanzo

M92149.1



NIXON PEABODY LLP

ATTORNEYS AT LAW

889 Elm Street

Manchester, New Hampshire 03101-2019

(603) 628-4000

Fax: (603) 628-4040

Direct Dial: (603) 628-4083

E-Mail: dvicinanza@nixonpeabody.com

11386

October 10, 2002

By Facsimile

Will Delker, Esq. Bureau Chief
Criminal Justice Bureau
Department of Justice
State of New Hampshire
33 Capitol Street
Concord, NH 03301

Dear Will:

You have asked me whether it is our understanding that a claimant who has settled a matter with the Diocese and executed a confidentiality agreement is free to speak to the Attorney General's Office about the subject matter of the settlement without breaching the agreement.

Our understanding is that speaking to the Attorney General's Office is not a breach of a civil settlement agreement.

Please contact me if you have further questions.

Very truly yours,


David A. Vicinanza

M92150.1

ATTORNEY GENERAL
STATE OF NEW HAMPSHIRE

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

11387

STEPHEN J. JUDGE
DEPUTY ATTORNEY GENERAL



STEPHEN J. JUDGE
DEPUTY ATTORNEY GENERAL

October 25, 2002

Brian Tucker, Esquire
Rath, Young & Pignatelli, P.A.
One Capital Plaza
PO Box 1500
Concord, NH 03302-1500

RE: Investigation of Clergy Sexual Abuse

Dear Brian:

I am writing in response to your letter dated October 23, 2002, regarding our scheduled interview with Father George Ham. You inquired about the status of Father Ham in the ongoing investigation. The State does not intend to provide Father Ham immunity. Father Ham is strictly a witness in this investigation. The State first requested to speak with Father Ham and Bishop Christian at least six weeks ago. The delay in speaking with witnesses from the Diocesan administration is impeding the progress of our investigation. Accordingly, if we cannot make mutually convenient arrangements to speak with Father Ham before November 8, 2002. I will issue a subpoena for his appearance before the grand jury in November.

Please contact me at your earliest convenience to reschedule the interview with Father Ham.

Sincerely,

A handwritten signature in black ink, appearing to read "N. William Delker".

N. William Delker
Senior Assistant Attorney General
Chief, Criminal Justice Bureau
(603) 271-3671

NWD/mmp



BRIAN T. TUCKER
Attorney at Law

RATH, YOUNG AND PIGNATELLI

Professional Association

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11388

October 23, 2002

N. William Delker
Senior Assistant Attorney General
Criminal Justice Bureau
Department of Justice
33 Capitol Street
Concord, NH 03301-6397

Re: *Father George Ham*

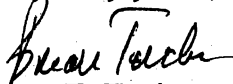
Dear Mr. Delker:

We are going to have to postpone Father Ham's meeting with your investigators that was scheduled for October 25. I understand you wish to discuss the Aube, Petit and Fortier cases with him and we need additional time to obtain all of those files from the Diocese and give Father Ham an opportunity to look through them. If there is other information (written or not) that is not part of the diocese's files on those priests, but which relates to those priests or to subjects on which you wish to question Father Ham, I ask that you make that information available to me as soon as possible.

I also want to confirm my understandings that (1) you will not provide Father Ham with informal, letter immunity, and (2) you consider Father Ham to be a fact witness and not a target or subject of your investigation. Please let me know if I misunderstand your position on either of these points.

I will be in contact with you shortly to discuss the interview further.

Very truly yours,


Brian T. Tucker

BTT/omk

C O U N S E L L O R S A T L A W

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11389

PHILIP T. MCLAUGHLIN
ATTORNEY GENERAL

STEPHEN J. JUDGE
DEPUTY ATTORNEY GENERAL



October 28, 2002

VIA FACSIMILE (603) 225-5112 & U.S. MAIL

Steven Gordon, Esquire
Shaheen & Gordon, P.A.
Two Capitol Plaza
Box 2703
Concord, NH 03302

RE: Investigation of Clergy Sexual Abuse

Dear Steve:

I am following up on our conversation of last week regarding our request to interview Monsignor John Quinn in connection with the investigation of the manner that the Diocese handled allegations of sexual abuse of minors by clergy. You requested the names of priests that we wanted to question Monsignor Quinn about so that you could evaluate whether Monsignor Quinn should assert his right against self-incrimination. As I informed you, this office does not believe that it is in the interest of justice to give Monsignor Quinn immunity.

