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September 14, 2011

Bishop McCormack  
Bishop of Manchester  
Diocese of Manchester  
P.O. Box 310  
Manchester, NH 03105-0310

Dear Bishop McCormack,

Enclosed is the audit report from the Diocesan Review Board for 2011. In light of the recent grand jury investigation and report in Philadelphia, the Manchester Review Board questioned whether or not it would be subjected to the same criticism leveled against the Review Board in Philadelphia for failing to make appropriate recommendations on the removal of priests from active ministry. The Review Board wanted to assure itself and people of the Diocese of Manchester, since this diocese had also been the subject of a grand jury inquiry, that a second investigation here would not uncover a similar lack of what was reported as weak enforcement.

On June 28, Mark Attorri and I undertook a review of all the reports of abuse made to the Diocese since the December 2002 agreement between the Diocese and the New Hampshire Attorney General. We prepared a report of our findings which we discussed with the Board at its August 18 meeting. The Board then approved the attached report which details our findings in summary form.

We are pleased to inform you, and the people of the Diocese that every report of abuse submitted to either the Diocese or the Attorney General since December 2002 has been shared with the Review Board. This includes matters that did not meet the threshold of "having a semblance of truth," and reports concerning deceased priests or those already laicized, where no action was necessary on the part of the Board.

The Board is grateful for the assistance it received in this audit from Deacon Gregory McGinn, Delegate for Ministerial Conduct and Annette Desmond, Executive Administrative Assistant to the Bishop of Manchester, who prepared in advance comprehensive audit tools as requested, who provided full access to records, archives, reports, and a personal computer, and who were readily available to answer

questions or get answers to questions as needed throughout the audit. The Board, as noted in the recommendations has decided to further review and make additional recommendations, as seem appropriate, concerning the matter of "boundary violations," those reported instances where no overt act takes place, but do indicate lesser violations of our Code of Conduct as it relates to activities with minors. Based on our findings, we recommend reducing Diocesan Review Board audits from an annual schedule to a biennial schedule.

Sincerely,

Christine O'Hara Tremblay  
Chair, Diocesan Review Board

**DIOCESAN REVIEW BOARD AUDIT**  
**JUNE 28, 2011**

On June 28, 2011, Christine O'Hara Tremblay and Mark Attorri met at the diocesan offices in Manchester to conduct an audit of misconduct allegations received by the diocese. The objective of the audit was to ascertain that all complaints and allegations of child sexual abuse have been referred to the DRB for consideration and review. The audit was conducted over approximately a six hour period. The auditors received assistance, as needed, from Deacon Gregory McGinn and Annette Desmond.

**Audit Procedure**

The audit was conducted in three main parts. The first part consisted of a review of reports and summaries that were provided to us by Ms. Desmond and Deacon McGinn. These included:

- A **Master List** prepared by Ms. Desmond listing all of the allegations of sexual abuse of a minor that have been received by the Diocese after the Settlement Agreement between the Diocese and the Attorney General's Office (AGO) in December 2002;
- A binder of **Case Reports** corresponding to each numbered allegation on the Master List. Each Case Report included a summary "face sheet" and copies of the e-mail communications between the Diocese and the AGO notifying each other of the complaint or allegation;
- Copies of the periodic **AG Reconciliation Reports** prepared by the Diocese and verified by the AGO to check that all complaints and allegations received by the Diocese have been reported to the AGO, and *vice versa*, as required by the Settlement Agreement; and
- A binder of the **DRB Minutes, Agendas, and (unredacted) Case Inventories** from 2002 to the present.

During the first part of the audit, the auditors compared the cases on the Master List with the AG's Reconciliation Reports and the DRB Agendas and Minutes, to confirm that each case on the Master List had been referred to both the AGO and the DRB and had been discussed at a DRB meeting. (From experience we know that at times a case can be on the Agenda, but due to time constraints, not discussed until a later meeting.) We found one allegation that had not been referred to the DRB. This case is discussed in the "Findings" section below.

In the second part of the audit, the auditors compared the Master List with a list of allegations published on a public website ([www.bishop-accountability.org](http://www.bishop-accountability.org)), to see if there were any publicly reported allegations that were not included on the Master List. We did find a number of publicly reported allegations that were not on the Master List, but all of them pre-dated the Settlement Agreement and so would not have been included on the Master List. Moreover, it was clear from the information on the website that all of the allegations not included on the Master List had either been the subject of the AGO's criminal investigation or the subject of civil settlements. The comparison conducted in this part of the audit therefore did not, in our view, suggest any omissions from the Master List.

In the third and final part of the audit, we were given access to two filing cabinets (of 3 drawers each) containing the unredacted files for each priest against whom an allegation of sexual misconduct has been made since approximately 2002. Unlike the Master List, which only included allegations of sexual abuse of a minor, the files in these cabinets reflected allegations of any kind of sexual misconduct, whether involving a minor or an adult. The auditors randomly sampled the files in this cabinet and compared them with the Master List. We found no allegations of sexual abuse of a minor that were not included on the Master List.

### **Findings**

The auditors received the full cooperation of Deacon McGinn and Ms. Desmond. All of our questions were answered, useful information was volunteered, and all requested documents and access were provided.

The auditors are generally satisfied that all complaints and allegations of sexual abuse of minors received by the Diocese or the AGO since 2002 have been appropriately referred to the DRB for consideration. The only exception was an obviously false allegation (Master List #42) by a complainant who claimed to have had a “revelation from Jesus” that a certain priest was engaging in Satanic acts with minors. This allegation did not meet the minimum threshold of having “a semblance of truth.” Further, no minors were identified and no substantiating evidence was ever offered. The Case Report reflected that this allegation was referred to the local police for investigation (without further result), but it was not presented to the DRB. This single exception, in our view, suggests a possible need to clarify the criteria for DRB referral (see Recommendations below).

### **Recommendations**

- (1) In the course of the audit, it became evident that new allegations may sometimes be added to the Case Inventories that are distributed to the DRB without being separately identified on the Agendas. Some DRB members may have assumed that new cases are identified on the Agenda for discussion, and that the Case Inventory only lists older open cases for reference. The auditors believe it would be helpful to “flag” all new cases on the Case Inventory and on the Agenda.
- (2) While allegations of sexual abuse of minors are now being presented to the DRB for consideration, allegations of other forms of misconduct (*e.g.*, “grooming” behavior and “boundary” concerns that fall short of “sexual abuse”) are not necessarily being reviewed. The auditors feel it would promote the purposes of the DRB to clarify the criteria for referral, and recommend that the Board schedule this subject for discussion at a future meeting. One suggestion would be to clarify the criteria for referral so that the DRB has an opportunity to consider any allegation which, if true, would reasonably call into question the priest’s suitability to safely minister to children (whether that allegation meets the definition of “sexual abuse” or not).
- (3) The auditors recommend that further audits be conducted every other year, unless reason arises to conduct them more frequently.