

managed by the same company which provided pager services for St. Bernard Parish which were maintained because the pastoral staff provided care at the Cheshire Medical Center and its trauma unit. Late one night I received a call on my pager from the service manager. He told me that he received an emergency call for a priest from the trauma unit, but no one at St. Bernard Rectory was answering the pager. I called the rectory but there was no answer so I tried calling two other area priests with no response. Despite the fact that I was on leave, I drove to the hospital's emergency room because I could not find another priest.

46. Since I had provided pastoral care at the Trauma Unit for four years the nursing staff knew me. A nurse prepared me for a terrible sight. A woman had been brought in with severe burns over her face, head and eighty percent of her body. Her eyelids had been burned away and her face was severely disfigured, but she was conscious though in shock. The staff felt that she would not live long, but the woman had a scapular which was burned right into her chest. This was why they called for a priest. When I went to anoint her the sight and smell was abhorrent. Her eyes were bulging because the lids were burned away, and she seemed to glare at me and then grabbed my arm in recognition, but I did not then know who she was. To my horror a nurse then told me that she has been identified as [REDACTED] [REDACTED] [REDACTED] seventy-four year old mother. It seemed that during the night [REDACTED] spilled a glass of water on her bed, and then plugged in a blow drier to dry the water. [REDACTED] fell asleep with the blow drier running and the bed caught fire. By the time the fire department had arrived, the bedroom and much of the house was fully involved, and [REDACTED] was found crawling from the flames and fully engulfed herself. Once [REDACTED] was medicated with morphine at the hospital she slipped into a coma and never awoke again.

47. I called [redacted] [redacted] to the hospital, but she could not even recognize her mother. [redacted] father had died shortly before, and [redacted] did not adjust well to being alone. [redacted] seemed grateful that I was on the scene, but she was also angry to learn from some hospital staff that no one at St. Bernard's could be located or would answer the hospital's page. [redacted] and I stayed at the hospital through the night. [redacted] lived for another month, but never awoke from the coma. She was transferred to a burn center in Springfield, Massachusetts where she died a few weeks later. The day after I answered the call at Cheshire Medical Center I received a telephone call from Father Biron, the pastor of St. Bernard Parish, instructing me that I should not have gone to the hospital and was not to do so again regardless of whether another priest could be found. Father Biron said that he planned to report the incident to the Diocese, and he denied that no one from St. Bernard's would answer the page. Later the same day, Father Raymond Ball, the associate pastor, called me and apologized. He said that he was responsible for answering the page, but he had left overnight and failed to bring the pager with him. Father Ball thanked me for taking the call and said that Father Biron planned to call me to apologize for his earlier comments. He never did call.

48. This matter further strained feelings between [redacted] [redacted], the Diocese, and me. [redacted] wanted me to celebrate her mother's funeral, but Father Robert Biron refused to permit it because I was on leave of absence - though he knew nothing of the circumstances. [redacted] reported to me that Father Biron argued with her and told her that he was very offended that I remained in Keene while on leave. He also accused me to her of interfering in the parish, though I had no contact with anyone outside of the one incident in which I answered that call to the hospital. I was even very careful to attend Sunday liturgy twenty-five miles away in Winchendon, Massachusetts, where I was not known to anyone.

49. [REDACTED] then asked Father Biron if he would permit it if [REDACTED] or I received the approval of the Bishop for me to preside at her mother's funeral Mass. Father Biron invited [REDACTED] to try, but before she could do so he talked with Bishop Gendron (who is now retired) who ultimately told [REDACTED] through the Chancellor that he would leave the matter up to Father Biron. Father Biron continued his refusal. [REDACTED] wanted me to fight this decision by meeting with the Bishop before the funeral, but I declined. I felt that Father Biron was acting unprofessionally and with little pastoral sensitivity toward this family and toward me, but I did not want to exacerbate the matter. I attended the funeral with [REDACTED] and her family, but after the funeral Mass [REDACTED] asked me not to accompany her to the parish cemetery. Our conversation on the steps of St. Bernard Church after that funeral was the last time she had ever spoken to me.