We believe that Monsignor Quinn has information about how allegations of sexual abuse were handled with respect to Gordon MacRae, Joseph Maguire, Paul Aube, and Mark Fleming. We do not intend to limit our questions to these priests because he may have been involved in other matters of which we are unaware or he may have knowledge of how other cases were handled, even if he was not directly involved. We are unwilling to provide any records from our investigation to you.

Please inform me at your earliest convenience whether Monsignor Quinn is willing to speak with us. Our factual investigation of the Diocese is nearing completion. It is important that we speak with decision-makers at the Diocese regarding how these matters were handled so that our factual investigation is complete.

Sincerely,

A handwritten signature in black ink, appearing to read "N. William Delker", with a long horizontal flourish extending to the right.

N. William Delker
Senior Assistant Attorney General
Chief, Criminal Justice Bureau
(603) 271-3671

NWD/mmp
197896

ATTORNEY GENERAL
STATE OF NEW HAMPSHIRE

10/29/02

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

P JIP T. MCLAUGHLIN
ATTORNEY GENERAL

11390
STEPHEN J. JUDGE
DEPUTY ATTORNEY GENERAL



October 29, 2002

David Vicinanza, Esquire
Nixon & Peabody, LLP
889 Elm Street
Manchester, NH 03101

RE: Diocese of Manchester

Dear David:

I am writing to request your prompt attention to several requests that have been outstanding. I forgot to mention these issues at our meeting last week but they are very important. The Diocese promised to provide the following information and/or documents:

- All written policies and/or procedures adopted by the Diocese for handling allegations of sexual abuse of minors by clergy. This request includes both current policies and procedures, as well as historical policies and procedures that may have been followed by the Diocese.
- Detective Brooke Lemoine identified a number of documents relating to Gordon MacRae of which he requested copies. We have not yet received those documents.
- [REDACTED]
- A copy of the complaint file for Raymond Lamy.
- Settlement documents and related correspondence for [REDACTED] (Chalifour case).

David Vicinanza, Esquire
Page 2
October 29, 2002

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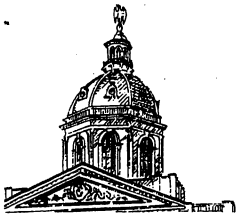
Please call me if you have any questions. Thank you for your prompt attention to these requests.

Sincerely,

A handwritten signature in black ink, appearing to read "will Delker", with a long horizontal flourish extending to the right.

N. William Delker
Senior Assistant Attorney General
Chief, Criminal Justice Bureau
(603) 271-3671

NWD/mmp
198017



BRIAN T. TUCKER
Attorney at Law

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November 1, 2002

N. William Delker
Senior Assistant Attorney General
Criminal Justice Bureau
Department of Justice
33 Capitol Street
Concord, NH 03301-6397

Re: *Investigation of Clergy Sexual Abuse*

Dear Wil:

Thank you for what I thought was a productive meeting on October 30, 2002. We await your thoughts on whether the proposals that were made will enable you to get the information you think you need to round out your inquiry.

I wanted to respond to the letter that you sent me on October 25, regarding Father George Ham and Auxiliary Bishop Francis Christian. I am puzzled by the suggestion that they or I are somehow responsible for delaying your investigation.

You first asked to speak with Bishop Christian and Father Ham in early September 2002. We agreed Father Ham would meet with you on October 25, and you would speak with Bishop Christian on October 28 and 29. The delay was occasioned by their need to review files that bear on the decades-old issues you have under investigation. I understood you did not object to giving them time to prepare for the interviews and thought you viewed that as the best way to ensure their answers to your questions would be as complete and accurate as possible. In fact, you said that to focus their preparation, you would identify in advance the priests about whom they would be questioned.

On October 15, you informed me your office would not honor an agreement we had reached on the conditions under which the interviews would be conducted. It was not until last week that you named definitively those priests you wished to discuss with Father Ham, and it took time for me to obtain the Diocese file on at least one of those priests in order that Father Ham and I could review it. I still do not know the identity of priests whose cases you wish to raise with Bishop Christian. To the extent you intended to imply that we are at fault for the delay you have encountered, the facts show the blame is misplaced.

You set a deadline of November 8 for establishing a date on which to interview Father Ham and I will do what I can to accommodate you.

