

THE STATE OF NEW HAMPSHIRE

NEW HAMPSHIRE, SS.
DOCKET NO. 91-C-149

SUPERIOR COURT
APRIL TERM 1993

JOHN DOE, A MINOR, BY HIS MOTHER
AND NEXT FRIEND

VS.

GORDON MacRAE AND THE
ROMAN CATHOLIC BISHOP OF MANCHESTER, INC.

SECOND SET OF INTERROGATORIES PROPOUNDED BY
THE PLAINTIFF, JOHN DOE, A MINOR, BY HIS MOTHER AND
NEXT FRIEND, TO BE ANSWERED UNDER OATH BY THE DEFENDANT,
THE ROMAN CATHOLIC BISHOP OF MANCHESTER, INC.

The following constitute interrogatories propounded by the Plaintiff, John Doe, a minor, by his mother and next friend, to be answered by the Defendant, the Roman Catholic Bishop of Manchester, Inc., under oath, pursuant to and within the time prescribed by New Hampshire Superior Court Rule 36. All answers must be full and complete and contain all facts and evidence which substantiate the answer as it is given and which would be presented to the Court. When a question calls for the possibility of either an affirmative or a negative answer, do not limit your answer to a simple negative or affirmative, explain in detail. State the facts and reasons behind your answer fully and completely. If there are any documents which substantiate any answer, or any explanation to any answer, please specifically refer to them and attach copies to these interrogatories, whether or not they are requested.

These interrogatories shall be deemed continuing so as to require supplemental answers if the Defendant or his attorney obtains further information between the time answers are served and the time of a hearing on the merits regarding this matter.

1. Please provide the following with respect to Rev.

James Watson:

- A. His current mailing address and telephone number;
- B. His present position with the Church if still employed by the Church;
- C. His present employer if not employed by the Church and if known.

A. St. John the Evangelist Church, 72 South Main Street, Concord, N. H. 03301 Telephone #224-2328.

B. Monsignor Watson is pastor of St. John the Evangelist Parish.

2. Please provide the following with respect to Rev.

Gerard Boucher:

- A. His present mailing address and telephone number;
- B. His present position with the Church if still employed by the Church;
- C. His present employer if not employed by the Church and if known.

A. St. Patrick Church, 34 Amherst Street, P. O. Box 27, Milford, N. H. 03055. Telephone #673-1311.

B. Father Boucher is presently serving as a Senior Priest at St. Patrick's Church in Milford.

3. Please provide the date on which the Catholic Diocese of Manchester or any of its representatives was first aware that the Division of Children and Youth Services had made a founded finding of child molestation by Gordon MacRae with respect to the minor victim [REDACTED] of Hampton, New Hampshire.

The Diocese was never informed by the Division of Children & Youth Services that they had a founded finding of child molestation against Gordon MacRae with respect to the minor victim [REDACTED] from Hampton.

4. Please provide the date on which the Catholic Diocese of Manchester or any of its representatives was first aware that the Division of Children and Youth Services had placed Gordon MacRae on the Sexual Offender Registry.

The Diocese was never made aware in any fashion by the Division of Children and Youth Services that Gordon MacRae had been placed on the Sexual Offender Registry.

5. Please provide the name and address of the person who made the decision to have Rev. Gordon MacRae act as a personal counsellor for Rev. Scruton.

No one in the diocesan administration ever made the decision to have Gordon MacRae act as a personal counselor for Stephen Scruton, nor was there any assignment in this regard.

6. Please provide any assurances or representations made by the Catholic Church given to the Cheshire County Attorney's Office concerning the supervision and monitoring of Gordon MacRae's activities after he was transferred to Keene, New Hampshire, and identify that individual giving those assurances or making such statements.

There was no contact or communication between the Diocese or its representatives with the Cheshire County Attorney's Office, regarding Gordon MacRae during his assignment in Keene.

