

anywhere I wanted, and that he would transfer supervision for the remainder of my probation anywhere I wanted him to. I asked if this could be transferred out of state since I wanted to attend a program in Maryland, and he said that this would be no problem. I then asked Mr. Vacchs what, exactly, all these references to Florida were about, and he told me to "just forget about it." For some reason, which I would not learn for several years, some accusation from Florida seemed to be the source of most of the contention I had experienced with the Keene probation officials and others.

70. The next day, Ms. Grovier informed me that supervision of my probation would be transferred to the Exeter probation office, and that I would be free to arrange an out-of-state program once I completed an required outpatient evaluation. For some reason, Ms. Grovier was not satisfied with the assessment of the House of Affirmation. A few days later, on December 10, 1988, I left Keene and moved into a rectory with Father Rochefort in the town of Exeter, New Hampshire. Since I had no way to support myself, I obtained employment for about thirty hours per week as a repairman in a new apartment complex which had recently been constructed.

71. Over the next two months I participated in an evaluation with a Mr. Adam Stern, M.A., an outpatient therapist at the Strafford Guidance Center in Dover, New Hampshire. The evaluation consisted of an MMPI, and three forty-five minute interviews conducted over the course of about two months. During these interviews Mr. Stern referred to the evaluation at the House of Affirmation saying that it was poorly written and "not worth the paper it was written on". He also asked me repeatedly to discuss the time I spent in Florida. When I told him that I had never even visited the State of Florida he seemed confused and asked if I would be willing to take a polygraph examination to determine that. I said that I would be willing to do so, but that I had no idea why allegations that I had once been a priest in Florida kept surfacing during this process. Mr. Stern did not follow through on the polygraph, and did not bring it up again.

72. During this time, Dr. Guertin-Ouellette, the psychologist who counseled priests for the Diocese, was also working to arrange for an evaluation and program at St. Luke Institute in Suitland, Maryland. Mr. Stern, however, made an alternate suggestion. He said that the probation office only required my evaluation, but did not require that I enter a residential program. He advised me to continue in an outpatient program with

him, but I told him that the residential program was something I wanted to do. Mr. Stern then suggested that I not go to St. Luke Institute, but he did not state why. He said that he made some inquiries and felt that a less intense program may be better for me.

73. The program he recommended was at the Servants of the Paraclete Center in Jemez Springs, New Mexico. I discussed this with Dr. GuertinOuellette who then talked with diocesan officials about it.

74. The program was approved, and on March 10, 1989 I flew to New Mexico and began a program at Villa Louis Martin, a six month residential psychiatric program for priests in Jemez Springs. My primary therapist was Dr. Jack Ellis, M.D., a psychiatrist with a specialty in neuropsychiatric disorders. In addition to individual therapy with him I also attended daily group therapy sessions and weekly spiritual direction. I liked the program, progressed quickly, and dealt directly with many issues which, I believed, the staff work diligently to understand and to help me to understand. The primary diagnosis was Dysthymia, manifested in chronic depression. I was prescribed a tricyclic antidepressant drug, Pamelor, and proceeded to make rapid progress in therapy. The staff seemed to focus a great deal on my experience as a diocesan priest, my troubled assignments and rectory situations, and my upbringing and family of origin history.

75. Without my being aware of it, however, Detective McLaughlin in Keene continued to attempt to disrupt my situation. One of the conditions of my two years of probation was that I could have no contact with anyone under the age of 18. I agreed to this, and signed a contract stating that I would not do so. At the time of my hearing, however, and to my surprise, Detective McLaughlin himself requested an exception to this. During the hearing in November of 1988, at the time I entered a plea of guilty to a misdemeanor, Detective McLaughlin explained to the judge that I was close to a single parent family with two teenage sons who were then seventeen and nineteen years of age. I had known this family for several years, and was very close to them. Detective McLaughlin, to my great surprise, told the judge that he had talked at length with all three members of this family, and that they insisted on maintaining contact with me. McLaughlin stated that he believed it would be destructive of them to sever this tie. At the time I felt that this was a very humane gesture on McLaughlin's part. The judge agreed to this. I did not see them before leaving for New Mexico, however, since I could make and receive telephone calls at the New Mexico treatment facility, my contacts

were through phone calls and not letters. I also allowed these friends to initiate the calls so I never called them. All three members of this family called me several times in my first month in treatment, then, understandably, the calls became less frequent. I also discussed these relationships thoroughly with the staff of Villa Louis Martin.