Very truly yours,

Brian T. Tucker

BTT/omk

COUNSELLORS AT LAW

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**ATTORNEY GENERAL
STATE OF NEW HAMPSHIRE**

33 CAPITOL STREET
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11393

LIP T. MCLAUGHLIN
ATTORNEY GENERAL



STEPHEN J. JUDGE
DEPUTY ATTORNEY GENERAL

October 14, 2002

The Most Reverend Francis J. Christian
Auxiliary Bishop, Diocese of Manchester
c/o Brian Tucker, Esquire
Rath, Young & Pignatelli, P.A.
1 Capital Plaza, Box 1500
Concord, NH 03302-1500

Dear Bishop Christian:

The State wishes to interview you in connection with its investigation regarding the Diocese of Manchester because it is apparent that you had significant involvement in the way that allegations of sexual abuse of minors were handled by the Diocese. You have informed the State through your attorney, Brian Tucker, that you will refuse to testify or provide information on the basis of your privilege against self-incrimination unless given assurances that the testimony and/or information provided by you remains protected under the Fifth Amendment and Part I, Article 15 of the New Hampshire Constitution.

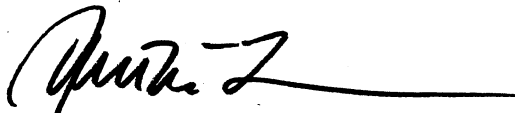
After much consideration, the State is unable to provide you with the cloak of immunity that you have requested. Over the past months, the Attorney General's Office has investigated the manner in which the Diocese of Manchester responded over the years to allegations of sexual assaults by priests against minors. The Diocese, itself, is a target of this investigation. As such, the conduct of various high-ranking Diocesan officials -- including your own -- has been central to the State's investigation. The State has not concluded its investigation at this time, nor has it made any final decision regarding whether to present formal charges against the Diocese.

Although this matter remains open, the State's investigation to date has reaffirmed the following: the Catholic Church, its priests, and high ranking Diocesan officials play remarkably and uniquely important roles in the day-to-day life of the residents of this State, regardless of religious belief. Diocesan officials and priests occupy positions of public trust. Thousands of New Hampshire citizens continue to look to the Church for strength, guidance,

spiritual direction, and moral integrity. In every corner of this State, the Church maintains parishes, priests counsel parishioners, and Diocesan officials make decisions regarding the direction of the Church. In grave matters concerning public safety, the public has the right to scrutinize your conduct and that of other Diocesan officials. Ours is an extraordinary investigation. We are probing personnel decisions that marked the lives of many.

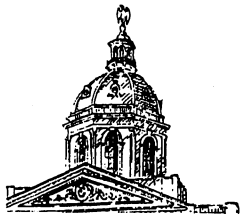
As the current Auxiliary Bishop of the Diocese of Manchester, please reassess the extent of your affirmative responsibility to the residents of this State to be truthful, complete, and forthright in providing information. I fail to understand how considerations of personal risk can impact the duty and willingness of a bishop to tell the truth. Diocesan personnel practices beg to be explained. I urge you to meet with the State, to be forthright, and to provide information, but the State will not provide you with immunity to do so. If you have any questions or concerns, please direct them to Senior Assistant Attorney General Will Delker.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Philip T. McLaughlin", with a long horizontal line extending to the right.

Philip T. McLaughlin
Attorney General

PTM/jdr/nwd
196335



BRIAN T. TUCKER
Attorney at Law

RATH, YOUNG AND PIGNATELLI 11395
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November 5, 2002

Philip T. McLaughlin
Attorney General
Department of Justice
33 Capitol Street
Concord, NH 03301-6397

Re: Auxiliary Bishop Francis J. Christian

Dear Mr. McLaughlin:

We are writing in response to your October 14, 2002 letter to our client, Auxiliary Bishop Francis J. Christian. The letter followed your decision to withdraw a representation to us as to how your office would treat information Bishop Christian provided to your investigators. The contents of your letter and the manner in which you addressed it, your staff's inconsistent statements about how information would be treated, and your previous public statements about the guilt of diocese officials, cause us to fear that this investigation lacks objectivity and impartiality. The history of our recent communications with Mr. Delker of your office serves to underscore our point.

On September 10, 2002, Mr. Delker called us and requested to speak with Bishop Christian in connection with your investigation of how the Diocese of Manchester addressed allegations that priests were sexually abusing minors. Mr. Delker informed us the issue under review was whether there was a violation of the child endangerment statute (RSA 639:3). He further said the Diocese was a target of your investigation and that Bishop Christian was a "subject" of this investigation. Prosecutors commonly use the term "target" to indicate a belief that there exists substantial evidence linking a person to the commission of a crime and that he is a putative defendant. The word "subject" in this context typically means the person's conduct is a specific part of the inquiry.

