

1994. See Buntel-2 102. “The blow king of Malden” (a.k.a. “pothead”) would never serve in parish ministry again. See Buntel-2 092.

### 3. ROBERT BURNS

Father Burns was a priest incardinated into the Diocese of Youngstown, Ohio in June of 1975. See BURNS2 290. His problem, in the words of RCAB personnel director Gilbert Phinn was “little children.” See BURNS2 011. In or about 1981, Father Burns was originally sent from Youngstown to a treatment center for priests in Massachusetts called the House of Affirmation. See BURNS2 011. The purpose of the placement was “to treat incidents of and a proclivity towards sexual activity with boys.” See BURNS2 290. In 1982, Father Burns approached the RCAB about the possibility of doing parish work. See BURNS2 290.

After meeting with Father Burns, Bishop Alfred Hughes informed Father Phinn that while Bishop Hughes “realizes there is a risk . . . Bp. Feels he can recommend placement.” See BURNS2 027. Bishop Daily was also aware of Burns’ problems and had reservations about the placement, see BURNS2 018, although, as Auxiliary Bishop, he would have to approve any assignment. On October 27, 1982, the House of Affirmation sent a letter to Father Phinn clearly stating that Father Burns ought not to be assigned to a position that “**placed him in a position to minister to minors.**” See BURNS2 290 (emphasis added).

On November 8, 1982, Father Burns was appointed to as part time associate pastor at St. Thomas Aquinas Parish in Jamaica Plain, where he received the **“full faculties of the Archdiocese.”** See BURNS2 038; 2-290 (emphasis added). On June 24, 1986, Cardinal Law appointed Father Burns as part time parochial vicar at St. Mary Parish in Charlestown. See BURNS2 052. Neither of the Pastors with whom he was assigned was informed of a need to restrict Father Burns’ ministry with children. See BURNS2 290.

In March of 1991, a complaint was received by the RCAB about Father Burns engaging in acts of “masturbation, sodomy and oral sex” with a boy from St. Thomas Aquinas when the boy was thirteen or fourteen years old. See BURNS2 054. By May of 1999, the RCAB had received six complaints about Father Burns molesting children. See BURNS2 290. After the first allegation in 1991, Father Burns was removed from ministry, with Bishop McCormack stating that his plan was to “help [Father Burns] to resettle once we have word from [the Youngstown Bishop] what he would like Father Burns to do.” See BURNS2 054. There is no indication that any thought was given by Bishop McCormack or Cardinal Law to reporting Father Burns to the police regarding the allegations of child rape.

When the RCAB was named in a civil suit by a victim of Father Burns, and there was a fear that the matter would receive publicity, the RCAB attempted to

understate the significance of its “misjudgment.” See BURNS2 290. Various draft press releases stated that the “tragic allegations involve a priest from outside the diocese” and never once revealed the true facts about the RCAB’s prior knowledge of Father Burns’s past and the RCAB’s rejection of the advice from the House of Affirmation that Father Burns not be placed into contact with minors. See BURNS2 077-078. Instead, Cardinal Law’s emphasis was to distance the Church from the deviant acts of Father Burns and to avoid scandal. In a letter of April 29, 1999, Cardinal Law wrote a letter to Cardinal Sodano of the Holy See in support of the petition to laicize Father Burns. See BURNS2 288. As Cardinal Law stated: “The immoral and illegal activities of Father Burns during his stay in the Archdiocese are the cause, potential and actual, of grave scandal.” See BURNS2 288.

When asked about Father Burns at his deposition, Cardinal Law first suggested that the “full record of Father Burns was obscured” and that he never should have received an appointment. See Law Depo., January 22, 2003, p. 43. As set forth above, there was nothing obscure about the record of Father Burns. See supra. When asked about the assignments of Father Burns in two parishes in the RCAB, Cardinal Law emphasized the fact that his policy on matters of sexual abuse of minors was one of “delegation.” See Law Depo., January 22, 2003, p. 37. Specifically, Cardinal Law stated it would have been Bishop Daily who would

have followed up on personnel decisions. See Law Depo., January 22, 2003, p. 51. When asked whether he did anything to alert the police or Department of Social Services about Father Burns when he left the Diocese to ensure that he did not commit another crime, Cardinal Law responded as follows:

What I did with regard to Father Burns is what I was able to do and that was to be sure that he did not serve in this Archdiocese. I did not have the responsibility, the authority over Father Burns beyond saying that he could not serve in this Archdiocese because I was not his bishop.

See Law Depo., dated January 22, 2003, p. 41.