7. Please describe in detail the conversation by Monsignor John P. Quinn with employees of the Division for Children and Youth Services ("DCYS") with reference to Gordon MacRae's sexual misconduct on November 21, 1982, as stated in your answer to interrogatory number 13, dated July 20, 1992, and provide the following:

- A. Whether the conversation was in person or by telephone;
- B. The name of the DCYS employee or employees;
- C. The nature and substance of the conversation;
- D. Whether a complaint or report had been made to DCYS concerning Gordon MacRae;
- E. The nature and substance of the complaint or report;
- F. The name and address of the person who made the complaint or report;
- G. Specify any action which was taken by DCYS as a result of the conversation;
- H. Specify what action, if any, was taken by the Roman Catholic Bishop of Manchester, Inc., as a result of the conversation;
- I. Attach any and all documents which support your answer or relate in any way to the November 21, 1982, conversation or relate to the incident discussed in that conversation.

Answers attached.

On November 21, upon learning of the alleged sexual abuse incident involving Gordon MacRae, Msgr. Quinn called Dr. Sylvio Dupuis, then Commissioner of Health and Human Services, to inquire to whom the incident should be reported. Dr. Dupuis returned the call almost immediately, and informed Msgr. Quinn that the report should be made to DCYS, and that he could call Jeannette Gagnon on the matter.

Msgr. Quinn was in touch with Ms. Gagnon immediately, and set up an appointment with her for Wednesday, November 23rd.

Msgr. Quinn met with Ms. Gagnon and a member of her staff at the Catholic Charities Office in Manchester on the 23rd. He gave her all the information he had on the matter at that time.

He was told that DCYS would conduct an investigation into the matter.

The alleged victim continued in counseling with his therapist. Gordon MacRae was confronted by the Diocese over that incident and was told to continue his counseling, including discussing this incident further with his counselor.

Memo attached.

153 ASH STREET

P.O. BOX 310

MANCHESTER, N.H. 03105

(603) 669-3100

11/21/83

Memo to: Fr. Christian
From: Fr. Quinn
Re: Rev. Gordon MacRae

I was officially notified by Dr. Henry Guertin-Ouellette and by Judy Paterson of the Catholic Social Service Office in Salem today that Fr. Godron MacRae had sexually abused two minor males in Hampton during the past summer.

Fr. MacRae is presently in counseling with Dr. Guertin-Ouellette and has indicated his willingness to continue. Dr. Guertin-Ouellette has indicated that Fr. MacRae has been cooperative, but that we should be aware that he most probably suffers from a strong personality development deficiency, and will require ongoing treatment.

One of the young men involved in the above-mentioned incident has been under counseling with our agency since the incident. Last week, he attempted suicide, and presently arrangements are being made for his hospitalization at Hamstead Hospital. The two incidents are not necessarily directly connected.

The parents of the boy are fully aware of the situation, and have been working with our counselor. They have been most cooperative, and their main concern is for their son. Secondarily, they are concerned that Fr. MacRae receives appropriate treatment to help him with his difficulty. One factor which is making this incident quite difficult for the parents is the fact that the boy's mother was sexually abused as a child herself.

***IT IS IMPERATIVE THAT THE YOUNG MAN INVOLVED MUST IN NO WAY LEARN THAT FR. MACRAE IS BEING REPORTED FOR THIS INCIDENT EITHER TO THE STATE OR TO CHURCH OFFICIALS. BOTH MRS. PATERSON AND DR. GUERTIN-OUELLETTE FEEL THAT IRREPAIRABLE HARM CAN BE CAUSED TO THE YOUNG MAN SHOULD THIS OCCUR.

I will be meeting with State Officials on Wednesday to discuss this matter and other cases. At that time, I will most probably file the official report with the Department of Health and Welfare.

8. Following the November 21, 1982, and November 23, 1983, reports, what action did the Roman Catholic Bishop of Manchester, Inc., take to prevent Gordon MacRae from having future contact with children?

