

felt something brushing up my leg. I knew it was his hand, it eventually reached my groin, I quickly pushed his hand away leaving my hand on my groin to assure that he would not be able to touch or fondle me anymore.

All this happened in a small room on the third story in his house, he slept on a mattress on the floor, while I slept on the couch next to him, he would not let me sleep anywhere else. His house is next to the church in Shelburne Falls.

The next time I went over to his house, which was involuntary, I tried to think of ways of keeping him away from me. I would ask him a lot of questions. I asked what the bread was, a cracker or if it was actually bread, he offered me a taste of wine and the bread to convince me they were both real.

That night I demanded to sleep in a different room, he didn't get to touch me."

10. Also during the week of October 14, 1991 this officer spoke with

is the orthodontist that [REDACTED] referred to in his statement. confirmed that Father Lavigne paid for treatment and in fact brought in for a lot of his appointments. further stated that Father Lavigne was very interested in treatment and was surprised by the recent split in their relationship.

11. Based on the above information, this officer on October 17, 1991 went to the Greenfield District Court Clerk's Office and signed a criminal complaint for two (2) counts of Rape of a Child and one (1) count of Indecent Assault & Battery. At this officer's request an arrest warrant was issued in conjunction with this criminal complaint.

Checks by this officer and other officers assigned to Hampshire/Franklin CPAC on October 17, 1991 showed that Father Lavigne was not at St. Joseph's Rectory nor at his private residence located on Tatro Road in the town of Ashfield.

12. On Friday October 18, 1991, this officer located Father Lavigne's motor vehicle parked behind his parents residence at 30 Colonial Avenue in the city of Chicopee. As a result of this discovery, surveillance was set up at this location and at approximately 4:20 p.m. Father Lavigne arrived. This officer with the assistance of Chicopee Police Detectives then placed Father Lavigne under arrest and advised him of his rights. Father Lavigne acknowledged understanding to his rights and was then seated in this officer's cruiser.

This officer then commenced transporting Father Lavigne to the State Police Barracks at Shelburne Falls. While enroute this officer advised Father Lavigne of the criminal charges of Indecent Assault and Battery made against him as based on the allegations of the individuals involved. I identified the individuals making the allegations and Father Lavigne said, "that's absurd." We then discussed and his credibility. This officer told Father Lavigne that I personally found to be very believable and credible kid. Father Lavigne agreed and could offer no explanations as to why he would make it up, but said his father is a chauvinist and a bigot.

This officer then asked Father Lavigne if he ever touched "any kid" in a sexual way. Father Lavigne replied by denying any inappropriate touching.

This officer then advised Father Lavigne that I was aware that this was not the first time that he had been accused of this type of activity, and asked him what he thought a judge or jury would think because more than one complaint has been made. Father Lavigne then stated, "can I be honest with you?" "Can I trust you?" This officer then reminded Father Lavigne that he'd been advised of his rights but requested to hear his side of the story. At this time Father Lavigne stated that he wanted to talk to a lawyer before saying anymore.

Upon arrival at the State Police barracks in Shelburne Falls, Father Lavigne was booked in and advised of his rights by desk officer Trooper William O'Connell. Father Lavigne was then fingerprinted and photographed by this officer and Trooper Robin Whitney. During this process Attorney's John Callahan, Mary Lou Rupe and William Flannagan all called the barracks individually. They were advised of the arrest and the charges and that Father Lavigne would be allowed to return their calls upon the completion of the booking process. Father Lavigne was held that evening in lieu of bail. He was however released on bail during the morning hours of Saturday October 19, 1991.

13. On Monday October 21, 1991 Father Lavigne was arraigned in the Greenfield District Court where he was later released on bail posted previously.

14. On October 24, 1991, Trooper Michael Habel Franklin CPAC interviewed

statement given to Trooper Habel is as follows:

"It was between fourth and sixth grade which was around 75-78. We moved to Colrain when I was in the fourth grade. My mother and I moved in with my step father on Green River Rd. I

became an alter boy probably in the Spring of 76. That was St. Johns in Colrain. I was about 11. My family became closed with father Lavine. We went to a couple of church functions. It was brought up about it and I decided to be an alter boy. Usually it was just one person when I was an alter boy. We became close because we worked one on one a lot. He was honest and he treated me as an equal making me trust him. After that it wasn't long before he was inviting me up for dinner at his house.

