

NAME **O'LEARY, Rev. Arthur P.** AB M.Ed. M.Div.
 DATE OF BIRTH **3/1/31** PLACE OF BIRTH **New York, N.Y.**
 DATE OF ORDINATION **5/8/75** PLACE OF ORDINATION **St. Eulalia Church, Winchester, MA - Card. Medeiros**
 HOME **225 Blue Rock Rd., S. Yarmouth, MA**
 ADDRESS **(Arthur E. O'Leary)** HOME TEL NO. **394-5632**

DATE ASSIGNED	OFFICE	ASSIGNMENTS PLACE ASSIGNED	DATE DETACHED	REMARKS
6/3/75	Assoc. Pastor	O.L. of the Rosary, Stoughton	6/30/81	
6/30/81	Assoc. Pastor	St. Christine, Marshfield	6/25/91	
6/25/91	Parochial	St. Mary of Sacred Heart, Hanover	10/28/94	
10/28/94	Administrative Leave			
8/1/96	senior Priest	Retirement Status	8/1/96	

ASSIGNMENT RECORD ARCHDIOCESE OF BOSTON WHEELDEFORM 700984-3

Rev. Arthur P. O'Leary
 225 Blue Rock Road
 Yarmouth, MA 02664
 508-394-5632
 776-4902 Cellular Phone

O'LEARY, ARTHUR P.
 1-004

Early November, 1985

It was reported by Chaplain of State Police (a Worcester priest) that the State Police had spotted Fr. Arthur O'Leary several times at a rest area on the Cape which had b-en frequented by gays.

Bishop Hart brought this to Fr. O'Leary's attention.

Fr. O'Leary came to see me to dispel any wrong ideas. He has home on Cape, and used to bring refuse to rest area for disposal. Was approached once, and after refusing and identifying himself as a priest, was asked for help by person. Later several other gays came for help and he would counsel them in the rest are, rather than take them home or to a bar.

That has been extent of the involvement.

Hea agreed to stay away from the rest areas, and he also agreed to let me tell the State PAllice that he had done nothring wrong.

+RJB

O'LEARY, ARTHUR P.
1-044

1/30/87

Arthur O'Leary

August / successful

6 yrs. ---

- expectations - superfluous in ministry
- already available
- certain talents but not in other areas & management

physically tired & emotionally exhausted - judgmental, important
makes me difficult to deal with

prepp - talk to people - problems in organizing
school teacher before priest had - social studies - 19 yrs.

sp. direction, counseling

deficiencies - not good w/ old people; visiting hospitals

7
see sp. dir. & counselor - depression
at New York

issues - Ministry of only

- lack of professional social services
- very independent & self-sufficient then can be
in dependent council



ST. JOHN'S SEMINARY
COLLEGE OF LIBERAL ARTS

197 FOSTER STREET · BRIGHTON, MASSACHUSETTS 02135 · 617 254-2610

OFFICE OF THE DEAN

2-25-86

Dear John,

Last night one of the students came to me with a report from his father, who is a close friend with a State Police Captain. The captain said that he was going against his own regulations revealing this story, but he wanted very much to "try his luck."

He revealed the name of a priest that the police are "soon" to move in on for involvement with boys. He wanted to avoid this if at all possible, for all the reasons you can imagine. He hoped that somehow the diocese could intervene before that drastic action happened, by getting the man to counselling and warning him of the seriousness

of his situation before the law.

I decided to pass this information on to you to handle as you think best.

I do not know the name of the priest.

The student wrote it on [the] plain stationery and enclosed it in the envelope with my name on it which I have enclosed with this letter to you.

(The priest is not known by the student.)

Apparently the individual has, recently, not been caught by stake-out detectives, but this is not expected to last; they expect to get him.

Sorry to dump this in your lap. I hope and pray some good can come of it.

Sincerely,

Fred

Arthur
Francis O'Leary of Mansfield
Class of 1975 is the person involved.

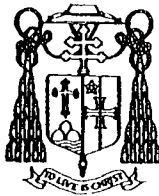
Met with Arthru O'Leary - September 8, 1986

- As bla-e as ever.
- denies that there was anything untoward at the rest area.
- denies that we had an agreement concerning his not going there
- says that he is contemplating legal action against the State Police because they harassed him and trailed him home.
- explains his actions as taking trash to the barrels and counseling some freinds of his there.
- denies any activity.
- θ says categorically that he has not engaged in any homosxeual activity at rest area.
- says that I should check out his careers and reputation (teacher for 17 years in Hingham and boy scout leader.) I indicated that homosexual can have excellent record.
- I told him that I still had my suspicions, but could not prove anything at this stage.
- In summary, I think we have an active homosexual who restricts his activity to times and places away from the aprish.
- he mentioned that he was complained against at Holy Rosary because he was seen coming out of woman's house at 3:30 A.M. He explains this kind of cavalier behavior as result of his not going through the regular seminary system.

*I explicitly ordered him to stay away from any rest area.
He accepted this out of obedience to Archbishop.*

gls

Boston Catholic Directory - JD JD 6/17
Clergy Computer list - Bill McPherson WPA
Clergy cards, list - Father Lennon
Archives



CARDINAL'S RESIDENCE
2101 COMMONWEALTH AVENUE
BRIGHTON MASSACHUSETTS 02135

May 14, 1991

Reverend Arthur P. O'Leary
Saint Christine Parish Rectory
Route #3A - P. O. Box #274
Marshfield Hills, MA 02052

Dear Father O'Leary:

Upon the recommendation of the Personnel Board of the Archdiocese, I am ending your appointment as Parochial Vicar at Saint Christine Parish in Marshfield. I am appointing you as Parochial Vicar at Saint Mary of the Sacred Heart Parish in Hanover. The effective date of this course of action is June 25, 1991.

I am confident that you will render fine priestly service to the people of God in Saint Mary of the Sacred Heart Parish.

Please send written notification to Most Reverend Alfred C. Hughes, Vicar for Administration and Reverend James J. McCarthy, Clergy Personnel Director, indicating that you have received this letter.

With my warmest personal regards and my blessing upon you and all whom you serve so well, I remain,

Sincerely yours in Christ,

Edward Cardinal Garry
Archbishop of Boston

O'LEARY, ARTHUR P.
1-055

Additional Personal and Confidential background information regarding Fr. Arthur O'Leary

Allegation: (September, 1992)

Mrs. [REDACTED] contacted the Chancery with concern about her son [REDACTED] who is 12 years old and an altar server in the parish.

[REDACTED] had a very uncomfortable feeling around Fr. O'Leary. Some of this was a feeling he had and some came from words and actions by Fr. O'Leary.

Specifically the boy mentioned Fr. O'Leary's use of swear words like "ass" around the boys. Also, in referring to [REDACTED]'s cincture, Father said 'stop playing with your ding-a-ling'. In regard to the processional cross, Fr. O'Leary told him to 'stop playing with my jewels'. Finally, [REDACTED] says that he massages the boys' shoulders. This makes [REDACTED] feel very uncomfortable.

Mrs [REDACTED] decided to meet with Fr. O'Leary with her husband and a priest relative. They did have a meeting at which they expressed there concerns. They felt that Fr. O'Leary really had little response to these concerns at this meeting.

To: JBM
From: CEM

September 15, 1992
11:50 a.m.

Re: O'Leary situation

Telephone call from Father Congden - St. Patrick's
Stoneham - nephew of Mrs. [REDACTED]
He contacted Fr. O'L., had an appointment
with him Saturday at 9 p.m. Present: Mr. & Mrs. [REDACTED],
Fr. O'L. and Fr. C. just me quote from
my yellow sheet - "No affective response, no anger
apology, very calculated" "not normal" - Fr. C.
Mrs. [REDACTED] is going to call me.

30 Oct. 1993

ST. MARY'S RECTORY
392 HANOVER ST.
HANOVER, MA 02339

Dear Fr. Mc Cormack,

Enclosed please find a copy
of my airline bill in the amount of
\$540.70 to which should be added
\$14. in the Logan shuttle bus.
The total owed to me is \$554.70.

I would appreciate transfer
of this amount to me at your
earliest convenience.

Thank you.

Arthur P. O'Leary

O'LEARY, ARTHUR P.
1-060

November 8, 1993

Reverend Arthur P. O'Leary
~~St. Mary's Rectory~~
392 Hanover Street
Hanover, Massachusetts 02339

Dear Arthur:

I received your note requesting reimbursement for your cost of transportation to and from Logan Airport and Washington, DC. I have submitted it to the Clergy Fund. You should receive a check from them within the next few weeks.

I know that these are not the easiest of days for you. You are in my prayers. Take care.

Sincerely yours,

JBM:mo'l
6650M

Reverend John B. McCormack
Secretary for Ministerial Personnel

O'LEARY, ARTHUR P.
1-061

PERSONAL AND CONFIDENTIAL
Reverend Arthur P. O'Leary
October 23, 1993

I met with Father Arthur O'Leary at the Chancery on October 23, 1993 regarding reports from the Chancery files concerning possible sexual misconduct in 1985 and in 1986. I met with him also regarding concerns raised by one family in his parish in September, 1992.