76. With the exception of this family I abided by the rule that I have no contact with anyone under the age of 18 during the two years of probation. I received several friendly and supportive letters from teenagers whom I had known, some of whom had been former parishioners and some former patients at the chemical dependency facility, but I did not respond to these letters.

77. Two months after enrolling in the Servants of the Paraclete program, however, I received a letter signed [REDACTED], the individual whom Detective McLaughlin said had accused me of attempting to solicit him, the matter for which I was on probation. The letter was a single-paged typewritten letter indicating a Keene post office box as the return address. The letter, which I believed then was in fact from [REDACTED], said that he wanted to apologize for accusing me, that he knew that what he claimed never really happened, but that the police put him up to making the claim. The letter also said, "I know you are not supposed to write to me, but can you write at this post office address and no one will ever know? I have some information for you and want to ask you a question." I did not respond to that letter. Years later, while reviewing pre-trial discovery in the [REDACTED] case, I learned that Detective McLaughlin actually wrote that letter and signed [REDACTED]'s name to it without [REDACTED] knowledge. McLaughlin's stated purpose in referring to this incident was to see if he could get me to respond, and then force me back to Keene on a probation violation.

78. In June of 1990, three months into the Paraclete program in New Mexico, I received a telephone call from one of the two brothers, [REDACTED] whom Detective McLaughlin had asked be exempted from my agreement not to have unsupervised contact with anyone under 18 while on probation. [REDACTED] who was then 19 years of age, told me that his brother, [REDACTED] (then 17) was in trouble and had been sent to a juvenile facility for evaluation after being involved in a burglary. [REDACTED] asked me to write to his brother. I told [REDACTED] that it would be best if [REDACTED] wrote to me first. Up to that point my only contact with them since I moved to New Mexico was an occasional telephone call from them.

79. A week later, near the end of June, 1990 I received a handwritten letter from [REDACTED] written from the Philbrook Center, a secure diagnostic center in Concord, NH. [REDACTED] told me that he had been involved in a burglary with two friends, and that he had been sent there for assessment. He asked that I write him back since he was concerned about how I was. I brought [REDACTED]'s letter to the Sandoval County, New Mexico probation office to which Keene, N.H. officials had transferred supervision of my probation. The probation officer assigned to supervise was Mr. Michael Padilla. After allowing Mr. Padilla to read the letter I explained the situation, the fact that [REDACTED] was going to turn 18 in a few weeks, and the fact that his family and he both requested that I contact him by mail. Mr. Padilla approved of this on the condition that I show [REDACTED]'s letter and my response to Father Peter Lechner, Ph.D. the Program Director of the Paraclete program.

80. Mr. Padilla said that if Father Lechner read both letters and approved of my response, then I could go ahead and mail the letter to [REDACTED] in New Hampshire. I did so. [REDACTED] then wrote back to me immediately and asked me to come back to New Hampshire. Again, with Father Lechner's approval, I explained to [REDACTED] that this was just not possible at this time. [REDACTED] then wrote a third letter asking me if I would return when the program I was in was completed.

81. Before I could respond to the third letter, I received a registered letter from Karen Grovier, the Keene probation officer, ordering me to return to Keene to face a charge of violation of the terms of probation; specifically, for writing unauthorized and unsupervised letters to [REDACTED] at the center. Before returning to New Hampshire for this hearing in August of 1990, I obtained signed letters from Michael Padilla, the New Mexico probation officer, and Father Lechner, the program director, both stating that I sought and obtained their approval prior to corresponding with [REDACTED]. I then called Detective McLaughlin at the Keene Police Department and reminded him that it was he who requested in court that this contact be permitted. McLaughlin said that there are no transcripts of district court hearings in New Hampshire, that I had no proof that he ever made that suggestion, and that he would deny it at the hearing. He also said that he would be asking the court to impose its suspended sentence of one year in the county jail. Before the scheduled hearing I met with Ms. Grovier and produced the letters from Michael Padilla and Father Lechner. She seemed quite angry about them. She then postponed the hearing for a week. I spent that week in a Keene motel. Finally, Ms.