His house was right near the Shelburne Falls Church. He lived in the Rectory. Father Roache would come in off an on to fill in and Father Thrasher lived in the Rectory off and on. He lived on the first floor. Father Lavine's living quarters were on the third floor which consisted of two rooms, the first a bedroom at the top of the stairs and basically all that was in there was a bed. It was maybe five by ten. To the right of that was the bathroom. It was a stand up shower with a sink and toilet. In the mornings when I would shower, he had those wooden sliders. I always felt like someone was watching. He came in a few times to brush his teeth or whatever. The adjoining room to the bedroom was set up like a living room. It had a door to a porch and a chair and couch and a stereo and TV.

He would invite me over after mass and ask if I would come over for dinner and spend the night. The very first time it felt like an honor. I felt like he was treating me like an adult. We had dinner and watched TV and went to bed. I remember particularly having spaghetti dinners with three or four glasses of wine. He would pour himself a glass and ask me if I wanted some. What twelve year old is going to say no. Usually by the time dinner was over I was slightly light headed. We would then head up to his living quarters. Sometimes he would use the time to work on his sermon. Sometimes I would be alone and poke around and look at things. After which he would usually come in and watch TV. He was usually insistent that the TV not stay on long. I don't recall any in depth conversations. It was usually small talk. He didn't seem too interested in what was going on with me. He would get up and get ready for bed himself. I remember the first time he came out in the night shirt longer than your knees. He actually walked in this night shirt and tossed one to me which I declined. I just felt more comfortable in my own clothes. I remember him encouraging me to wear it but it wasn't forceful.

He would just go in to his own bed and say good night. Some time would go by. He would notice that I was restless and not sleeping. As a rule I never slept well. When I was there I was on my guard instinctually. So when he came in to help me relax that would get my guard up more. He would offer to give

me a back rub. He would even go as far as rubbing my shoulders without me asking him to do it. I remember at one time being offered another glass of wine also to help me sleep which I declined. He would start to rub my feet to help me relax. I was very tense and pretty much drew back from these advances.

Whenever he would touch me, weather it was at this house or an everyday meeting he always express to me that it was okay to touch. I shouldn't feel uncomfortable to have another man touch me. He would say it was just a show of affection. Basically that sort of thing. This didn't go on for a very long time. I was level headed enough to know that it didn't feel right. Including the time in Ashfield I would guess I stayed at this house about 8 times. It didn't go on a long time and it wasn't all the time. Basically most of the times it was the same, the dinner, the wine and going to sleep. For the most part I think he would always spend some time laying or sitting next to me. I think he got discouraged quick because it was always soon after that he would end up going back to bed.

After that I would say that going to Ashfield was the next instance. I think it was his parents house. It was some old house up on a hill. It was maybe a relative or his parents. I think there were five of us, alter boys or otherwise related to the church. The only one I can identify at all is the blond kid that used to live with him. His name was He didn't live with him full time. He went to the Academy in He was from He was maybe one of those fresh air kids. He was just about my size. I can't identify the other kids. That night consisted of dinner and sitting around the living room. The entire house was set up with dimmer switches or it seemed that way. It was sort of dank and dark. We sat around the living room telling stories. That took maybe an hour or so. He go everthing ready for everybody to sleep in the bedroom. Himself, and one of the other boys stayed in the bed. The rest of us stayed on the floor. I remember feeling very uneasy. It just didn't feel very natural for a bunch of guys to be sleeping in a bedroom with an older man.

I remember laying and not sleeping. My mind was making up things about what could or would happen in that bed. Which most was probably just an overactive imagination stemming from my feeling that the whole situation wasn't right.

