

Addendum- Priest A

The Associate Delegate initially advised KPMG on June 13, 2005 that the Diocese did not maintain background screening documents for Priest A because he was not in active ministry after the Diocese signed the Agreement with the Attorney General's office in December of 2002. However, KPMG conducted independent research, which included reviewing a 2004 church bulletin and the Delegate Office's PGC spreadsheet, that appeared to indicate that Priest A was in active ministry after the Agreement.¹

According to his personnel file, Priest A has been ordained for less than six years and was assigned to a parish in northern New Hampshire in 2003. KPMG noted that the personnel file contained a letter which referenced how Priest A was "intimidating the children of this parish" by grabbing and forcing them to quickly vest (as altar servers). The letter was written by the parish deacon on 9/26/03 five days after Priest A was involved in a different incident with a CCD class of 9th and 10th grade students.

According to several students who were in attendance, Priest A used graphic sexual language in class on 9/21/03 when describing how he was "married to the Church." The matter was apparently referred to the local police department but the Delegate (Fr. Arsenault) confirmed on 8/12/05 that the Diocese did not notify the Diocesan Review Board of the incident at that time. The local police informed the local parish that there was no evidence that a crime was committed.

Priest A resigned from the parish on 9/27/03 and was admitted to a psychiatric hospital on 10/9/03. He was later sent to St. Luke Institute's Halfway House and its Continuing Care Program where the doctors diagnosed his medical conditions. One of the conditions of Priest A's continuing care contract was that he would not access the Internet for six months and would be restricted in his use after that time.

A 9/23/04 memo in the file from the Delegate to the Bishop indicated that Priest A was going to limit his ministry to two other parishes in the central part of the state while residing in the rectory of a third parish. The Delegate told KPMG on 8/12/05 that he spoke with all three pastors about Priest A's past and any future "budding signs" that they should be aware of. According to the Delegate, it was the pastors' responsibility to monitor Priest A's activities from that point forward since it wasn't his practice to establish a formal written policy outlining their duties.

¹ On January 31, 2006, post-review, the Diocese sought to clarify that Priest A was on Leave of Absence.

According to his personnel file, Priest A used the computers at the rectory where he was residing to access pornographic websites from 11/21/04 until 1/22/05 when the parish's network administrator discovered the data on one of the computers. The matter was immediately referred to the Delegate's Office and their investigator, Jim Lundt. Based upon Mr. Lundt's investigation and his referral to the Bureau of Immigration and Customs Enforcement (BICE), it was determined that the computer and temporary file(s) used by Priest A contained 6,000 to 10,000 pornographic images, including three possible images of child pornography, and various website links to adult and child pornography. Because the three images were contained in a temporary file and were not downloaded onto the computer's hard drive, the federal authorities stated that Priest A had not committed any federal crimes.

KPMG noted that Priest A's personnel file also included a memorandum written by the Delegate on 2/16/05. The Delegate met with Priest A at St. Luke's Institute and noted that Priest A admitted to accessing pornographic websites which contained images of adults, teens and one site which contained "incest."

The NH Attorney General investigator, who is responsible for filing new reports received from the Diocese, told KPMG that the Diocese's attorney stated that the Diocese did not believe that their 6/30/05 referral regarding Priest A's activity at the Rectory was related to the Agreement. Instead, Attorney Quirk stated that the Diocese wanted to forward the information to the Attorney General's office comply with the spirit of the Agreement. The Delegate also told KPMG on 8/12/05 that he and the Diocese decided to report both incidents from 2003 and 2004/2005 to the NH Attorney General's office because they were indicative of Priest A's behavior, even if the first incident did not involve the sexual abuse of a minor. (The Delegate also stated that any previous failure by the Diocese or the parishes to ensure that Priest A completed all of the background forms and a criminal records check while he was in active ministry was "an oversight.")

The Policy and Code both state that church personnel are prohibited from possessing, viewing, or sending any sexually-oriented or morally inappropriate printed materials, websites or emails on church property. Furthermore, KPMG conducted additional research and learned that Priest A might have committed a felony under New Hampshire law (RSA 649-A) if he possessed child pornography.

KPMG referred this issue to the New Hampshire Attorney General's office for further action.