Initially I reviewed with Father O'Leary the policies and procedures of the Archdiocese regarding sexual misconduct and then read to him the reports.

The following are Father O'Leary's responses:

1. In regards to the situation with [REDACTED], Father O'Leary wished to clarify some issues. In regard to the comment about 'jewels', Father O'Leary explained that the parish has a large processional cross with five large, round jewels. It seems that some of the altar servers have a habit of fooling around with it and in that light he asked [REDACTED] not to play with it.

Father O'Leary met with the parents and Father Congdon. This took him by surprise since Father Congdon asked for the meeting and the parents also came.

Father O'Leary also found it interesting that Mr. [REDACTED] was most upset because Father O'Leary exchanged greetings on a Sunday morning with his son and not with him.

Father O'Leary has a sense that the family is "uptight". He cites as an example the family's decision not to hold hands during the Lord's prayer when he says Mass. (Father O'Leary invites all in the congregation to hold hands at that time.)

In the same area, Father O'Leary identifies himself as being very comfortable with hugging or being physical. He has always been that way.

Father O'Leary wants to make it clear that "I'm not trying to make it with [REDACTED]".

He notes that [REDACTED] is still an altar server in the parish

Father O'Leary explains that he has been a teacher and teacher's union member. He also mentions that he was a Scout camp director and that he has been involved in these activities about 15 years.

He explains that he was angry at the [REDACTED], but also sorry that [REDACTED] saw things this way.

He recalls meeting with Father Congdon and the parents for about one hour to talk out the whole thing.

In regard to the question of massaging, Father O'Leary says that he always checks the albs of the servers before Mass. He'll pull the alb down if it's not falling correctly. He also puts his hands on the server's shoulders before they go out for Mass, mostly to tell them to go or to wait.

2. In reviewing the reports of 1985 and 1986 I also reviewed Father O'Leary's responses at that time. Father O'Leary had some additional observations today.

The incident of October 21, 1986 he recalls that the "kid ran out of gas and I was assisting him".

Father O'Leary feels that the State Police have many good people, but overall he does not find them to be a pleasant group to deal with. Father O'Leary feels that they were "nasty" to many people on the Cape and in the rest areas.

Father O'Leary went on to inform me that one of the men he had met there has become a friend. At that time this person was an unemployed alcoholic. He is now doing much better. He recalls that another person that he had met there died of AIDS. Father O'Leary feels that most of the people there were lonely and that they really were not just looking for sex.

Father O'Leary felt that maybe what he was doing was indiscreet.

Future Plans: Father O'Leary has agreed to go to Saint Luke for an assessment

REVIEW BOARD
February 7, 1994

Case #34

1. Allegations:

- A. In 1985 & 1986 the priest was seen several times in a parked area late at night that is known to be a meeting spot for anonymous sex.
- B. Concerns were raised about the priest's conversation with a young male parishioner which made the boy uncomfortable.

2. Complainants:

- A. The State Police
- B. The mother of the boy spoke to CEM about the priest's behavior.

3. Response:

To the first allegation, the priest denied any misconduct when he was confronted about it in 1985 and 1986. More recently, when he went for an assessment he admitted that he had engaged in some anonymous sex at the area where he was seen by the Police.

In regard to the second allegation, the priest emphatically denies any sexual interest in minors. He admits that his speech around people sometimes contain inappropriate double entendres.

4. Background of the Priest:

He is a bright and articulate person. He is in his early sixties. He was ordained in his mid-forties. He can be defensive, but he was very forthright in the assessment. He describes himself as heterosexual.

He has held three assignments in the Archdiocese as a Parochial Vicar and to my knowledge has served well.

5. Impressions:

The priest has been cooperative in this process. At times he is defensive and detached when responding to questions about the complaints.

O'LEARY, ARTHUR P.
1-076

6. Action to Date:

The priest had an assessment. There was no evidence that he was sexually drawn to adolescents. There is concern about internal stresses for this priest around issues of loneliness, self-esteem and dependency issues. It is felt that the conditions that caused the priest to act out in the 80's still need to be addressed.

1. Diagnosis with sexual disorder not otherwise specified, compulsive sexuality, unintegrated sexuality.
2. Dependent and compulsive traits.

7. Future Plans:

It was recommended that he should be involved in outpatient psychotherapy to address his issues. They recommended that the priest contact the center in twelve months and with his permission have his therapist speak with them regarding his psychotherapeutic progress. If progress is limited, they would recommend a re-evaluation and consideration of residential treatment.

8. Delegate's Recommendations:

The recommendation is that the priest be involved in outpatient therapy. In one year this will be reviewed with his therapist and the person who directed the assessment. He may continue in his present assignment with the notification of his pastor and a monitor assigned to him.

REVIEW BOARD

April 7, 1994

Case #34

1. Allegations:

- A. In 1985 & 1986 the priest was seen several times in a parked area late at night that is known to be a meeting spot for anonymous sex.
- B. Concerns were raised about the priest's conversation with a young male parishioner which made the boy uncomfortable.

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- A. The State Police
- B. The mother of the boy spoke to CEM about the priest's behavior.

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He has held three assignments in the Archdiocese as a Parochial Vicar and to my knowledge has served well.

5. Impressions:

The priest has been cooperative in this process. At times he is defensive and detached when responding to questions about the complaints.

O'LEARY, ARTHUR P.
1-078

REVIEW BOARD MEETING

April 7, 1994

Chancery - 6:30-8:30 P.M.

Case #34

The recommendation is that the priest be involved in outpatient therapy. In one year this will be reviewed with his therapist and the person who directed the assessment. He may continue in his present assignment with the notification of his pastor and a monitor assigned to him.

O'LEARY, ARTHUR P.
1-079

Archdiocese of Boston
Secretary for Ministerial Personnel

PERSONAL AND CONFIDENTIAL

M E M O R A N D U M

TO: Cardinal Law
FROM: Father McCormack
DATE: April 24, 1994
RE: Reverend Arthur O'Leary - Case #34

Attached to this memo is a report presented to the Review Board regarding Reverend Arthur O'Leary. The case was presented on April 7, 1994.

Background:

1. The complaint that occasioned Father Deeley to meet with Father O'Leary was made by a parishioner regarding his conversation with a young altar boy. The conversation made the boy uncomfortable.
2. In 1985 and '86, another complaint was made by a State Police officer about Father O'Leary frequenting roadside rest areas. He denied any sexual activity when confronted by Bishop Banks. He also denied this to Father Deeley. Yet, during the psychological assessment he acknowledged that for the period of a couple years he was engaged in anonymous sex at the rest areas.
3. The family of the young boy considers that the steps taken by the Archdiocese are sufficient. They do not see any reasons for limiting the ministry of Father O'Leary.
4. My concern about Father O'Leary is how resistant is he to learning positive ways of addressing his personal issues of loneliness, dependency and low self-esteem. Outpatient psychotherapy has been recommended with a review in one year about how effective it has been.
5. Although it was not included in the recommendation of the Delegate or the Review Board, I would also suggest that he be asked to enter into spiritual direction.

O'LEARY, ARTHUR P.

1-080

ARCHDIOCESE OF BOSTON
RECEIVED

MAY 16 1994

M E M O R A N D U M

OFFICE OF
MINISTERIAL PERSONNEL

TO: Father McCormack
FROM: Cardinal Law *ML*
RE: The Reverend Arthur O'Leary
DATE: May 11, 1994

I have read your recommendation and I have read the Board's response.

I think it would probably be good if you and I were to speak about this case.

Thank you.

BCL:glp

O'LEARY, ARTHUR P.
1-084

*If the letter reports were
the Cardinal and the
conveyed to the Cardinal
acceptance by the Cardinal
of the recommendation
RJD*

CONFIDENTIAL

M E M O R A N D U M

TO: Fr. Brian Flatley
FROM: Fr. Kevin Deeley *KFD*
DATE: October 27, 1994
RE: Fr. Arthur O'Leary

I spoke by telephone with [REDACTED] of Hanover on October 25, 1994 in regard to his sons, [REDACTED] and [REDACTED]. Both boys have made complaints about Fr. O'Leary and his inappropriate behavior toward them.

[REDACTED], a freshman at Harvard, recently had a panic attack. It was serious enough to hospitalize him for six days. While he was being treated, he repeatedly asked his parents how his brother was. [REDACTED] was concerned about [REDACTED] being around Fr. O'Leary. In some way [REDACTED] has felt violated by Fr. O'Leary and he is still working through this with his psychiatrist.

The parents confronted [REDACTED] to see if anything had happened. [REDACTED] responded that 'I told you the guy has been bothering me'. He went on to relate the following:

When he, with another boy, was counting the collection, Fr. O'Leary came in and gave him a choice to have a shoulder rub or a wedgie. The parents later learned that this was standard procedure each week for Fr. O'Leary with the boys counting the collection. The other boy told [REDACTED] that he would be wise to take the shoulder rub.