One of the times at the Rectory. I believe it was the last time because after that I made up my mind I would not go back. It was another one of those situations that he was trying to get me to relax. I was laying on my stomach with my head to the side. He would always tell me to relax. I remember it

perfectly like it was yesterday. He said your so tense, relax. I remember me head was turned to the side facing the couch. I had me teeth clenched. I was look under the couch and thinking I cant wait to get out of here and have this night end. He had been rubbing my back and he let his fingers go done real close to where he was rubbing my butt. It was at that point where I curled on my side which is the position I sleep in. I told him I thought I could sleep now and wanted to sleep. He always seemed discouraged just before he would go back to bed. That was the last time I had stayed there. He never really bothered to ask me much after. I think he knew. I don't think it was long after that I stopped being an alter boy and we moved back to Conway. We would still go to Church occasionally and eventually not going again. He did come one instance when my mother was sick and he showed up.

I don't remember the circumstances but it was at his Ashfield place. He had parked the car in the driveway. He just stood out on his driveway and dropped his fly and took a piss. He made some comment that I really can't remember but I remember being very uncomfortable and being able to see him if I had turned my head. He said something that in someway directly or indirectly about seein a full grown man's penis. That was the night we all had stayed over. Everybody else had already gone into the house.

I can't think of anything else that would heplp."

15. On October 25, 1991 anonymous letter was sent to the State Police Barracks in Northampton, MA. This letter went as follows:

To those concerned,

"I am writing you in regards to the recent arrest and charges against Father Richard Lavigne. Fr. Lavigne has been a friend of my family since I was about nine years old and I am now older than twenty. My brother served as an alter boy that is how Fr. Lavigne was introduced to our family. I would later serve as an alter boy, but not while Fr. Lavigne was at our church.

Fr. Lavigne sexually abused me about seven years ago and I kept it a secret from everyone for about one and a half years. I had broke off all relations with Fr. Lavigne shortly after this abuse took place, which raised questions from family members. My eldest brother pressed me as to why I no longer visited Fr. Lavigne, at which time I broke down and told him. This was a very devastating time in my life, especially since I revered priests greatly and had wanted to become one myself. I had put so much faith and trust in this man of God and he hurt me so much.

I am writing to make you aware that my brother and a church representative brought this matter to Bishop Leo O'Neil, who is now a Bishop In New Hampshire. Bishop Maguire, to my knowledge, was made aware of this situation. Bishop O'Neil said that Fr. Lavigne would have restrictions placed on him, to include no young males to be allowed with him alone. It was further understood that Fr. Lavigne would have a priest assigned to supervise his activities and that he was mandated to receive psychiatric counseling. Fr. Lavigne's excuse was that there was some type of chemical imbalance that would make him black out, yea sure. I realize that Fr. Lavigne is the one who committed and is therefore responsible for these additional sex offenses, yet I can't help but feel that I could have done something to prevent this from happening again. The church is corrupt and they swept their dirty laundry under the rug and encourage victims to keep the problem in the house, that would be best for all involved. It sounded good at the time.

I must keep my identity secret because this would have a negative impact on my future and I do not wish to be a part of the media circus which would follow, besides, you have more than enough evidence. I am mailing this letter from a different community than were I reside."

16. Subsequently to receiving this letter, Lt. Edward Harrington called Bishop Leo O'Neil at the Diocese office at Manchester, New Hampshire; The first phone conversation Bishop O'Neil stated that he would have little time to spend with this officer and Lt. Harrington regarding the identity of the person who wrote the letter and the contents of same.

The second phone call resulted in the Bishop saying in his opinion it was a Springfield Diocese problem and that he shouldn't be involved. Lt. Harrington advised Bishop O'Neil that the investigating officers had information that Bishop O'Neil knew of allegations of alleged abuse and the identities of the victims. Bishop O'Neil reiterated that he felt it was a Springfield Diocese problem and that he did not feel justified in releasing any information. Lt. Harrington advised the Bishop that further contact from the investigators would most likely take place after first consulting with the District Attorney.

17. On October 28, 1991 this officer called \_\_\_\_\_ regarding his three sons and \_\_\_\_\_ stated only his son \_\_\_\_\_ spent anytime with Father Lavigne and he told his father nothing happened. When asked if I could talk to his boys or if he would talk to them again, \_\_\_\_\_ said he would ask them again and call me if they indicated anything happened with Father Lavigne. \_\_\_\_\_ did not call back.

