

*And Jesus said, "If your brother sins (against you), go and tell him his fault between you and him alone. If he listens to you, you have won over your brother. If he does not listen, take one or two others along with you, so that 'every fact may be established on the testimony of two or three witnesses.' If he refuses to listen to them, tell the church. If he refuses to listen even to the church, then treat him as you would a Gentile or a tax collector."*  
-- (Matt. 18: 15-17).

Dear Friends,

More than three years ago, the people of God in the Diocese of Manchester began to learn about the involvement of our bishops in the cover up of sexual abuse of minors by priests. As each news story was published, it became clear to us that our bishop and auxiliary bishop both had engaged in reckless administrative conduct that endangered the well-being of children, and the souls of many faithful Catholics. The scandal of sexual abuse by some priests was magnified by the duplicity of our bishops, and their negligent disregard for the welfare of children. It was clear to us that these bishops had failed to discharge their fundamental moral obligations and pastoral duties.

Nearly eighteen months ago, we, the undersigned members of the laity in the Diocese of Manchester, petitioned the Holy See to remove Bishop McCormack and Bishop Christian. In doing so we exercised the rights afforded to the lay faithful under canon law. As Canon 212, §3 states, members of the laity "have the right, indeed at times the duty, in keeping with their knowledge, competence and position, to manifest to the sacred Pastors their views on matters which concern the good of the Church."

The case against Bishops McCormack and Christian centered on their abuse of ecclesiastical authority, and cited further their loss of good name, and the grave harm and disturbance to ecclesiastical communion resulting from their continued leadership of the diocese. In appealing for the removal of our bishops, we cited specific canons defining and governing the obligations of pastors, and establishing the just grounds for their removal. As you will see by the enclosed canonical petition, the case against Bishop McCormack and Auxiliary Bishop Christian is compelling. (See also the web site: [bishop-accountability.org](http://bishop-accountability.org)).

We have looked to the law of the church for justice and accountability. We have employed the remedies of canon law to hold accountable bishops who failed to protect children, and whose presence continues to divide the clergy and alienate the faithful of this diocese. We have worked within the structure of the church to correct by the law of the church an injustice that scandalizes the faithful of the church.

However, despite eighteen months of correspondence and inquiries (documented in the enclosed package) we have yet to receive any substantive reply to our petition from any competent church authority. Any reasonable interpretation of church law would suggest that if members of the laity have a right and a duty to "manifest to the sacred pastors their views," that the sacred pastors, in turn, have an obligation in equal measure to respond to a petition repeatedly and sincerely brought to their attention.

As that has not been so in regard to our case against Bishop McCormack and Auxiliary Bishop Christian, we have elected to claim our full rights and discharge our further duty as defined by canon law. Again, Canon 212, §3 states, that the laity “have the right also to make their views known to others of Christ's faithful, but in doing so they must always respect the integrity of faith and morals, show due reverence to the Pastors and take into account both the common good and the dignity of individuals.”

We believe we are entitled to a response, and we continue to seek the removal of our bishops. Having quietly and patiently pursued an answer to our appeal, having respected the integrity of faith and morals, having shown due reverence to the pastors, having taken into account the common good, and having waited with other lay Catholics in this diocese and elsewhere for three years for the hierarchy to hold accountable those among its senior leadership who have so terribly damaged the church, we herewith “make known to others of Christ’s faithful,” our “views on matters which concern the good of the church.”

In bringing this document and the related correspondence to your attention, we follow the dictate of Our Blessed Lord who instructs us in Matthew to “tell the church.” It is our hope that you will encourage the circulation of this document among your fellow parishioners so that Catholics in the Diocese of Manchester may understand both the gravity of the misconduct of our bishops, and the unwillingness of church authorities, to hold bishops accountable under canon law in response to the just request of the laity.