When Fr. O'Leary gave [REDACTED] the shoulder rub, he rubbed so hard that he really hurt the boy's shoulder. Mr. [REDACTED] sees this as being like an assault on his son. It seems that [REDACTED] was not able to compete in an athletic event at school the following week because of this incident.

At another time Fr. O'Leary showed [REDACTED] a new pair of boxer shorts he had. Fr. O'Leary told him that he really didn't like them. At another time, he told [REDACTED] that he liked the boxer shorts he was wearing and then proceeded to pull down his pants to show them. In speaking about this incident, Mr. [REDACTED] recalled that at one time Fr. O'Leary had given his son [REDACTED] boxer shorts for a Christmas present. It really seemed inappropriate.

I offered to meet with [REDACTED] to help him talk about what may have happened to him. Mr. [REDACTED] did not want to put any more pressure on [REDACTED] at this time.

Mr. [REDACTED] spoke about getting counseling for all in the family. I told him that the Archdiocese would be willing to assist them in

O'LEARY, ARTHUR P.
1-118

Memo to Fr. Flatley re: Fr. Arthur O'Leary 10-27-94 p.2

that area. He felt that they could cover it with their own insurance.

He has spoken with his lawyer, but did not want to pursue that area. He was reluctant to let me use the family name with Fr. O'Leary, but eventually agreed to that. His objective is to stop this from happening. He does not think that Fr. O'Leary should be in their parish or any parish and that he should not be around young boys.

O'LEARY, ARTHUR P.
1-119

PERSONAL AND CONFIDENTIAL
Rev. Arthur O'Leary
October 28, 1994

Father Brian Flatley and I met with Father O'Leary at the Chancery on October 28, 1994, regarding complaints raised by [REDACTED] from his parish in Hanover. These complaints involved Father O'Leary's involvement with two of the [REDACTED] boys, [REDACTED] and [REDACTED]. The father outlined what they now see as very inappropriate behavior by Father O'Leary.

The following are Father O'Leary's responses:

1. Father O'Leary wished that [REDACTED] was able to be present there so that we could talk with him about all this. Father O'Leary also expressed his regrets that we live in a world where everyone is suspect and there is no room for any humor.
2. Father O'Leary said that he never did anything that he felt was of a sexual nature with either [REDACTED] or [REDACTED].
3. He stated that it was not his habit to go and offer wedgies or shoulder rubs to these boys.
4. He felt that [REDACTED] and he were good friends. He does not recall [REDACTED] ever expressing any disapproval to him. Father O'Leary recalled that as a matter of fact [REDACTED] often volunteered to assist him in different projects. Father O'Leary can recall a telephone conversation with [REDACTED] as recent as two weeks ago. It seems that [REDACTED] had called Father O'Leary to learn of the status of the other boy from the parish who counted money with him. It seems that this other boy was involved in some recent difficulties with the law. Father O'Leary shared with [REDACTED] what he could about the situation and advised [REDACTED] to call this boy.
5. In regard to Father O'Leary's Christmas present to [REDACTED] of boxer shorts, Father O'Leary explained the boys who counted money had a contest as to who would wear the most outrageous shorts. They would show them to each other. As one who knew this background, Father O'Leary gave [REDACTED] the Christmas present in that vein. At a later point, Fr. O'Leary stated that on more than one occasion they showed their shorts and he showed them his.
6. In regard to the shoulder rub, Fr. O'Leary explained: It was more a practice of applying pressure to a person's back at the point which stops the flow of blood. He explained that one would feel this immediately and that it is possible to be hurt with this.

O'LEARY, ARTHUR P.

1-122

7. In regards to wedgies, Father O'Leary says that he did give [REDACTED] a wedgie one time and that this occurred in the Church and that there were other people present. He describes this wedgie as being done by him only from the back.
8. Father O'Leary says that he probably did the shoulder or back procedure more than once. He can only recall, though, doing this shoulder procedure with [REDACTED] one time.
9. Father O'Leary admits that he did show the boys the boxer shorts that he had recently got. Father O'Leary describes this as innocent conversation. Father O'Leary also says that he may have showed them the shorts he was wearing.
10. Father O'Leary had no understanding of why [REDACTED] would tell [REDACTED] to stay away from Father O'Leary.

Future Plans: Father O'Leary agreed that his assignment would be ended at the parish. Father O'Leary agreed to accept an Administrative Leave. Father O'Leary understands that we will talk again to discuss how we will address this allegation in light of the previous concerns that were raised with him.

O'LEARY, ARTHUR P.
1-123

PERSONAL AND CONFIDENTIAL
M E M O R A N D U M

TO: The File ✓
FROM: Father Kevin Deeley
RE: Father Arthur O'Leary
DATE: October 31, 1994

I spoke by telephone with Mr. [REDACTED] as a follow up to the concerns he had raised with Fr. Henry Doherty and subsequently with me about his two sons and Fr. O'Leary.

I explained to Mr. [REDACTED] that we were following our policy. He knows that Fr. O'Leary will no longer be serving at his parish.

Mr. [REDACTED] told me that Fr. O'Leary had called him about this situation. It seems that Fr. O'Leary explained himself as a physical person and thought that the boys could take the "fooling". I assured Mr. [REDACTED] that we have asked Fr. O'Leary not to have further contact with him or his family.

Mr. [REDACTED] and his family have lost confidence in Fr. O'Leary. Mr. [REDACTED] has later learned that at one point Fr. O'Leary expressed the opinion that "This is better than sex". Mr. [REDACTED] understood that this was a reference to the events that he and his boys had raised concerns about.

Mr. [REDACTED] feels that his boys are doing OK. His son, [REDACTED] is getting some counseling. I offered again to meet with him and the father would rather let the boy continue as he is. I encouraged Mr. [REDACTED] to have his boy, [REDACTED] also see a counselor, at least to talk this whole situation through.

Mr. [REDACTED] pointedly asked whether or not Fr. O'Leary was just going to be assigned to another parish. He does not feel that Fr. O'Leary should be around young boys.

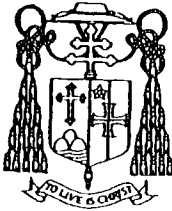
I assured Mr. [REDACTED] that "if" we were going to assign him, we would be in contact with him (i.e., Mr. [REDACTED]). It was clear to me that Mr. [REDACTED] wanted some assurance from us and I think that that is a fair request.

Mr. [REDACTED] will get back to me in about a month.

KJD:ct

O'LEARY, ARTHUR P.
1-129

CONFIDENTIAL



CARDINAL'S RESIDENCE
2101 COMMONWEALTH AVENUE
BRIGHTON, MASSACHUSETTS 02135-3192

October 31, 1994

Reverend Arthur P. O'Leary
Saint Mary of the Sacred Heart Parish Rectory
392 Hanover Street
Hanover, MA 02339

Dear Father O'Leary:

I was sorry to learn of the recent allegations made about you. In light of the steps being taken to address the allegations and in line with the agreement you reached with Reverend Kevin J. Deeley, Assistant to the Secretary for Ministerial Personnel, I am ending your assignment as Parochial Vicar at Saint Mary of the Sacred Heart Parish, Hanover and I am assigning you to an Administrative Leave. The effective date of this course of action was October 28, 1994. It is my understanding that you will be in residence temporarily at your home in South Yarmouth

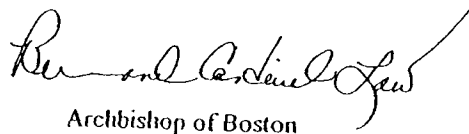
During this period, you are free to celebrate Mass privately. Otherwise, I ask that you refrain from all pastoral activity and public ministry until a resolution has been arrived at regarding the allegations. During this period, your regular monthly remuneration will be provided through the Clergy Benefit Trust of the Archdiocese.

I realize this is a difficult time for you and for those close to you. If I can be of help to you in some way, please contact me. Be assured you are remembered in my prayers.

Please send written notification to Reverend Monsignor William F. Murphy, Vicar for Administration, and Reverend James J. McCarthy, Clergy Personnel Director, indicating that you have received this communication.

With warm personal regards, I am,

Sincerely yours in Christ,



Archbishop of Boston

cc: Reverend Brian F. Flatley

O'LEARY, ARTHUR P.
1-13 2

Memo

TO: Cardinal Law (Personal and Confidential)
FROM: Fr. Kevin Deeley *KJD*
DATE: December 17, 1994
SUBJECT: Background for your meeting on Friday, December 23, 1994 at 1:30 P.M. with Fr. Arthur O'Leary

This meeting is at the request of Father O'Leary. I have no knowledge as to why he wishes to meet with you. You may find this background helpful to your meeting.

Father O'Leary is sixty-three years of age and is presently on Administrative Leave. His most recent assignment as Parochial Vicar at Saint Mary of the Sacred Heart Parish, Hanover was ended by mutual agreement on October 28, 1994.