Following his departure from Boston, Father Burns “resettled” in New Hampshire where he was arrested in 1995 and subsequently convicted and incarcerated in 1996 for sexually molesting a twelve year old boy. See BURNS2 290. In a memorandum submitted to the Holy See by Cardinal Law in May of 1999, it was noted that Father Burns propensity to sexually molest boys was “known to officials within the Archdiocese, but overlooked in favor of Father Burns’ solemn assurance of his ability to control his impulses.” See BURNS2 290. Cardinal Law described the decision to place Father Burns without restriction in two parishes of the RCAB as a “misjudgment.” See BURNS2 290.

#### **4. RICHARD T. COUGHLIN**

Father Richard Coughlin was born on June 13, 1924 and ordained at the Holy Cross Cathedral in Boston by then Archbishop Richard J. Cushing on

September 29, 1953. See Coughlin-16. His first assignment was as an assistant at St. Patrick's, Stoneham beginning on October 12, 1953. See Coughlin-16. On February 16, 1960, he was transferred to St. Mary's in Lynn, to serve as an assistant where he remained until June 15, 1965. See Coughlin-16. On that date, Father Coughlin moved to the Archdiocese of Los Angeles [Orange County], California under the Lend Lease program. He was excardinated from the Archdiocese of Boston on February 19, 1971. See Coughlin-16. While in California, Father Coughlin founded the All-American Boys Chorus, a 100-member choir of boys aged nine through fourteen. See Coughlin-43.

On November 30, 1985, Bishop John McCormack, the RCAB Secretary for Ministerial Personnel, documented a telephone conversation with Mr. David Coleman. See Coughlin-1. Mr. Coleman reported that as a boy of about nine to eleven years old, he was abused by Father Coughlin at St. Patrick's in Stoneham. See Coughlin-1. Mr. Coleman described how Father Coughlin first molested him in his automobile after CYO basketball games in Stoneham in about 1957. See Affidavit of David Coleman ("Coleman Aff."). Father Coughlin often gave Mr. Coleman and several other boys a ride home after the basketball games, and Mr. Coleman was sexually molested by genital fondling in Father Coughlin's car. See Coleman Aff.. The sexual molestation continued for approximately five years, even after Father Coughlin was transferred to St. Mary's Parish in Lynn,

Massachusetts, and after Mr. Coleman and his family moved to Wellesley, Massachusetts. See Coleman Aff..

Mr. Coleman told Bishop McCormack that he was a recovering alcoholic, actively participating in AA, and had been in therapy for several years. See Coughlin-1. Mr. Coleman worried that Father Coughlin might still be abusing children. See Coughlin-1. He felt obliged to inform the RCAB, and Bishop McCormack assured Mr. Coleman that “[the RCAB] would handle this”. See Coughlin-1. At the end of McCormack’s handwritten note is a phrase describing his quandary as to what to do: “Should contact be made with Los Angeles. [Richard T. Coughlin] teaches at a boys school there” See Coughlin-1.

The typewritten version of this memo contains Bishop McCormack’s subsequent decision, “I also assured him that we would look into this matter and follow through with the Archdiocese of Los Angeles” See Coughlin-2. Bishop McCormack took no action himself, but instead sent a confidential handwritten note to Bishop Banks that was received on December 3, 1985. See Coughlin-20. The address of Father Coughlin and his superiors were listed. See Coughlin-20. Not until March 12, 1986 did Bishop Banks act on this memorandum, noting that he called Bishop Steinbeck, who “said that he’d speak to Norbetines”, Father Coughlin’s religious order. See Coughlin-20.

Years later, on November 19, 1992, Mr. Coleman called the RCAB again and spoke to Sister Catherine Mulkerrin. See Coughlin-23. Mr. Coleman identified himself as a journalist and a victim. See Coughlin-23. Mr. Coleman told Sister Mulkerrin about meeting with Bishop McCormack in 1985, and said that he was warned at that time that “I would not be told what was found” after Bishop McCormack’s investigation. See Coughlin-23. Mr. Coleman asked Sister Mulkerrin to have Bishop McCormack contact him, and subsequently, a meeting was arranged in December, 1992. See Coughlin-23.