Yours sincerely,

**Steven Banester**

*St. Theresa, Rye, NH*

**Michael Barry**

*St. John Neumann, Merrimack, NH*

**James Bohan**

*Immaculate Conception, Portsmouth, NH*

**Margaret Boucher**

*St. Thomas More, Durham, NH*

**John Carroll**

*St. Thomas More, Durham, NH*

**Carolyn Disco**

*St. John Neumann, Merrimack, NH*

**Anthony Fallon**

*Chapel of the Nativity, Barrington, NH*

**James Farrell**

*St. Mary, Dover, NH*

**Margaret Fogarty**

*St. Thomas More, Durham, NH*

**Tyler Foss**

*St. Mary, Dover, NH*

**Jacqueline Garland**

*Our Lady of the Mountains, N. Conway, NH*

**John Grimes**

*St. Mary, Dover, NH*

**Leo & Lauraine Hudon**

*St. Kathryn's, Hudson, NH*

**Charles Johnson**

*St. Patrick, Milford, NH*

**Edward Kirby**

*St. John Neumann, Merrimack, NH*

**John & Rose Miskus**

*St. Thomas More, Durham, NH*

**Michael Neyens**

*St. Patrick, Jaffrey, NH*

**Ruth Valley**

*St. Christopher, Nashua, NH*

**Christ's Faithful in the Diocese of Manchester  
on the Matter of the Episcopal Leadership of  
John B. McCormack, Bishop of Manchester, and  
Francis J. Christian, Auxiliary Bishop of Manchester**

**I. Summary**

As faithful lay Catholics in the Diocese of Manchester, New Hampshire, we affirm that our bishop, John B. McCormack, and auxiliary bishop Francis J. Christian, no longer serve the people of the diocese, and are unfit to remain as our bishops. Both bishops have been deeply implicated in the cover up of the sexual abuse of children, and both have lied to protect abusive priests. Neither man has been held accountable for grave misconduct that endangered and damaged children, nor suffered any penalty for his misbehavior in covering up abuse by priests. As a consequence, a terrible injustice infects our diocese, and both bishops remain a source of great scandal to the faithful of the diocese. Their continued presence in our midst erodes confidence in the moral authority of the Church, brings opprobrium on the Church, and endangers the souls of faithful Catholics. As faithful Catholics we appeal to His Holiness, Pope John Paul II, to grant relief to the people of The Diocese of Manchester, and for the good of the Church in New Hampshire, to remove these bishops as our pastoral leaders.

**II. Background.**

Bishop John B. McCormack is the ninth bishop of Manchester, appointed in 1998. Prior to being named bishop of Manchester, he was auxiliary bishop of Boston. Before being ordained as a bishop, Fr. John McCormack was Secretary for Ministerial Personnel in the Archdiocese of Boston from 1985 to 1994.

Bishop Francis J. Christian is the current auxiliary bishop of Manchester. He was ordained bishop in 1996. He currently serves as Vicar General and Vicar for Clergy in the diocese. Prior to his elevation to auxiliary bishop, Fr. Francis Christian was chancellor of the diocese from 1977 to 1996.

In January of 2002, newspaper reports about the case of Fr. John Geoghan of the Boston Archdiocese gave the first indications of what would ultimately be described by one law enforcement official as a “staggering” history of the sexual abuse of children. “The mistreatment of children” wrote the Attorney General of Massachusetts, “was so massive and so prolonged that it borders on the unbelievable.”<sup>1</sup> Subsequent news reports revealed that Bishop McCormack, as an official of the Boston Archdiocese, shared significant responsibility for allowing the abuse to continue, and for his personal “failure to properly supervise people that he and Church officials knew were dangerous and presented a risk to children.”

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<sup>1</sup>Office of the Attorney General, Commonwealth of Massachusetts, *The Sexual Abuse of Children in the Roman Catholic Archdiocese of Boston*, <http://www.ago.state.ma.us/archdiocese.pdf>, p. 2.

As lawsuits and court orders exposed more of the documentary record, lay Catholics in the Diocese of Manchester learned that their current bishop, Bishop John McCormack, while an official in the Archdiocese of Boston, had handled many of the worst cases of abuse by priests, had intimate knowledge of the molestation and rape of children by priests, and almost never acted to protect children, often colluded with other bishops and with abusive priests themselves to hide their activities from parents, parishes, and civil authorities, and even lied to victims of abuse, and to concerned parents, to protect the priests he knew to be a danger to children. Bishop John McCormack has been named as a defendant in dozens of lawsuits against the Archdiocese, has been deposed by attorneys in those cases numerous times, and has had to answer a subpoena from the Massachusetts Attorney General investigating criminal conduct connected with the activities of the Archdiocese.