As you may recall, Father O'Leary's situation was reviewed last year by the Review Board. There were two situations that prompted that review. First of all, there were reports in the files that in 1985 and 1986 Fr. O'Leary was observed by the State Police on several occasions in a parked area late at night that is known to be a meeting area for anonymous sex. At the time of those reports he denied any sexual acting out. More recently, in his participation in an evaluation at St. Luke Institute he was able to admit that he had engaged in some anonymous sex at the rest area over the period of time from 1984 to 1986. Secondly, there was a more recent concern raised by a male minor in his parish who felt very uncomfortable around Father O'Leary. Fr. O'Leary's language and behavior made this boy feel so uncomfortable that he spoke with his parents who shared this concern with the Archdiocese.

In light of these concerns, Fr. O'Leary participated in an evaluation at St. Luke Institute in November, 1993. In their evaluation, they saw several areas of concern that they felt needed addressing. They did not find enough evidence that Father O'Leary was sexually drawn to adolescents. They did note, however, that any further revelations about inappropriate behavior with minors would suggest that an immediate re-evaluation be done. In general, they recommended that he continue in therapy on an outpatient basis and recommended that his situation be reviewed in one year.

In late October, 1994, the pastor of his parish, Fr. Henry Doherty, notified me that another parent had come forward with great concern about Father O'Leary's current inappropriate behavior around his two

adolescent sons. I spoke with this parent at length. One boy has not been able yet to speak about this although he warned his parents to keep Fr. O'Leary away from his brother. The other brother has told his parents that Fr. O'Leary had been bothering him. Once again it involves serious boundary violations including giving one boy a 'wedgie' and another time a shoulder rub. It also involves discussion and showing of underwear.

In consultation with Dr. Montana at St. Luke Institute after this new allegation, [REDACTED]

RCAB Redaction

Father O'Leary is a bright and articulate person who enjoys his priesthood very much. I have found him at times to be very defended about this material. I am not sure if he sees the seriousness of this current situation. He lives on the Cape in a house he shares with another man who he describes as a seasonal worker on the Cape and in Florida.

Father O'Leary is at present meeting regularly with his therapist. He is in contact with a Monitor/Adviser as assigned by us, and participates in regular spiritual direction.

Once the evaluation is accomplished at St. Luke's we will be able to make a recommendation to the Review Board and to you in regard to future plans.

If you need further information please contact Fr. Flatley or myself. Please advise if we need to do any followup.

PERSONAL AND CONFIDENTIAL
M E M O R A N D U M
Reverend Arthur O'Leary

Father O'Leary participated in an assessment at Saint Luke Institute in November, 1993. He was asked to participate in an assessment because of two concerns that the Archdiocese of Boston was aware of.

First the Archdiocese had been contacted by a family in regard to Father O'Leary's interaction with their twelve year old son who was an altar server. The boy had a very uncomfortable feeling around Father O'Leary in regard to language and touching.

Secondly there were reports in the files of observation by the State Police of Father O'Leary in a rest area late at night that is known to be a meeting spot for anonymous sex.

Following his evaluation Father O'Leary continued in his assignment in parish ministry. He was cooperative in following through on his therapy on an outpatient basis.

In late October, 1994 the Archdiocese was notified by his pastor that another parent was raising concern about Father O'Leary's recent behavior with his two sons. After meeting with Father O'Leary for his response and discussing the situation with Doctor Stephen Montana, it was felt that a re-evaluation at Saint Luke Institute would be appropriate.

The following is a summary of a report made by that parent about Father O'Leary:

A parent of two adolescent boys approached the pastor of the parish where Father O'Leary was assigned as a Parochial Vicar. This occurred in late October, 1994. The parent raised serious issues about the behavior of Father O'Leary with his sons.

Both boys had worked around the rectory. At one time or another the boys, for example, would count the collection on Sunday. The parents know Fr. O'Leary and had even recently written him a note to thank him for his concern and interest in their son's lives.

The oldest boy has just entered college this fall. While at school this fall, he suffered some sort of psychological distress that caused him to be hospitalized for six days. While this young man was being treated he repeatedly asked his parents how his younger brother was. He told his parents that his younger brother should not have anything to do with Father O'Leary. The older boy has not yet been able to discuss what may have happened to him and he is working through this with his psychiatrist.

After this revelation, the parents approached the younger boy and asked him if anything had happened between him and Father O'Leary. The boy responded that "I told you the guy has been bothering me". He then related the following:

When he, with another boy, was counting the collection, Father O'Leary came in and gave him a choice to have a shoulder rub or a wedgie. The parents later learned that this was standard procedure each week for Father O'Leary with the boys counting the collection. The other boy told him that he would be wise to take the shoulder rub.

When Fr. O'Leary gave him the shoulder rub, he rubbed so hard that he really hurt the boy's shoulder. The parent sees this as being like an assault on his son. It seems that the boy was not able to compete in an athletic event at school the following week because of this incident.

At another time Fr. O'Leary showed the boy a new pair of boxer shorts he had. Fr. O'Leary told him that he really didn't like them. At another time, he told him that he liked the boxer shorts he was wearing and then proceeded to pull down his pants to show them. In speaking about this incident, the parent recalled that at one time Fr. O'Leary had given his older son boxer shorts for a Christmas present. It really seemed inappropriate.

The response of Father O'Leary to these allegations is included with this report.

PERSONAL AND CONFIDENTIAL
MEMORANDUM

TO: Rev. Brian M. Flatley ✓
FROM: Rev. Kevin J. Deeley KJD
DATE: February 7, 1995
RE: Rev. Arthur P. O'Leary

I met today at the Chancery with Father Arthur O'Leary to follow up on his re-evaluation at Saint Luke Institute.

He is not pleased with the recommendation, but he is considering it. He wondered whether or not he could receive a guarantee that he would be fully restored to his ministry if he goes and there is a positive report. I told him that I could not make such a promise. He also wondered what happens if he does not go to Saint Luke Institute. I responded that we are hoping for his cooperation in this matter and encouraged him to see it as something that could assist him in his life. I told him that I was unable to tell him specifically what steps the Diocese would take, but there would need to be some steps taken and that the Cardinal would need to be apprised of a lack of cooperation.

I encouraged him to consider this and he plans to discuss it with his therapist and get back to me.

Finally, he feels we may be guilty of "psychological murder" in his situation. He feels very strongly that his whole situation is not fair.

I asked him to contact his Monitor, Father Borges, on a regular basis because I had learned that he had not been in touch. Father O'Leary reluctantly agreed to do that.

KJD:tt

O'LEARY, ARTHUR P.
1-169

COMMUNICATION OF STATUS

RE: Rev. Arthur O'Leary

The decision of the Cardinal, based on the recommendation of the Delegate and the Review Board at its meeting on 04-07-94, has been verbally communicated to:

Rev. Arthur O'Leary

At a meeting of the Delegate's staff on 03-13-95, it was decided that this verbal communication was sufficient in this case and that no written follow-up would be necessary.

Reason: There are current issues in this case that make a written communication inappropriate at this time.

Signed:

Arthur M. Flaxley

Date:

4/19/95

PERSONAL AND CONFIDENTIAL

MEMORANDUM

TO: Rev. Brian M. Flatley
FROM: Rev. Kevin J. Deeley *KJD*
DATE: May 10, 1995
RE: Rev. Arthur P. O'Leary

I spoke by phone with Mrs. [REDACTED], the mother of [REDACTED] and [REDACTED] who had raised serious concerns about the behavior of Father O'Leary towards them. At the time [REDACTED] was unavailable and Mrs. [REDACTED] was anxious to talk about this and pleased that the family was contacted.

She informed me that [REDACTED] had left Harvard and is still in counseling. The hope is that he will be able to return to school in the fall. Her feeling is that this whole situation with Father O'Leary may have been the trigger for other issues that he was facing. She informs me that he is dealing with depression and that he is still on medication. I asked if [REDACTED] has been able to be more specific about what Father O'Leary had done to him. Her response was that [REDACTED] has not told her directly but, from his doctor, she had learned that there was no rape but there were 'a few things' and she was not able to be more specific.

[REDACTED] is still working at the Church. [REDACTED] was also in counseling for a short time. His doctor feels that he is pretty well adjusted. Mrs. [REDACTED] is not sure she agrees with the doctor. [REDACTED] grades have not been good and she is concerned about him.

I informed her that Father O'Leary has not been assigned and that, as I told her husband, when and if it is time for an assignment, we would talk with them about this. They do not feel that Father O'Leary should be assigned to a parish.

Mrs. [REDACTED] has also been diagnosed with [REDACTED]. She is presently undergoing [REDACTED].

Mrs. [REDACTED] was appreciate of the call and told me that her husband, [REDACTED] would be getting in touch with me soon about this whole situation.

O'LEARY, ARTHUR P.
1-180

Ardioocese of Boston
Assistant to the Secretary for Ministerial Personnel

PERSONAL AND CONFIDENTIAL
MEMORANDUM

TO: Rev. Brian M. Flatley ✓
FROM: Rev. Kevin J. Deeley KJD
DATE: June 1, 1995
RE: Rev. Arthur P. O'Leary

I met today in Sagamore with Fr. Arthur O'Leary to review his situation and respond to his letter of May 11, 1995

Arthur informs me that he has a job 3 evenings a week, 4:00 to 12:00 P.M., as a dispatcher for an alarm company. He usually work with one or two other adults in an office where they monitor reports of alarm and customer's homes or businesses. They dispatch police, etc.