50. Months later in 1988 Detective McLaughlin received the "Florida Letter" from Sylvia Gayle and then began investigating me. McLaughlin spoke extensively then to [REDACTED] and other members of her family. His lengthy 1988 report, which I did not see until preparing for trial in 1994, includes a statement from [REDACTED] that she was approached the St. Bernard Parish cemetery after her mother's funeral by Fred Laffond, the parish cemetery director and business manager. She and Laffond had known each other for many years, and she claimed in the report that Fred Laffond told her that he did not understand why she wanted me to preside at her mother's funeral. She said that Fred told her I had made "a lot of trouble" for the parish, and that she should "watch her sons around me." She claimed that she asked Laffond then what he meant by this and he responded "You'll see. He's going down and you don't want to be standing anywhere near him when it happens." In several questionnaires sent by Ron Koch, my trial attorney, to Fred Laffond, Fred consistently denied making these statements to [REDACTED]. I believe, however, that such statements were made by Laffond and

are typical of him. His relationship with Father Scruton was described in the Case History (¶40, ¶47, ¶49), and Laffond was quite angry and hostile when I demanded of diocesan authorities that they remove Father Scruton from St. Bernard Parish after his third arrest in 1987 for sexual misconduct. Fred Laffond lied throughout his answers to the multiple questionnaires sent to him by Ron Koch, my attorney, and claimed that he knew nothing of Father Scruton's sexual problems. He also lied by stating that he only barely knew me and Father Scruton, and that he was entirely unaware of anything which had transpired in St. Bernard Rectory.

V: The Diocesan Legal Counsel

51. During my preparation for trial, I had multiple direct and indirect dealings with Attorney's Bradford Cook, James Higgins, and Robert Lucic, all of the Manchester Law Firm of Sheehan, Phinney, Bass and Green which represents the Diocese of Manchester. From the moment the charges were first brought the diocesan legal representatives sought to ridicule and undermine my attempts to defend myself. A friend and canonist, Father David L. Deibel, J.D., J.C.L., who is also a civil attorney, contacted Attorney Cook after reviewing the case and told Mr. Cook of his belief that I was innocent of these charges. Attorney Cook's immediate and caustic reply was "Of which of the seventeen indictments of aggravated felonious sexual assault do you think he is innocent?" Father Deibel and Attorney Koch were countered at every turn in their efforts to gain the cooperation of diocesan officials in reviewing my side of this matter. Letters from Father Deibel and Attorney Koch to diocesan officials went unanswered, and requests for information were responded to begrudgingly and with as minimal information as possible. At one point Attorney Koch received a letter from the diocesan attorney instructing us to have no further contact with officials of the Diocese of Manchester.

without first going through his law firm. The demeanor of diocesan officials and the diocesan legal counsel throughout this case seemed to support my conviction that there was much to remain hidden, and that efforts to defend myself with the truth were perceived of as a potential threat. From the moment the charges were brought I was referred to in letters and press reports by Diocesan officials as "Mr. MacRae" and distance from the accused was the only response the Diocese could muster. It seemed much easier and more convenient for the diocesan legal counsel that I be found guilty despite the fact that earlier in the case Attorney Cook commented to my attorney that he no longer believed the claims made by the [REDACTED] and would recommend that the Diocese assist with funding a defense and a thorough investigation.

52. At the time I was on leave from my administrative position at the Servants of the Paraclete residential center for priests in Jemez Springs, New Mexico. When the [REDACTED] charges were brought and I was forced to leave my ministerial position with the Servants, the Community graciously invited me to remain in residence with them while preparing for trial. An Albuquerque Journal newspaper reporter, Mr. Bruce Daniels, had been reporting on the multiple lawsuits in the "Father Porter Case" brought against the Servants of the Paraclete and the Archdiocese of Santa Fe. He had also been reporting on the exposure of Archbishop Sanchez's case on the television program "60 Minutes", and when my case first surfaced it was Mr. Daniels who informed my attorneys that Detective McLaughlin in Keene, NH had faxed forty pages of police reports in the [REDACTED] case directly to The Albuquerque Journal because the Journal had up to this point ignored the charges against me.

53. Following his receipt of McLaughlin's police reports Bruce Daniels wrote a front page story in The Albuquerque Journal with the devastating headline, "Paraclete Official Charged with Rape". Later, however, Mr. Daniels began to feel