As concern about the sexual abuse of children spread to other dioceses, the Attorney General of the State of New Hampshire began an investigation of the Diocese of Manchester. As a result of that investigation, the Bishop of Manchester, on behalf of the diocese, entered an agreement with the state that acknowledged the state had sufficient evidence to gain a conviction against the diocese for the criminal endangerment of children. The agreement, which forestalled the indictment of individual diocesan officials, including most likely Auxiliary Bishop Francis Christian, also required the diocese to grant the state oversight authority in monitoring the Church's handling of abuse accusations, and to make public personnel files on every priest against whom accusations of abuse had been made. The 9,000-page documentary record, released in March 2003, was a devastating exposé of the misconduct of diocesan officials. In particular, the record showed the malfeasance of Bishop Francis J. Christian, in his capacity as chancellor and as auxiliary bishop. The documents reveal that Auxiliary Bishop Christian had knowledge of the molestation of children by priests he worked to keep in ministry. Those documents show that Bishop Christian lied to public officials, to families of abuse survivors, and to the faithful of the diocese. The documents further revealed that on at least two occasions, Bishop John McCormack assigned priests to public ministry in the Diocese of Manchester whom he knew had been involved in homosexual activity in the past with teenage boys.

These revelations about our bishops have led them to engage in an extensive and continuing effort to explain, excuse, qualify, and justify their past actions, but never to forthrightly admit their complicity in protecting and reassigning known abusers. Instead, they rely on lawyers and public relations consultants as their constant companions, refuse to speak to the press, and issue statements full of vague euphemism, evasion, and half-truths. As a result, both bishops are widely held in contempt by the lay faithful, and by the brotherhood of priests in the diocese. Moreover, their misconduct and continued presence has been the chief source of tremendous financial difficulties for individual parishes, for the Diocese of Manchester, and for New Hampshire Catholic Charities. Their remaining in office without penalty has compelled some faithful Catholics to turn away from the Church in despair, convinced these guilty bishops would never face justice. In general the faithful witness of devoted Catholics has been terribly damaged. The credibility of the Church's moral leadership is horribly eroded. The effectiveness of these bishops as teachers of the faith has been unspeakably compromised by their hypocrisy and bad example. Bishop John McCormack and Auxiliary Bishop Francis Christian, then, remain as a source of scandal for the Diocese of Manchester.

### III. Applicable Canons

This appeal is brought forward in the light of specific canons. Of particular relevance to our understanding of the law in this case are the canons governing the resignation of ecclesiastical officials, the resignations of diocesan bishops in particular, the canons that instruct on the reasons a pastor may be removed from a parish (which we interpret to apply by analogy, and which we read in light of the canons defining the role and pastoral responsibility of diocesan bishops), and the canon that addresses punishment for one who abuses ecclesiastical power or an office.

**Canon 187: *Anyone who is capable of personal responsibility can resign from an ecclesiastical office for a just reason.***

We see in this canon that the Church recognizes the eventuality, indeed the occasional necessity, of resignation from an ecclesiastical office. It affirms to us that the Church recognizes the possibility and the expectation that “just reasons” can be advanced by the one resigning, reasons that would provide good and sufficient grounds to justify that resignation. The canon implies further that the Church places herself in the position of judging whether the reasons offered are “just.” In our understanding, such an implication affirms that the Church exercises this judicial capacity primarily with the good of the universal Church in mind, and with the past experience, current circumstances, and future vitality of a particular local Church in view.

**Canon 401, § 2: *A diocesan Bishop who, because of illness or some other grave reason, has become unsuited for the fulfillment of his office, is earnestly requested to offer his resignation from office.***

We read in this canon an extension of the principle articulated in *canon 187*, that like any ecclesiastical official, a diocesan bishop may resign, and can do so for a just reason. But more than that, we see the obligation imposed on a bishop to offer his resignation whenever he “has become unsuited for the fulfillment of his office.” By this canon, we understand the Church’s concern that Christ’s faithful in a particular diocese be led by a pastor capable of suitably fulfilling his office. Implicit in this canon, and explicit in others that define the role of the diocesan bishop, is the Church’s recognition of the high obligation and grave responsibilities of a bishop to be a teacher, moral leader, and pastor, “bound to give an example of holiness, charity, humility, and simplicity of life” (*Canon 384*).