Arthur continues to see Dr. Purcell. He finds him very helpful. Arthur informs me that Dr. Purcell now sees him about once a month.

Although he knows we have a difference of opinion in regard to his involvement with hospice, he is now seeing his second patient. He does not understand the objection to his involvement. I explained that although he is not serving as a priest, he is still ministering to people and that there is the potential for children to be a part of the picture. Until he completes an inpatient program, I asked him again not to participate in the hospice care. Since he is working with an elderly man who is close to death, I told him that I would understand if he completed his service after this person's death. Arthur did not give me a definite commitment on this and I honestly do not know what he will do.

In regard to his not keeping in contact with Fr. Larry Borges as his monitor/adviser, he tells me that he does not understand the role. I explained it again to him. I offered that another person could serve in that role if that was a concern. He was open to that and I mentioned the possibility of Fr. Peter Martocchio serving in that role for him. Arthur will consider that and at some point get back to you about that.

Arthur says that he will not participate in an inpatient treatment program at St. Luke nor at Southdown. He does not see the need for it. There is no guarantee of ministry after the program and he does not see the use of it at his age. Arthur seems very firm on this point, but I still feel there is a possibility he will eventually participate

Overall, Arthur is still upset with his whole situation. He feels there should have been more of an investigation into the [redacted] family complaint. He dismisses the earlier concerns and talks about taking legal action against the State Police and the [redacted] Family for ruining his character. He very much wants his faculties back. Arthur offers to retire if that would return his faculties. I informed him that this would

O'LEARY, ARTHUR P.
1-182

PERSONAL AND CONFIDENTIAL
MEMORANDUM

TO: Rev. Brian M. Flatley ✓
FROM: Rev. Kevin J. Deeley KJD
DATE: June 12, 1995
RE: Rev. Arthur P. O'Leary

I spoke by telephone today with [REDACTED] of [REDACTED] [REDACTED] is the father of [REDACTED] and [REDACTED] who were affected by the behavior of Fr. O'Leary.

[REDACTED] informs me that [REDACTED] has been accepted back at Harvard for the fall semester. I asked [REDACTED] if [REDACTED] has been able to give any more information about Fr. O'Leary's behavior with him. [REDACTED] indicated to me that he went with [REDACTED] when he was going to his psychologist. 'Wedging' and 'shoulder rubs' by Fr. O'Leary on [REDACTED] were the issues mentioned and the psychologist indicated that to this point those are the things that [REDACTED] has talked about.

[REDACTED] informed me that he had [REDACTED] see a psychologist as well. At this point the Psychologist thinks [REDACTED] is doing fine and does not need to be seen anymore.

Mrs. [REDACTED] is presently doing alright. She is still taking [REDACTED]

[REDACTED] recalled for me a conversation that he had sometime ago when Fr. O'Leary first came to his parish. It seems that a police officer friend from Marshfield indicated that one should 'watch him' meaning Fr. O'Leary. In retrospect as well, [REDACTED] sees that Fr. O'Leary got along well with the men but seemed to talk down to the women.

The [REDACTED] do not feel that Fr. O'Leary should be in contact with young people. I assured him again that when and if an assignment is to be given to Fr. O'Leary, the [REDACTED] would be contacted for their thoughts. [REDACTED] indicated that he very much would like that to happen.

At this point, they are indicating that they are all set. They do not want to be reimbursed for the counseling of their sons. They see this as a contribution to their Church. They are happy with the way this has been handled by the Archdiocese. They want to make sure that no one else gets hurt.

There does not seem to be any need for further follow-up from the Archdiocese until such time as an assignment is pending for Fr. O'Leary. [REDACTED] is aware that should he have any questions or concerns, he would speak with you

KJD tt

O'LEARY, ARTHUR P.
1-184

Archdiocese of Boston
Assistant to the Secretary for Ministerial Personnel

PERSONAL AND CONFIDENTIAL

MEMORANDUM

TO: Bernard Cardinal Law
FROM: Rev. Brian M. Flatley *BMF*
DATE: September 7, 1995
RE: Rev. Arthur P. O'Leary

Father Arthur O'Leary asked and I gave him permission to concelebrate with you on Sunday at Saint Christine Parish in Marshfield. If he engages you in conversation, this is his current status:

In 1985 and 1986 the Massachusetts State Police complained that Father O'Leary was frequenting rest areas and engaging in homosexual activity. He denied it indignantly to Bishop Banks. After a complaint in 1993 that he made a youngster uncomfortable he was sent to Saint Luke's, [REDACTED]

In October of 1994 a family contacted Chancery. Their son had a severe emotional episode at Harvard and he told his parents to keep their other son away from Father O'Leary. The second son told his parents that Father O'Leary had been bothering him - crossing sexual boundaries with conversation and non-genital touching. The family asked that he be removed from Hanover. He went for a reassessment at Saint Luke's. [REDACTED] ather Kevin Deeley worked patiently with him, but so far he has refused to go.

I talked with Father O'Leary recently and he asked for some time to talk with his therapist about the possibilities around his future. He said he would call me after Labor Day. He has been hinting that he might seek laicization.

I intend to call him again if I have not heard from him by mid-September.

I think there is something troublesome here. The others in the office of the Delegate share that concern.

O'LEARY, ARTHUR P.
1-186

Rev. Arthur P. O'Leary

On Wednesday, October 4, 1995, Father O'Leary met with me at Chancery. I had requested this meeting as a follow-up to Father O'Leary's meetings with Father Kevin Deeley.

Father O'Leary was dressed in suit and tie, and looked well. He had been working as a night dispatcher for an alarm company, but had to resign because of conflicts with social security. Father O'Leary says that he found the work interesting and misses it.

Father O'Leary has been faithful in his therapy with Doctor Purcell, whom he now sees approximately once a month.

I pointed out that Father O'Leary is not allowed to be involved in ministry. This Office understands that hospice work is considered ministry. Father O'Leary feels that this is an area in which a priest whose ministry is restricted can do some good, working as a layman.

I reviewed Father O'Leary's situation with him. There are reports in our file of Father O'Leary being involved in homosexual activity at rest areas. Father O'Leary indignantly denied these reports.

There have been two vague accusations about Father O'Leary's inappropriate behavior around young men. After the first report Father was asked to go to Saint Luke Institute for an assessment.

Father O'Leary was allowed to return to ministry.

After the second vague allegation, Father O'Leary was asked to go to Saint Luke Institute in January of 1995 for another assessment.

Father O'Leary was unwilling to accept that recommendation. Since then Fathers Deeley and O'Leary have not been able to reach a resolution of this issue.

Father O'Leary expressed annoyance that this Office has not been in touch with Doctor Purcell about his situation. He feels that we do not take the work done in therapy seriously.

We support Father O'Leary's work with Doctor Purcell. The point is well taken that this Office should be in more regular contact with therapists.

Father O'Leary spoke of his abhorrence of returning to Saint Luke Institute. His first experience there was rather positive, but the second was very unhappy, in part because of his difficulty in dealing with Doctor Carol Farthing. I suggested that I could request that his therapist be someone other than Doctor Farthing.

Father O'Leary then said that in pursuit of his goal to get his faculties restored, he would be willing to go Southdown for a second opinion. I told him that I would be open to the second opinion, and I called Southdown while he was here. He is scheduled for an assessment at Southdown on October 29, 1995. I will try to attend the feedback session on Friday, November 3.

October 4, 1995

O'LEARY, ARTHUR P.
1-189

Rev. Arthur P. O'Leary

On December 6, 1995, Father O'Leary met with me at Chancery. I requested this meeting to discuss with him the Assessment Report from Southdown and to talk about his future. Father O'Leary was prompt and cordial. We discussed liturgical matters and mutual friends before addressing the issue of the assessment.

Father O'Leary had some specific comments he wished to be part of his record. He denies the incidents related at the bottom of page 3 and the top of page 4 in the Assessment Report. At the bottom of page 12 he disagrees with the words "overly rigid".

I reviewed with Father O'Leary the fact that we now have two assessments from two of the most respected institutions in the field of clergy sexual misconduct [REDACTED] Father O'Leary mentioned that he, too, noted the word [REDACTED]

Father O'Leary repeated again how strongly he disagrees with the recommendations of the assessments. He acknowledges that many of the findings are true. However, he pointed out that he spent many years as a scout leader, a teacher and a priest without allegations. He was not leading a double life all those years. He brought letters he received from young men testifying to the way in which Father O'Leary positively impacted their lives. I accepted the letters for the file.

In response I agreed with Father O'Leary that indeed he has done good work in ministry. The fact that a priest gets into difficulties or has a problem or problems does not negate the good work he has done in many areas. At the same time when a priest is acting out, for example at rest areas, he is leading a double life. He is leading his people in prayer knowing that parts of his life are in contradiction to what he stands for. These are the areas that must be addressed.