In the first place, the reports to DCYS were November 21, 198~~2~~, and November 23, 198~~2~~. Both reports were in 198~~2~~. The 198~~2~~ date in the original interrogatory was a typographical error.

Because the Diocese was not informed by any state agency of any substantial problem, and because Gordon MacRae was already in counseling for other personal problems and his counselor had been made aware of the kissing and hugging incident that the Diocese had reported to the State, the Diocese did not feel that there was any need to take further action.

9. Following the reports identified in the previous interrogatory, were Father Gabriel Houle and Father Wilfrid Bombardier advised of the incident and/or given any instructions concerning Gordon MacRae's contact with children upon his transfer to Keene?

It is important to understand that Gordon MacRae was transferred to Keene in June of 1982, as a course of a normal transfer process, and not because of impropriety. It was only several months after his transfer, in November of 1982, that the Diocese was made aware of the incident with the young man in Hampton.

No instructions were given to Father Houle or Father Bombardier, for the same reasons as in No. 8.

10. If the answer to the previous interrogatory is "Yes," please provide a summary of any specific instructions given to Father Houle or Father Bombardier concerning Gordon MacRae's conduct.

No answer required.

11. Please indicate whether Bishop Odore Gendron had any direct communication or conversation with any employee of DCYS concerning Gordon MacRae's sexual misconduct. If so, state the following:

- A. The name of the employee at DCYS;
- B. The date of the communication or conversation;
- C. The nature and substance of the communication;
- D. Please attach any and all documents which support your answer or which relate in any way to the communication or conversation.

Bishop Odore Gendron never, at any time, had any direct contact or communication with any employee of DCYS. All of the contacts with the State were conducted by Monsignor John Quinn.

12. Please indicate whether Msgr. Francis J. Christian had any direct communication or conversation with any employee of DCYS concerning Gordon MacRae's sexual misconduct. If so, please state the following:

- A. The name of the employee at DCYS;
- B. The date of the communication or conversation;
- C. The nature and substance of the communication;
- D. Attach any and all documents which support your answer or which relate in any way to the communication or conversation.

Msgr. Francis J. Christian never had any direct communication or conversation with any employee of DCYS concerning Gordon MacRae's sexual misconduct. All of the contacts with the State were conducted by Monsignor John Quinn.

13. Please provide a list of any and all incidents concerning Gordon MacRae's sexual misconduct known to the Roman Catholic Bishop of Manchester, Inc., or any of its employees, whether learned before or after the commencement of this action, stating:

- A. The date on which the incident occurred or is alleged to have occurred;
- B. Where the incident occurred;
- C. When the Roman Catholic Bishop of Manchester, Inc., or any of its employees learned of the incident.

On November 13, 1983, Msgr. John P. Quinn received notification from Judith Patterson of Catholic Social Services, Salem, that Gordon MacRae had kissed a young man during the past summer. He was also notified of this same incident by Dr. Henry Guertin-Ouellette on that same date. He notified Msgr. Francis J. Christian, the Chancellor of the Diocese of Manchester, of this information, and informed him that he was reporting the incident to the appropriate authorities of the State of New Hampshire.

In May of 1986, Msgr. Quinn was called by Marilyn Fraser of DCYS. She informed him that the alleged victim of the above reported incident had informed a counselor of the new high school he was attending of the same incident. The counselor, not knowing that it had been reported at the time, appropriately notified DCYS. Ms. Fraser, in a letter dated 5/18/86, requested information from the alleged victim counselor regarding his counseling sessions, as well as a written report from Dr. Guertin-Ouellette. The letter stated, "... this matter has resurfaced and we are attempting to bring closure, through insuring that there are no additional pieces of information and if not, that necessary work had been previously completed." There was no further communication from DCYS after the requested information was supplied.