When we spoke with Mr. Delker again on September 20, 2002, we raised with him certain comments you made in the June 16, 2002 edition of the New Hampshire Sunday News. Among other things, you said you were "absolutely convinced" that Church leaders committed crimes through the manner in which they dealt with priests accused of sexual misconduct. You continued,

I think it is absolutely self-evident that that's the case.
There's no ambiguity about it. The question is, can we get the
kind of evidence necessary to bring prosecutions within the

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statute of limitations. . . . [T]he scope, frequency and duration of these crimes would have been absolutely impossible absent the aiding and abetting of some of these bishops. And in New Hampshire, we are actively investigating this aiding and abetting issue.

Your decision to pronounce publicly subjects of your investigation guilty before an adjudication of guilt from a court (or even the filing of charges) raises serious ethical issues. See N.H. Rule of Professional Conduct 3.6 (b)(4). Your statements also strongly suggest that this inquiry has a predetermined conclusion. You stated the statute of limitations is the only possible obstacle to conviction, plainly making Bishop Christian not just a subject, but in fact, a target. You further appear to have concluded, as early as June, that he is guilty of criminal wrongdoing even though it took another three months before your staff indicated an interest in hearing from him.

Since you appear to have prejudged his guilt, we asked Mr. Delker if, in light of your comments, he would provide us with a letter indicating that information provided by Bishop Christian would not be used against him. Mr. Delker's response was that he would make inquiries within your office and let us know. We understood Mr. Delker was authorized to speak for you in this matter. He is the chief of your criminal bureau and, in fact, your letter of October 14 directs Bishop Christian to deal with Mr. Delker as issues arise.

On October 3, 2002, Mr. Delker told us he would send the letter that week. On October 7, 2002, Mr. Delker told us the letter was on your desk and although you needed to review and sign it, the representation stood. On October 15, 2002, Mr. Delker called to say your office would not be sending the letter. Your correspondence to Bishop Christian followed.

Your correspondence suggests Bishop Christian would assert his privilege against self-incrimination and refuse to speak with representatives of your office without a letter from you that restricted the use to which you could put information he provided. That conclusion is baseless and your presumption about Bishop Christian's thinking on this issue is entirely speculative. As a result of your public comments, we asked Mr. Delker about the availability of letter immunity. We did not discuss what Bishop Christian would do in the absence of immunity or whether he would remain silent without such a letter. Our discussions were limited to whether informal immunity was available, and then to Mr. Delker's statements, that it was, and then, that it was not.

It is also unfair for you to suggest Bishop Christian has been anything less than cooperative. Several months ago he testified on behalf of the State at its request in a related proceeding in Belknap County Superior Court in which Mr. Delker participated. He has never rejected any request your office has made of him for assistance or information. Your comment that you "fail to understand how considerations of personal

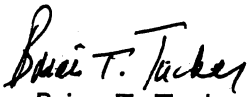
risk can impact the duty and willingness of a bishop to tell the truth" is gratuitous and offensive.


Bishop Christian will meet with your representatives at a mutually convenient time. In the interest of fairness, however, we must ask that you provide us in advance of such a meeting with every document within your custody or control that you believe is incriminating of him. It is only through such a disclosure that we can meaningfully and fairly address the issues you have apparently decided to raise in this case.

Mr. Delker notes in the October 22 Union Leader that your investigation involves a review of "forty years of cases." Bishop Christian is being asked to speak with you about decisions you question today, but which were made a number of years ago. It is unfair to expect him to address directly your questions without first knowing how you interpret his conduct to constitute misconduct. Since you have already stated your belief that Bishop Christian engaged in criminal wrongdoing, it is only fair that you allow us to meet your contention head on and have a full and complete opportunity to address it with you before you take the extreme step of filing a criminal charge or criticizing him as part of a public "report." In our experience, prosecutors often permit a target or subject of an investigation of nonviolent conduct to review the evidence before indictment to permit him to point out errors in the prosecutor's analysis. Even if you would reject this request in the typical case, you noted in your October 14 letter that this investigation is "extraordinary."

In closing, we want to comment on your tactic of attempting to communicate directly with Bishop Christian. The rules of professional conduct prohibit an attorney from attempting to address a person known to be represented by counsel, see N.H. Rule of Professional Conduct 4.2, and your letter was a transparent attempt to circumvent that prohibition. It is our responsibility to advise our client. We will do so to the best of our professional responsibility and ability without your advice. We expect future communications from you regarding Bishop Christian to be made to us and not to our client.

Very truly yours,


Brian T. Tucker


Thomas D. Rath

TDR/BTT/omk