Father O'Leary asked what would happen if he went for residential treatment and got a clean bill of health. Would he be returned to ministry? I explained that having communicated with the treatment center throughout the process, and after receiving the final report, the Delegate would have to make a recommendation to the Cardinal. That recommendation would have to be passed by the Review Board. He asked if parish ministry would be a possibility. I explained that if in the judgment of the Delegate sexual misconduct with a minor did in fact occur, the Policy would preclude parish ministry or ministry that dealt with young people. Father O'Leary asked how that determination was made. I explained that the Policy requires the Delegate to make a determination as to whether there is reasonable probability that sexual misconduct occurred. This is done after following the procedures outlined in the Policy. Father O'Leary said that as far as he is concerned parish ministry is priestly ministry. He effectively dismissed any other possibilities of ministry for himself.

December 6, 1995

O'LEARY, ARTHUR P.
1-202

Father O'Leary asked about retirement. I asked what he meant by retirement. He talked about continuing as he is right now, but with retirement status. [REDACTED]

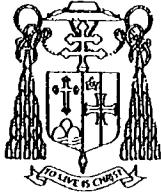
[REDACTED] For us to allow him just to walk away would be irresponsible. As reluctant as the Cardinal would be to do so, eventually he would have to invoke canonical sanctions in the case of a priest who refuses to accept an assignment. To Father O'Leary's specific question I said that this meant suspension. He asked if after residential treatment he could retire with faculties. Again I said that I could not answer that question until a recommendation had been sent and a decision made by the Cardinal.

Father O'Leary said that he thinks that he is healthy and does not need residential treatment. He raised some practical matters, including management of his home during the period of residential treatment, but these issues did not seem to be insurmountable. He said that he would like time to think and pray about this and to talk about it with Doctor Purcell. He said he would be in touch with me after the first of the year.

Rev. Brian M. Flaley 

December 6, 1995

O'LEARY, ARTHUR P.
1-203



CARDINAL'S RESIDENCE
2101 COMMONWEALTH AVENUE
BOSTON, MASSACHUSETTS 02135 3192

January 23, 1996

Reverend Arthur P. O'Leary
225 Blue Rock Road
South Yarmouth, MA 02664

Dear Father O'Leary:

It is my understanding that after significant conversation with Reverend Brian M. Flatley you have accepted the professional recommendation recently made to you. I am encouraged by your positive response in that regard.

In that light, I am writing to advise you that I am granting you Sick Leave status, effective February 1, 1996.

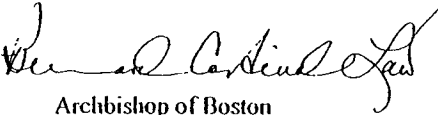
Since October 28, 1994 you have been on Administrative Leave and I have indicated that you should refrain from all pastoral activity and public ministry. It is important that you understand that during your period of Sick Leave the same conditions would apply with regard to pastoral activity and public ministry.

Please send written notification to Most Reverend William F. Murphy, Moderator of the Curia, and Reverend James J. McCarthy, Clergy Personnel Director, indicating that you have received this letter.

I know that the time ahead has the potential to be an opportunity for much personal insight and growth and response to God's care and love in the various ways it may be made manifest to you. Be assured of frequent remembrance in my prayers.

With my warmest personal regards and my appreciation for your cooperation and your efforts, I remain,

Sincerely yours in Christ,


Archbishop of Boston

cc: Reverend Brian M. Flatley

*This is to acknowledge the Cardinal's letter
applied*

O'LEARY, ARTHUR P.
1-208

Rev. Arthur P. O'Leary

On Wednesday, May 15, 1996, I met at Southdown in Aurora, Ontario, Canada with Father O'Leary, Richard J. Gilmartin, Ph.D., Father O'Leary's therapist at Southdown, and Sister Loretta Dower, R.S.M., coordinator of the Southdown Connection Program. The purpose of this meeting, known at Southdown as a close out, was to discuss Father O'Leary's future.

On Tuesday, May 7, Father O'Leary faxed a copy of his departure covenant to me. [REDACTED]

With that in mind I wrote to Father O'Leary, making clear to him that the policy of the Archdiocese says that "the assignment of one who has engaged in sexual misconduct with a minor will exclude parish ministry and other ministry that involves minors." I pointed out that this would preclude his being able to help out in a parish.

On Monday, May 13, Father O'Leary called to ask about my arrival time at Southdown. Hearing that he had not yet received my letter I told him its contents over the telephone and then faxed a copy to him. He asked if I had made a determination that his conduct was indeed sexual misconduct. I said that I had made that determination.

Father O'Leary picked me up at the airport and drove me to Southdown. Our meeting began with Father O'Leary talking about his history and what brought him to Southdown. He talked about the telephone call in which he learned of my determination. He said that my letter, which arrived on Tuesday, May 14 was dated May 8, 1996, the twentieth anniversary of his ordination to priesthood. Father O'Leary described his devastation at the news and his anger at the process.

[REDACTED]

I told Father O'Leary that I had struggled with this situation. I too recognize that this is different from other incidents that we have dealt with. However, after consulting with many people who have experience and expertise in this area I could not find any support for the notion that his conduct was anything other than sexual misconduct. Once I have accepted that fact, the policy is clear on the consequences.

Father O'Leary stated that he feels that this decision was made long ago. He questioned the authenticity of making him go to Southdown. It seems to him that we were going through motions. I pointed out that Father Deeley and I had tried throughout this process to be clear in our explanation of the policy. I said that we had two assessments stating that Father O'Leary needed residential treatment. It would have been irresponsible on our part not to follow those recommendations.

May 17, 1996

O'LEARY, ARTHUR P.
1-245

Father O'Leary expressed his anger at the policy. He thinks it is unjust and unforgiving. We had a discussion of the inflexibility of the policy and the difficulty of changing a policy once it is promulgated. Father O'Leary expressed with some vehemence his opinion that it should be changed to be more flexible, whatever the implications. [REDACTED]

[REDACTED]

I said that Father O'Leary could not do Parish ministry, which means that he could not help out in parishes on weekends. He asked about hospital chaplaincy. I told them that we have come to the point where we are not comfortable with hospital chaplaincy, because it is so difficult to supervise or segregate the ministry of a chaplain.

Father O'Leary asked about hospice work. I said that I would be open to talk about that under specific conditions. Father O'Leary would have to agree that he would not minister to other family member, specifically minors. He said that he would be open to that. In fact, this has not been an issue in his previous experience. He said that he would not identify himself as a priest in his ministry. I said that we could explore this area.

Sister Loreta asked about the Southdown Connection. I told her that I would be willing to come for a day if it could be arranged. She said that Southdown is looking at alternative ways to connect with diocesan contact people

Father O'Leary is leaving Southdown on May 31, 1996. I asked him to be in touch with me when he is home and settled. He said he had some practical questions we could discuss on the drive to the airport.

[REDACTED]

On the drive to the airport Father O'Leary raised questions about his status when he returned home. I told him that I would research these matters and get back to him.

Rev. Brian M. Flaherty *[Signature]*

May 17, 1996

O'LEARY, ARTHUR P.
1-246

225 Blue Rock Road
South Yarmouth, MA
02664
June 7, 1996

Dear Cardinal Law,

After discussions with Fr. Brian Flatley, I am sadly writing to you to request that I be granted the status of Senior Priest. I will live on my own at my own home at the above address. I would like this to take effect on July 31st of this year. By this time I should have all of the medical insurance coverages, i.e., Medicare A and B and Bankers Life and Casualty Supplemental Insurance.

I hope this meets with your approval.

Please keep me in your prayers.

Peace,

Arthur P. O'Leary
(Fr. Arthur P. O'Leary)

Fr. Flatley

Please

draft a response

VBH

See...

O'LEARY, ARTHUR P.
1-253

Archdiocese of Boston
Assistant to the Secretary for Ministerial Personnel

PERSONAL AND CONFIDENTIAL

MEMORANDUM

TO: Bernard Cardinal Law
FROM: Rev. Brian M. Flalley *Bmf*
DATE: June 26, 1996
RE: Rev. Arthur P. O'Leary
Appointment Friday, June 28 at 4.00 P.M.

Father O'Leary has recently returned from Southdown. It was a struggle getting him there. He had hoped to be able to return to parish ministry. I have made it quite clear that this is not possible. His situation:

In 1985/1986 Massachusetts State Police informed us that Father O'Leary was engaging in homosexual activity in rest areas. He denied it indignantly to Bishop Banks. After a complaint in 1993 that he made a youngster uncomfortable he was sent to Saint Luke Institute, [REDACTED]

In October of 1994 a family contacted Chancery. Their son had a severe emotional episode at Harvard and he told his parents to keep their other son away from Father O'Leary. The second son told his parents that Father O'Leary had been bothering him - crossing sexual boundaries with conversation and non-genital touching. The family asked that he be removed from Hanover. He went for a reassessment at Saint Luke Institute. They recommended in-patient treatment. Father Kevin Deeley worked patiently with him, but he refused to go. Father Deeley never gave up hope.