Msgr. Francis J. Christian was notified on July 14th, 1988, by authorities of Spofford Hall that charges of solicitation had been brought against Gordon MacRae by the young man in treatment at that facility. Gordon MacRae was at the time on leave of absence from the Diocese of Manchester, and working as an alcohol counselor. The authorities of Spofford Hall indicated to him that they had already notified the appropriate authorities in the State of New Hampshire. As a result of these charges and pending their outcome Gordon MacRae, who had been given permission during his formal leave of absence from priestly ministries to celebrate Mass and the other sacraments only at Spofford Hall, was suspended from all priestly ministry.

About this same period of time a [REDACTED] from Keene had several telephone conversations with Msgr. Christian alleging that Gordon MacRae had solicited her son, [REDACTED]. She didn't know what to do with this because she didn't want to expose [REDACTED] who, she stated, was already having other emotional problems, to any public notoriety. Msgr. Christian assured her that the Diocese would help [REDACTED] with psychological care if her allegations were proven true. Gordon MacRae, when confronted with the allegations by Msgr. Christian, denied their veracity. [REDACTED], for some reason, did not pursue any more discussions with the Diocese.

The Diocese subsequently became aware through the press of various legal charges that were placed against Gordon MacRae. On no occasion was the Diocese previously contacted about the allegations in these charges, and had no knowledge of the alleged events in any case.

14. Please attach hereto copies of all internal memorandums received by the Roman Catholic Bishop of Manchester, Inc., from Monsignor John P. Quinn or any other employee, officer, or director of New Hampshire Catholic Charities, Inc., concerning Gordon MacRae's sexual misconduct. If you are no longer in possession of any internal memos, please acknowledge the approximate dates and subject matter of said internal memos.

Attached to Question #7.

15. Please provide the specific details with respect to any arrangements or agreements reached by the Catholic Church and the Cheshire County Attorney's Office with respect to the Church providing counseling and/or supervision as well as monitoring for Gordon MacRae in exchange for the County Attorney's promise not to prosecute Gordon MacRae.

There was no communication between the Diocese or its representatives regarding Gordon MacRae with the Cheshire County attorney's Office.

16. Please provide the details with regard to any and all agreements or representations made by Bishop Gendron to the Commissioner of DCYS or Health and Welfare whereby Gordon MacRae would not work with children any longer and he would enter into counseling.

There was no contact between Bishop Gendron and the Commissioner of DCYS or HHS regarding Gordon MacRae.

17. Please provide the details of the agreement entered into on or about November 1983 whereby the Church offered treatment to a minor and paid for such treatment after Gordon MacRae had been accused of kissing and fondling a youth in June of 1983 in Hampton, New Hampshire.

PLEASE NOTE: There is a typo with regard to the above question. The incident was reported in November of 1982, not 1983. There are no reports of any incidents in 1983.

As such, there was no agreement entered into regarding the treatment of the alleged victim. It is the policy of the Diocese and Catholic Charities that such treatment would be offered to any such individual immediately and without any charge.

As part of the young man's therapy, it was recommended by his therapist that he attend St. Thomas Aquinas High School. Because of the financial situation of the family, the therapist inquired into the possibility of financial assistance for the individual. The two requests, one dated June 1, 1984, and the other May 10, 1985, were granted immediately, and his tuition bill was paid in full.

18. Please provide the details with respect to your knowledge of any treatment received or provided to Gordon MacRae after this incident in the fall of 1983.

We are not aware of any incidents in the Fall of 1983.

In the Fall of 1982, Gordon MacRae was in counseling with Dr. Henry Guertin-Quellette of the Clergy and Religious Consultation Service.

19. Please provide the specific details with respect to Monsignor John Quinn's report to Richard A. Chevrefils or any other employee of DCYS regarding incidents of child abuse by Gordon MacRae on November 29, 1983.

Msgr. Quinn's records only indicate an upcoming meeting with Jeannette Gagnon of the DCYS staff on November 23, 1982. We have no records of any meeting with Mr. Chevrefils in either November of 1982 or 1983.

We are unaware of any incident of child abuse by Gordon MacRae in 1983.