Before their second meeting, Mr. Coleman forwarded to Bishop McCormack a long, poignant, and eloquent story of Father Coughlin’s abuse and its horrible, all-encompassing and tragic effect on his life. See Coughlin-3-6. In “Living On A ‘Fault’ Line”, Mr. Coleman describes his years of abuse, his shame, his guilt, his attempt to inform church officials by meeting with Bishop McCormack, and his emotional breakdown five years after that meeting. See Coughlin-3-6. The effect on his emotional life was devastating:

In 1990, I suffered an emotional breakdown. I signed myself into a hospital to avoid acting on increasingly dark thoughts. With the help of a psychiatrist, I finally began to see the origins of my behavior. I couldn’t trust people. I couldn’t bear intimacy. I had no belief in myself or my value as a person. I was a workaholic and a perfectionist. In intimate moments, I feared discovery to the point of panic.... I had needed to find a sanctuary, a place safe from the danger of the world, a world where nothing was as it seemed, where nothing was predictable....

See Coughlin-4. Bishop McCormack had no memory nor could he locate any notes of their meeting in November, 1985. See Coughlin-33.

Hoping that the priest would take responsibility and tell Mr. Coleman that the abuse was not his fault, Mr. Coleman decided to contact Father Coughlin and tell him how much he had been hurt by the sexual abuse. See Coughlin-5. Father Coughlin's reaction was devastating: he denied that "such a relationship ever existed." See Coughlin-5. When Mr. Coleman described his memories and the locations of the abuse: "his brother's place, Laconia County Club and Weirs Beach, Oyster Harbor Golf Course and Falmouth, the Margate Motel in February and skiing at Sunapee, his blue can of tooth powder[,]” Father Coughlin simply said, "If that's what you remember, it must be so." See Coughlin-5.

Since Father Coughlin would not accept responsibility, even privately, for his actions and the RCAB did not take responsibility, Mr. Coleman decided to contact officials in California. See Coughlin-6. On about December 18, 1992, Mr. Coleman called Monsignor John Urell in Orange County, California and asked him to investigate his charges of abuse against Father Coughlin. See Coughlin-157. Mr. Coleman also contacted the Orange County District Attorney to report his sexual abuse. See Coughlin-157.

After Mr. Coleman contacted Monsignor Urell and the District Attorney, the RCAB documents show that there were many conversations between the



RCAB and the Archdiocese of Los Angeles. See Coughlin-31, 32, 52, 56. The documents contain notes of Bishop McCormack's consultations with media expert John Walsh (see Coughlin-35-39), and Bishop McCormack's notes regarding interviews with the Boston Globe. See Coughlin-35, 47.

According to the notes of Bishop McCormack, Msgr. Urell stated in December, 1992 that the Archdiocese of Los Angeles was actively investigating Father Coughlin regarding an allegation of abuse occurring twelve years before. See Coughlin-157. Bishop McCormack was told that in 1974 Father Coughlin had become a faculty member of St. Michael's Abbey, a Norbetine high school, and in 1989 Father Coughlin become a full-time director of the All American Boys Chorus. See Coughlin-157. Although he denied the charges of sexual abuse, Coughlin resigned from his post as leader of the All-American Boys Chorus on December 28, 1992, and was placed on Administrative Leave by the Los Angeles Archdiocese. See Coughlin-43.

A statement from Bishop Norman McFarland of the Los Angeles Archdiocese was released on February 10, 1993:

all things having been considered in the context of the serious nature and scope of the allegations, it has been my judgment that Father Coughlin's priestly faculties in the Diocese of orange must prudently be removed and Father Coughlin has been personally informed of this by me. See Coughlin-43.

Five men had approached the Archdiocese separately complaining of sexual abuse by Father Coughlin: four from California for abuse that occurred while they were choir boys in the All-American Boys Chorus and the fifth was Mr. Coleman complaining of abuse occurring in the Boston Archdiocese. See Coughlin – 43.

In the early months of 1993, Mr. Coleman contacted Father Coughlin by telephone about a half dozen times to discuss their relationship and continued to ask Father Coughlin if he would admit that he had sexually molested him. See Coleman Aff.. Father Coughlin would not admit during any of their conversations that he had sexually molested or harmed Mr. Coleman in any way. See Coleman Aff.

Bishop McCormack's handwritten notes from this period indicate that he was attempting to chronicle a more benign version of the events, and to explain away the RCAB's lack of action after Mr. Coleman's meeting with him in November, 1985. See Coughlin-52, Coughlin-33. Bishop McCormack did find the entry on his calendar on November 5, 1985 at 11 a.m. and wrote that he had no recollection of the meeting, except an inquiry about a priest being an organist. See Coughlin-33. As an aside, Bishop McCormack added at the edge of his notes, "Probability of error is there, I feel terrible!" See Coughlin-33.