In October of 1995 Father O'Leary went to Southdown for a second assessment, hoping for a different finding. [REDACTED] At that point Father O'Leary reluctantly gave in and went to Southdown in February of this year for residential treatment. [REDACTED]

What was most difficult in this case was the nature of the offenses. There was no clear-cut acting out, no sexual contact. Certainly this case was different from some of our more celebrated abuse cases. I struggled with the idea that perhaps there was something akin to sexual harassment here rather than abuse or misconduct. However, I was not able to find anyone with expertise in this area to agree that this was a valid distinction where minors are concerned. So the policy stands.

Father O'Leary is unhappy about the policy. He will probably talk to you about that. However, there is a lack of insight in Father O'Leary which I find ominous. Even after he was confronted and allowed to continue in ministry he allowed a similar situation to occur.

Father O'Leary is seeking senior priest/retirement status. He wanted to help out in parishes on the Cape but this is not consistent with the policy. Even his therapist at Southdown recommended that he move from parish to parish rather than build up relationships in one parish. Father O'Leary is interested in doing hospice work. I have encouraged him in this

My recommendation: that you grant Father O'Leary senior priest status but remind him that this does not change the fact that he is restricted in ministry. He should be in conversation with me.

O'LEARY, ARTHUR P.
1-254

Rev. Arthur P. O'Leary

On Wednesday, May 15, 1996, I met at Southdown in Aurora, Ontario, Canada with Father O'Leary, Richard J. Gilmartin, Ph.D., Father O'Leary's therapist at Southdown, and Sister Loretta Dower, R.S.M., coordinator of the Southdown Connection Program. The purpose of this meeting, known at Southdown as a close out, was to discuss Father O'Leary's future.

On Tuesday, May 7, Father O'Leary faxed a copy of his departure covenant to me. In the cover letter he mentioned that Doctor Gilmartin says there should not be any surprises at the close out. With that in mind I wrote to Father O'Leary, making clear to him that the policy of the Archdiocese says that "the assignment of one who has engaged in sexual misconduct with a minor will exclude parish ministry and other ministry that involves minors." I pointed out that this would preclude his being able to help out in a parish.

On Monday, May 13, Father O'Leary called to ask about my arrival time at Southdown. Hearing that he had not yet received my letter I told him its contents over the telephone and then faxed a copy to him. He asked if I had made a determination that his conduct was indeed sexual misconduct. I said that I had made that determination.

Father O'Leary picked me up at the airport and drove me to Southdown. Our meeting began with Father O'Leary talking about his history and what brought him to Southdown. He talked about the telephone call in which he learned of my determination. He said that my letter, which arrived on Tuesday, May 14 was dated May 8, 1996, the twentieth anniversary of his ordination to priesthood. Father O'Leary described his devastation at the news and his anger at the process.

Doctor Gilmartin talked about Father O'Leary's work at Southdown.

[REDACTED]

I told Father O'Leary that I had struggled with this situation. I too recognize that this is different from other incidents that we have dealt with. However, after consulting with many people who have experience and expertise in this area I could not find any support for the notion that his conduct was anything other than sexual misconduct. Once I have accepted that fact, the policy is clear on the consequences.

Father O'Leary stated that he feels that this decision was made long ago. He questioned the authenticity of making him go to Southdown. It seems to him that we were going through motions. I pointed out that Father Deeley and I had tried throughout this process to be clear in our explanation of the policy. I said that we had two assessments stating that Father O'Leary needed residential treatment. It would have been irresponsible on our part not to follow those recommendations.

May 17, 1996

O'LEARY, ARTHUR P.
1-255

Father O'Leary expressed his anger at the policy. He thinks it is unjust and unforgiving. We had a discussion of the inflexibility of the policy and the difficulty of changing a policy once it is promulgated. Father O'Leary expressed with some vehemence his opinion that it should be changed to be more flexible, whatever the implications. Doctor Gilmartin mentioned that Boston's is considered the toughest policy in the country.

At this point Doctor Gilmartin brought focus to the discussion saying that we are clear on the policy and asking what are the implications of the policy statement for Father O'Leary's future. Father O'Leary said that two sections had to be deleted from his departure covenant: "I expect my diocese to support me by...providing me with the opportunity to exercise my priestly ministry" and "In return, to my diocese I promise...to place my ministerial gifts at the disposal of the archdiocese." I said that Father O'Leary could not do Parish ministry, which means that he could not help out in parishes on weekends. He asked about hospital chaplaincy. I told them that we have come to the point where we are not comfortable with hospital chaplaincy, because it is so difficult to supervise or segregate the ministry of a chaplain.


Father O'Leary asked about hospice work. I said that I would be open to talk about that under specific conditions. Father O'Leary would have to agree that he would not minister to other family member, specifically minors. He said that he would be open to that. In fact, this has not been an issue in his previous experience. He said that he would not identify himself as a priest in his ministry. I said that we could explore this area.

Sister Loretta asked about the Southdown Connection. I told her that I would be willing to come for a day if it could be arranged. She said that Southdown is looking at alternative ways to connect with diocesan contact people

Father O'Leary is leaving Southdown on May 31, 1996. I asked him to be in touch with me when he is home and settled. He said he had some practical questions we could discuss on the drive to the airport.

Doctor Gilmartin expressed his willingness to be of help in any way he could in Father O'Leary's situation.

On the drive to the airport Father O'Leary raised questions about his status when he returned home. I told him that I would research these matters and get back to him.

Rev. Brian M. Flaherty 

May 17, 1996

O'LEARY, ARTHUR P.
1-256

O'LEARY



CARDINAL'S RESIDENCE

2101 COMMONWEALTH AVENUE
BRIGHTON, MASSACHUSETTS 02135

617-782-2544
617-782-8358 (FAX)
June 9, 1997

The Reverend Arthur P. O'Leary
225 Blue Rock Road
South Yarmouth, MA 02664

Dear Father O'Leary:

This is to acknowledge your letter of May 26, 1997.

I am pleased that your contact with Father Murphy has been a positive one. He is very committed in his pastoral responsibility, and I am grateful to you for your cooperation with him.

Arthur, my understanding is that there has been some contact with the Diocese of Fall River concerning regular weekend assistance on your part. This has been referred to the Bishop, and he does not feel that he can give a positive response to this offer for service.

As difficult as it is for you to hear this response, I am certain that upon reflection you will understand the very difficult situation in which the Bishop of Fall River finds himself.

What I understand from your letter to me, however, is a desire to be able to participate specifically in the funeral Masses of those to whom you have been a helpful presence through your work with hospice. I am taking the liberty of sending your letter to me and my response to Father Bill Murphy, and I will ask him to follow up on this specific question, which is somewhat different from the more general offer to serve on weekends which has been rejected.

It may be that this question, too, has been resolved in the response of the Vicar General and the Bishop of Fall River. Nonetheless, I will ask Bill to follow up on this correspondence and to be in touch with you again on it.

With warm personal regards, Arthur, and asking God to bless you, I am

Sincerely yours in Christ,

Archbishop of Boston

BCL/ac

O'LEARY, ARTHUR P.
1-289

REVIEW BOARD
September 10, 1998
CONFIDENTIAL

Determination:
Behavior was/is
sexual misconduct.

CASE # 34

PRIOR REVIEW: April, 1994

1. Allegation: There is a ten year history of separate but related episodes. In 1985-6 the priest was identified as frequenting highway rest stops, presumably for the purpose of engaging in homosexual activity. In 1993, Chancery officials received from the parents of a twelve year old boy a report of inappropriate, sexualized language and touching of the shoulders in a way which made the boy feel uncomfortable. In October, 1994, the Delegate received a report that a college freshman was experiencing severe psychological distress which he attributed in part to the behavior of the priest. Here the behavior involved non-sexual horseplay which resulted in the boy being injured, and a long-running banter between the priest the boy and another boy centering around the pattern featured on the boxer shorts each was wearing. The boy also complained of a "wedgie" by the priest.
2. Investigation: The priest was interviewed, as were the complainants of inappropriate behavior towards minors.
3. Priest's Response: Initially the priest denied stopping in rest areas for the purpose of sex; during his initial psychological assessment, he admitted it. Initially the priest denied any sexual motive in showing physical attention to boys and in speaking with sexual double entendre; while in residential treatment he admitted the behavior was "sexualized".
4. Delegate's Assessment of Response: The Priest's response indicates a desire to conceal information which could damage his standing or reputation. He has admitted only to that at which he has been caught, and reluctantly.
5. Professional Assessment of Priest: The priest was assessed twice in clinics which specialize in clergy misconduct. He was also more recently assessed by a clinical psychologist at MGH who frequently does work for this office. Copies of the assessments or significant portions are attached. They may be summarized by stating that the priest is not believed to have a psychological disorder which would place minors at risk in his presence. Additionally, it is believed that the priest has grown in his awareness of appropriate boundaries.
6. Archdiocesan Response to Complainant: No formal complaint was made in the rest stop episodes. The two complaints regarding inappropriate behavior towards boys were resolved. In one case, no response was made apart from a meeting with the family. In the other case the family was promised that the priest would not return to parish ministry without their being informed. Also, the second complainant was offered payment for psychotherapy which was declined on the grounds that the family's insurance was covering the expense. There were no legal actions in these cases.