Grovier met with me again. In the second meeting she offered me a "deal". She said that if I plead guilty to the probation violation the next morning then I could serve 48 hours in custody and then return to the program in New Mexico. If I do not, she said, then I can produce the letters at a hearing, and I will probably be cleared of the violation, but that she would postpone the hearing for up to a month and require me to remain either in a Keene motel or in the county jail awaiting the hearing. For the second time I entered a guilty plea in Keene without legal counsel. McLaughlin was present at the plea hearing, but did not say anything. I then spent 48 hours in jail, and flew back to New Mexico to resume residence at the Paraclete program. I swore that I would never again return to new Hampshire.

82. When I had been in the Servants of the Paraclete program for six months, the staff met to consider my plans for discharge. Dr. Ellis had a report of someone on the staff witnessing what was believed to be a mild seizure, and he recommended a neurological evaluation. In October of 1989 I underwent an MRI and EEG at a neurology clinic in Albuquerque, and was then diagnosed as having complex-partial seizure disorder and bi-polar temporal lobe epilepsy. The EEG revealed a series of what the neurological report described as "spike and slow wave activity" in both the left and right temporal lobes which indicated a diagnosis of Temporal Lobe Epilepsy. It appeared that this was of long duration, but there was no explanation for the fact that seizure episodes resumed after some twenty years of being seizure free. The MRI, and neuropsychological testing, revealed some damage in the temporal lobes, but the MRI ruled out any tumor or specific seizure foci.

83. It was at this point that the staff and I together determined that I should remain in the residential program to explore the implications for this diagnosis, and to adjust to medications. I remained at the Villa Louis Martin facility from March of 1989 until March of 1990. Upon completion of the program I decided to remain in New Mexico and continue outpatient treatment at the neurology clinic. Because of local publicity over the guilty plea to the soliciting charge, I did not want to return to ministry in my Diocese. Several months after leaving Villa Louis Martin the Servants of the Paraclete offered me a temporary solution to the issue of my future as a priest. The Minister General of the Servants presented me with an opportunity to work in their ministry as his administrative assistant while continuing in treatment at the Albuquerque neurology clinic. My diocese still would not place me on sick leave so I had no salary or benefits

such as health insurance. The Servants' offer seemed to be my only option, and I embraced it as both an opportunity to remain in ministry, and as a chance for continued psychological and spiritual growth. At that point, both the Servants and I seemed to feel that formally joining their community and ministry would be the likely outcome of our mutual decision that I remain with them.

84. In September of 1989 my sister in the Boston area received a telephone call from Detective McLaughlin. He told her that he was investigating me for creating child pornography of youths in the Keene area, and asked her if there was any property of mine in her possession which he could search. She told McLaughlin that everything I owned was in storage in New Hampshire and that he was welcomed to search it if he first obtain a warrant. My sister then called me in New Mexico and told me about the conversation. I then called Detective McLaughlin. In this telephone conversation McLaughlin informed me that [REDACTED] now accused me of taking nude photographs of him and paying him money for posing for these. There was no truth to this. I told McLaughlin that everything I owned was in storage in New Hampshire while I was in New Mexico, and I invited him to search my possessions if he wanted to. His response was that this wasn't necessary since he knew that he wouldn't find anything. He then said that [REDACTED] new allegation was going to be the basis for a civil lawsuit against me and the Diocese of Manchester. When I asked McLaughlin why he wasn't interested in even attempting to determine whether this was true or not he responded, "It doesn't matter; you don't need evidence for a lawsuit; if you took pictures like that you probably gave them to another priest anyway". (When I reviewed discovery in the 1993 case I learned that McLaughlin wrote in a police report about this conversation that I admitted to taking these photographs. He also wrote that he secretly tape recorded this conversation and made a written transcript of it and then played the conversation for [REDACTED] and his lawyer. When my attorney attempted to obtain this tape and transcript, McLaughlin claimed that both were inexplicably lost).

85. In 1990 some friends in New Hampshire sent me newspaper clippings from the Keene Sentinel describing new charges against Fr. Stephen Scruton. Scruton was investigated by Detective McLaughlin and then forced to returned to Keene to face misdemeanor charges in Keene District Court for allegedly fondling a fifteen year old male at the Keene YMCA back in 1987. Scruton pled guilty to the charge and was placed on probation. The young man, [REDACTED], filed an immediate lawsuit against