18. This officer then continued this investigation by interviewing \_\_\_\_\_ on October 28, 1991. This interview was initiated as a result of \_\_\_\_\_ calling the Shelburne Falls Barracks after learning of Father Lavigne's arrest. statement is as follows:

"I know I was still an alter boy at St. Catherine of Siena in Springfield in the year 1968. I was an alter boy for a couple of years. Father Lavigne was a priest at that church at the time I was an alter boy. He would come over to my house often. He knew my uncle very well and became very close to my parents during the years that I knew him. This was even after he went to St. Mary's Church in Springfield. He would even come over to visit and tell us different stories about past trips he had been on. He was a very likeable man. At one time he wanted to take me on a trip to the Bahamas but things did not go through. I remember going on a trip to Canada with him with a couple of other alter boys around June of 1968. I think it was \_\_\_\_\_ I don't recall anything happening on that trip. I recall another trip to Vermont. We would go looking for antiques in old houses and also old abandoned barns. We would do this often. At one particular time I distinctly remember Fr. Lavigne dropping me off at a nearby parking lot next to a hotel he was checking in at. He told me to wait there until he got the room and then come around the back side of the hotel and he would flash a light or open the window to help me get in. He flashed the room light so I would know which room he was in. Then he opened the window. I remember having to climb a red brick wall. Every so many feet there were lines of bricks sticking out of the wall enabling me to climb up the wall and into the window. I thought at the time he did it to save money because priests didn't make much money. I recall him asking me later that evening if I would like a back rub and I said sure okay. He started rubbing my back then he would ask me to rub his back and I would. I remember he would go down and rub my buttocks and my legs. As he would do this he would do it very lightly like more of a tickle than a rub, more of an exciting type feel. I don't recall anything else about this particular trip. I do recall at various times wearing his night shirts whenever I was spending the night. They looked like long tee shirts.

Another incident that I remember that happened to me and is so clear in my mind and made me most nervous was the time I spent an overnight at St. Mary's rectory in Springfield. Father Lavigne was a priest there at the time. I don't recall the reasoning for staying there but I think it was because we were planning on going on a trip the next day. It could have been we were going to his place in Ashfield or going out looking for antiques. On this particular night I remember us both wearing the night shirts. I remember being in his bedroom at the

rectory at St. Mary's. I remember getting into bed with Fr. Lavigne on my left side in bed. It was dark at the time. Fr. Lavigne would then ask if I would like a back rub. He would start rubbing my shoulders while I was on my stomach. He would start rubbing over my shirt and then he would lift my shirt up to rub on my skin. He would then work his hands down my back also touching my buttocks. He would also start rubbing the outside of my thighs trying to get his hands towards my privates, which I consider to be my penis and my testicles. He would now and then make contact with either or both of my privates. At this time my legs would be closed together with him straddled over the bottom part of my thighs. At one point Fr. Lavigne spread my legs while I was still on my stomach and continued to rub my back gently also my thighs arms and calves. It was a very gentle touch and not a rubbing feeling. It was like a tickling. As he would continue with the light touching he would every now and then pass his fingertips over my testicles. After doing this for a period of time he would then tell me to turn over on my back. He would then start touching from my neck down to my arms then to my chest. Then he would start touching my thighs and eventually he would start touching my penis and testicles. He would start off passing over them as if he did it accidentally. Then he would start touching me more and more in that area. At one point I remember Fr. Lavigne wrapping his hand around my penis and stroking it up and down. At different points I would try to move in a way that he would know that I did not like him touching that area, but was too nervous to tell him to stop. At different times as all of this was going on I noticed he would also be touching himself down in his private parts. At one point he would indicate it was his turn for a back rub. I would rub his back his arms and now and then his legs. In a very short time he would roll over on his back and then I would continue to touch lightly his chest, stomach and thighs. At some point I remember touching his penis. He would put my hand on his penis and move my wrist up and down. Then I would remove my hand and continue to rub his chest area and his arms. He guided my hand onto his penis more than once during this short time. I knew this was wrong but was too afraid to say anything. I stopped the touching after a few times of him placing my hand on his penis. Eventually I rolled over and went to sleep.

I recall spending nights with Fr. Lavigne in different places such as St. Catherine of Siena in Springfield at the rectory. Also St. Mary's rectory in Springfield, that hotel in Vermont and other places that I don't remember specifically. He touched me at other times but I cannot recall the location as I do at St. Mary's rectory.