20. Please provide the details of any and all contacts that Monsignor John Quinn had with Ms. Jeannette Gagnon, Administrator of the Office of Social Services, Division of Welfare, including the following:

- A. The dates on which all communications were made;
- B. The substance of any such communications regarding Father MacRae;
- C. The outcome or agreements entered into as a result of any such communications.

Subsequent to the aforementioned November 23rd meeting with Ms. Gagnon, Msgr. Quinn received a letter from her on January 26, 1984, regarding continued contact between Gordon MacRae and an individual who had been under his supervision earlier. Though there were no charges of improper conduct on the part of MacRae, it was felt that the matter should be investigated because of the earlier incident reported in Hampton.

Msgr. Quinn informed Msgr. Christian that he was recommending that MacRae be told to cease contact with this individual immediately. Msgr. Christian so informed MacRae on 2/2/89.

There were no further contacts between Ms. Gagnon and Msgr. Quinn re: MacRae.

21. Please provide the details of any agreements, arrangements or practices between the Catholic Diocese and the Commissioner of Health and Welfare or any representative of DCYS whereby reports of child abuse by priests would be handled directly at the main office of DCYS in Concord and not through the district branches of DCYS. Please include any documentation which may support your answer.

There were no such agreements, arrangements or practices made or agreed to between the Diocese and either the Commissioner of Health and Welfare or DCYS.

22. Please provide any information relative to the Church's request of Father Gordon MacRae to start a "Youth Ministry" while he was at St. Bernard's Parish in Keene, New Hampshire.

The Diocese never requested or required Gordon MacRae to start a Youth Ministry while he was at St. Bernard's Parish in Keene. Any involvement in such an activity would have been part of the normal and expected duties of an associate pastor.

23. Please provide the details of any agreements between Bishop Gendron and the Commissioner of Health and Human Services whereby Gordon MacRae would no longer work with children after the 1983 incident and would enter counseling as a result of his alleged behavior in November 1983.

- A. There was no incident in 1983 of which we are aware. (Cf. Comments on Questions 8 and 17.)
- B. With regard to November 1982, there were no agreements made by Bishop Gendron or the Commissioner regarding Gordon MacRae.

24. Please provide the details of any conversations between Monsignor Quinn or Bishop Gendron and Elizabeth Davis, a social worker for the Division of Children and Youth Services in the Portsmouth District Office in Portsmouth, New Hampshire.

There were no conversations or communications, to our knowledge, between Msgr. Quinn or Bishop Gendron with Elizabeth Davis of DCYS, Portsmouth.

Respectfully submitted,

JOHN DOE, A MINOR, BY HIS
MOTHER AND NEXT FRIEND,

By His Attorneys
GREEN, McMAHON AND HEED
28 Middle Street
Keene, New Hampshire 03431
(603) 352-3523

Dated: June 29, 1993

By: *Peter W. Heed*
Peter W. Heed, Esquire

I hereby certify that an original plus two (2) copies of the foregoing Interrogatories were mailed this date to James E. Higgins of Sheehan, Phinney, Bass & Green, P.A., P.O. Box 3701, Manchester, New Hampshire - 03105-3701, Counsel for the Defendant.

Peter W. Heed
Peter W. Heed, Esquire

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THE ROMAN CATHOLIC BISHOP
OF MANCHESTER, INC.

Dated: Sept. 20, 1993

By: *Francis J. Christian (Msgr.)*
Msgr. Francis J. Christian,
Its Representative

STATE OF NEW HAMPSHIRE
CHESHIRE, SS.

The foregoing instrument was acknowledged before me this 20 day of September 1993 by Msgr. Francis J. Christian of the Roman Catholic Bishop of Manchester, Inc., a New Hampshire corporation, on behalf of the corporation.

Franceen M. Morasse
Justice of the Peace/Notary Public

Franceen M. Morasse, Notary Public
My Commission Expires On May 24, 1994