At some time in January or early February, Bishop McCormack notes that James Franklin of the Boston Globe was investigating the story, and that a friend of Mr. Coleman's had corroborated the meeting in November, 1985. See Coughlin-35. Mr. Coleman's friend had accompanied him to the meeting with Father McCormack at the Chancery. See Coughlin-35. She remembered that Mr. Coleman was crying very hard, that he was told that there would be an investigation, but he would not know the result. See Coughlin-35. Faced with the certainty of adverse publicity, Bishop McCormack and his media consultant, John Walsh, worked on a press release. See Coughlin-36-39, 42. In his notes, Bishop McCormack wrote "Say something - pastoral and entirely confidential". See Coughlin-36. The end result was the draft of a press release dated February 12, 1993, which contained the following half-truths:

The Archdiocese of Boston has no record of any allegations of improper conduct against Father Richard Coughlin. Neither Father John McCormack, Secretary for Ministerial Personnel, nor any other officials of the Archdiocese have any recollection of notification of alleged incidents until very recently. Still, the Archdiocese takes the current allegations very seriously and will listen respectfully to any individual who feels that he or she may be a victim of the terrible offense of sexual abuse.

See Coughlin-42. An article in the Boston Globe in March, 1993, see Coughlin-58, reported the details of Mr. Coleman's meeting with McCormack in November, 1985, his description of abuse by Father Coughlin, and the lack of action by the RCAB. See Coughlin-49-50. In an undated memorandum,

presumably in later March or on April 1, 1993, Bishop McCormack reported that the records of the meeting were located. See Coughlin-52. A story in the Pilot, the RCAB newspaper, followed the general press release on April 2, 1993, describing the fact that Bishop Banks informed the Diocese of Orange [California] of Mr. Coleman's accusations against Father Coughlin. See Coughlin-54. Bishop McCormack's notes indicate that in addition to the story for the Pilot, the RCAB attempted to control the public relations nightmare that faced the RCAB. See Coughlin-52, 54, 56. Cardinal Law called Bishop McFarland in California See Coughlin-52. Bishop McCormack called the Orange County hierarchy. See Coughlin-52. And John Walsh was involved in the plan to release information to the public, while attempting to keep Mr. Coleman adequately informed. See Coughlin-52. Additional notes of Bishop McCormack indicate that telephone contact was also made with Bishop Steinbeck, as well as more contact between Bishop McFarland and Cardinal Law. See Coughlin-56.

An excerpt from the April 2, 1993 article in the Pilot, entitled "A Very Painful Issue," shows that the RCAB, even when faced with its shortcomings and mistakes, did its best to deny responsibility:

As we go to press the story is one-day-old. It is simply too soon to speculate on the whole matter with any finality. And, because Mr. Coleman's and Father McCormack's memories of what took place at that private meeting back in 1985 vary, we have a serious public relations problem on our hands. It most [sic] not grow and wound the Church's credibility in this Archdiocese. Looking for

scapegoats is too easy. We must look at a very painful issue, examine our consciences, and remind ourselves that we who love the Church must always protect the innocent – especially the children.

See Coughlin-58.

## 5. PAUL J. FINEGAN

Father Paul J. Finegan was ordained on May 23, 1970. See Finnegan 315. Between 1975 and 1987, Father Finegan was assigned to St. Michael's parish in North Andover, Massachusetts. See Finnegan 312-313.<sup>10</sup> On October 12, 1980, [REDACTED] wrote a letter to Reverend Gilbert Phinn, then Personnel Director of the RCAB, in which she related that her younger sister, [REDACTED], age 13, was sexually molested by Father Finegan. See Finnegan 121-23. Ms. [REDACTED] asked for Father Phinn's assistance in addressing Father Finegan's sexual transgressions. See Finnegan 121-23. Ms. [REDACTED] became aware of Father Finegan's assault upon her sister because [REDACTED] wrote her a letter detailing Father Finegan's offenses which [REDACTED], in turn, sent to the RCAB. See Finnegan 115-20. In that letter, [REDACTED] relates, in pertinent part:

You know how I work at the rectory on Sunday nights. Well my friend [TM] (she's our cousin too!) he does the same thing to her. Father Paul is perverted. Trisha I'm serious he'll start out rubbing your shoulders then he'll reach down your shirt (back) & says what feels better? So we stay outside & he just kinda laughs- its pathetic

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<sup>10</sup> The documents produced by the RCAB regarding Father Paul J. Finegan were Bates stamped with a misspelling of Father Finegan's name. However, for ease of reference, documents are cited exactly as they are stamped, "Finnegan".