O'LEARY, ARTHUR P.
1-315

7. Archdiocesan Response to Priest: The priest was allowed to return to ministry after the rest stop incidents and the first complaint of inappropriate behavior, as it was deemed by the Delegate, the Review Board and the Cardinal that he could safely return. After the second complaint of inappropriate behavior towards boys the priest was removed from parish ministry pending resolution of his case. The case was not returned to the Review Board until now. The Delegate determined that the behavior of the priest was sexual misconduct and that the restrictions of the policy applied. The priest has been living in his own home and he has engaged in some secular work and some hospice work (not as a priest). The priest now has retirement status.

8. Delegate's Recommendation: The priest is requesting the opportunity to engage in weekend ministry within the Archdiocese. He has no desire for any other kind of ministry. The question before the Board is: **does the behavior of the priest constitute sexual misconduct sufficient for the application of the Policy?** If the answer is "yes", the priest will not be allowed to engage in any parish ministry. If the answer is "no", then another question arises: **is it appropriate for the priest to be allowed to engage in weekend ministry as long as his pastor is informed, he is cautioned against informal contact with minors, he is issued a canonical warning and the complainant family is informed?** The canonical warning would impose the withdrawal of all priestly faculties in the event that another report of inappropriate behavior is received.

REVIEW BOARD MEETING

September 10, 1998

Chancery - 6:30-8:30 P.M.

Case #34

The Review Board recommends: That the behavior of the priest, partly by his own admission, qualifies as sexual misconduct. In light of this, the Policy applies to the priest and he is prohibited from the weekend celebration of parish masses, which is his request.

O'LEARY, ARTHUR P.
1-319

February 22, 2001

Rev. Arthur O'Leary
225 Blue Rock Road
So. Yarmouth, MA 02664

Dear Arthur,

Concerning your request to celebrate weekend Masses at Our Lady of the Cape, I refer to a letter you received from Cardinal Law dated June 9, 1997. That particular correspondence failed to give a positive response to a similar request because of the Archdiocesan policy and Bishop O'Malley's difficulty with your situation.

Restrictions, which have been placed on your ministry, still remain and parish weekend assistance is not possible. It is understood that the only sacramental ministry will be on a case by case authorization.

I know this is still a difficult matter for you. Please let me know if any clarification is necessary. Be assured of my prayer and fraternal concern.

Sincerely yours in Christ,

Rev. Charles J. Higgins
Delegate of the Archbishop

CJH:tt

O'LEARY, ARTHUR P.
1-328

1 COMMONWEALTH OF MASSACHUSETTS
2 SUFFOLK, ss SUPERIOR COURT DEPARTMENT
CA 02-04628-T1
3 (Consolidated with CA 02-1296)
4 (Originally entered in
Middlesex County as
No. 02-0822)

5
6 PAUL W. BUSA,
Plaintiff,
7 vs.
8 BERNARD CARDINAL LAW, et al.,
Defendants.

9
10
11 THE SECOND DAY OF THE VIDEOTAPED DEPOSITION
12 OF CARDINAL BERNARD F. LAW, a witness called by
13 the Plaintiffs, taken pursuant to the applicable
14 provisions of the Massachusetts Rules of Civil
15 Procedure, before Kathleen L. Good, (CSR
16 #112593), Registered Professional Reporter and
17 Notary Public in and for the Commonwealth of
18 Massachusetts, at the offices of Greenberg
19 Traurig, One International Place, Boston,
20 Massachusetts 02110, on Monday, February 3,
21 2003, commencing at 10:04 a.m.

22 K. L. GOOD & ASSOCIATES
P. O. BOX 6094
23 BOSTON, MASSACHUSETTS 02209
TEL. (781) 598-6405
24 FAX (781) 598-0815

1 A I don't believe so, no. No, he was not. 12:56:02	1 that Bishop McCormack would have brought, under 12:58:51
2 Q So [REDACTED] -- there was a [REDACTED]. Is that what 12:56:06	2 your unwritten policy, to your attention? 12:58:55
3 you said? 12:56:09	3 A He would have investigated this, and at some 12:58:57
4 A That's correct. 12:56:09	4 point this would have needed to have been brought 12:59:00
5 Q Why don't you take a look and read No. 4 and 5. 12:56:11	5 to my attention because some action would need to 12:59:02
6 (Pause.) 12:56:16	6 have been taken. 12:59:04
7 A Yes. 12:56:50	7 Q If you look at page 6, you'll see the next 12:59:05
8 Q And you'll see from -- I just want to read the 12:56:50	8 paragraph, is "Father" -- it says, I don't know 12:59:08
9 second paragraph. 12:56:54	9 what this is. It may have been the note. 12:59:10
10 "He revealed" -- this would be the student. 12:56:57	10 "Father Arthur O'Leary of Marshfield Class of 12:59:12
11 I'm sorry. Let me read the first paragraph. 12:57:00	11 1975 is the person involved." 12:59:15
12 "Last night one of the students came to me 12:57:02	12 A Yes, I see that. 12:59:18
13 with a report from his father, who is a close 12:57:05	13 Q If you take a look, we have actually two page 8s, 12:59:19
14 friend with a State Police captain. The captain 12:57:07	14 but if you take a look at page 8, that's the 12:59:22
15 said that he was going against his own 12:57:10	15 signature of Bishop Banks down at the bottom? 12:59:28
16 regulations revealing the story, but he wanted 12:57:15	16 A I'm not sure of that. Is it? 12:59:30
17 very much to try his luck. 12:57:15	17 Q It is. 12:59:38
18 "He revealed the name of a priest that the 12:57:15	18 A Yeah, okay.
19 police are soon" -- that's in quotes -- "to move 12:57:18	19 Q But that's okay. Why don't you take a moment and 12:59:39
20 in on for involvement with boys. He wanted to 12:57:21	20 read that. 12:59:42
21 avoid this if at all possible, for all the 12:57:24	21 (Pause.) 12:59:43
22 reasons you can imagine. He hoped that somehow 12:57:26	22 Q Do you see that? 13:00:26
23 the Diocese could intervene before that drastic 12:57:29	23 A I do. 13:00:27
24 action happened, by getting the man to counseling 12:57:32	24 Q On Paragraph 8, Bishop Banks becomes involves in 13:00:27
1 and warning him of the seriousness of the 12:57:35	1 this matter in 1986. 13:00:33
2 situation before the law." 12:57:37	2 Do you see that? 13:00:37
3 Do you see that? 12:57:39	3 A Yes. 13:00:37
4 A I do see that. 12:57:39	4 Q And the allegation or the letter was February of 13:00:37
5 Q Right. Now, would you have expected this type of 12:57:41	5 1986. 13:00:38
6 communication about the police investigating a 12:57:45	6 A Yes. 13:00:39
7 priest of the Archdiocese for possible 12:57:47	7 Q And then Bishop Banks interviews Father O'Leary. 13:00:39
8 involvement with boys and criminal activity to 12:57:49	8 Do you see that? 13:00:43
9 immediately be brought to your attention? 12:57:53	9 A Yes. 13:00:43
10 A Well, first of all, this was being brought to the 12:57:55	10 Q And it's noted there that Father O'Leary had been 13:00:44
11 proper person for handling these cases. And I, 12:58:00	11 a Boy Scout leader. 13:00:48
12 on the basis of this, I don't -- I don't -- on 12:58:05	12 Do you see that? 13:00:50
13 the basis of this, I don't know the name of the 12:58:11	13 A I see that. 13:00:50
14 priest nor the activity that has been alleged. 12:58:15	14 Q And that was in 1986. And if you take a look at 13:00:52
15 It sounds very bad. But -- 12:58:19	15 the assignment card, Cardinal Law, you'll see -- 13:00:55
16 Q Father -- it's in Father O'Leary's file, and 12:58:24	16 A Where? 13:00:58
17 there's actually a -- 12:58:27	17 Q Page 1. I'm sorry. I apologize. 13:00:59
18 A Fine. But I'm basing myself on this note, which 12:58:29	18 -- that this priest wasn't placed on 13:01:05
19 I have not seen before. 12:58:32	19 administrative leave until October 28, 1994. 13:01:06
20 Q Right. But is this -- given that Father 12:58:33	20 Do you see that? 13:01:12
21 McCormack would be reporting directly to you and 12:58:37	21 A Yes. 13:01:14
22 meeting with you on a regular basis, if the 12:58:39	22 Q So there was an allegation, some involvement with 13:01:15
23 police were about to move in on a priest for his 12:58:42	23 the police, and yet this particular priest 13:01:18
24 involvement with boys, is that a type of matter 12:58:48	24 remained as parochial vicar at St. Mary's of 13:01:22