In her wisdom, the Church recognizes that human frailties, as well as any number of other causes, may constitute the “grave reasons” that prevent a diocesan bishop from fulfilling those obligations and responsibilities. Aside from illness, the canon leaves open the question about the circumstances, errors, conditions, or actions which might constitute the “grave reasons” that would require an episcopal resignation. We trust that the Church’s judgment in such matters is governed principally by its concern for the good of the Church and the salvation of Christ’s faithful in the particular diocese. We understand further that the Church has affirmed that episcopal resignation is the necessary remedy in those cases where a diocesan bishop “has become unsuited for the fulfillment of his office.” We note further that according to *canon 411*,

“the provisions of canon 401 and 402 §2, concerning resignation from office, apply also to a coadjutor and an auxiliary bishop.”

In *canon 401*, the Church has placed the responsibility of recognizing such an unsuitability in the hands of the bishop himself, understanding that most bishops, governed themselves by a desire to do what is good for the Church and for the souls in his care, will resign the office rather than injure the Church or scandalize the faithful. The law is silent, however, about cases where evidence of a bishop’s unsuitability is substantial and yet he will not follow the injunction of *Canon 401* and resign his office. We take hope in our understanding that this canon is meant to serve the mission of the universal Church by ensuring that Christ’s faithful in various dioceses are always served by bishops who are, at the very least, suited for the fulfillment of their offices. We are encouraged that the Church is prepared to recognize the existence, in some cases, of circumstances and actions that can make a bishop “unsuited for the fulfillment of his office.”

From this understanding, we reason that the Church would not articulate such decisive criteria governing episcopal resignations were it not also prepared to offer a remedy through her own action should a bishop fail to heed the “earnest request” of the Church. We see implicit in this canon the obligation and the desire of the Church by the exercise of its proper authority to provide the remedy in defense of Christ’s faithful. We believe that the Church *will* act on behalf of Christ’s faithful, and will remove bishops who will not resign. To conclude otherwise would be to determine that the Church would ignore for the sake of the bishop the danger to the souls of the faithful, and the just complaints of priests and laity in the diocese. It must be the case that where “grave reasons” exist that make a Bishop “unsuited for the fulfillment of his office,” he will be removed by the Holy Father if he does not resign.

***Canon 1740: When the ministry of any parish priest has for some reason become harmful or at least ineffective, even though this occurs without any serious fault on his part, he can be removed from the parish by the diocesan bishop.***

***Canon 1741: The reasons for which a parish priest can lawfully be removed from his parish are principally***

- 1. A manner of acting which causes grave harm or disturbance to ecclesiastical communion.***
- 2. Ineptitude or permanent illness of mind or body, which makes the parish priest unequal to the task of fulfilling his duties satisfactorily.***
- 3. The loss of the parish priest’s good name among upright and serious-minded parishioners, or aversion to him, when it can be foreseen that these factors will not quickly come to an end.***
- 4. Grave neglect or violation of parochial duties, which persist after warning.***
- 5. Bad administration of temporal goods with grave harm to the Church, when no other remedy can be found to eliminate this harm.***

We recognize in these canons the Church’s concern for Christ’s faithful in every parish. Explicit in these canons is the necessity that pastors serve the mission of the universal Church, and the obligation of the bishop to intercede and remove a pastor when the pastor’s conduct or manner

has “become harmful or at least ineffective.” While these canons do not speak directly to the removal of a diocesan bishop or auxiliary bishop, we see in them, and in the concern they communicate for the faithful of the Church, a direct parallel to the canons that address the matter of episcopal resignation. *Canon 402* speaks to a bishop “unsuited for the fulfillment of his office.” At the same time, *Canon 1740* speaks of a pastor whose ministry has become “harmful or at least ineffective,” while *Canon 1741* speaks of a pastor “unequal to the task of fulfilling his duties satisfactorily.” The analogy between these canons can be seen, for example, in the fact that both *Canon 1741*, and *Canon 402* recognize the possibility that “illness” can prevent a pastor or bishop from fulfilling his office. In both cases the law of the Church recognizes that one remedy is the removal, by resignation or episcopal directive, of the person who has become unable to meet his proper responsibilities, or has become “harmful or at least ineffective.”

The Church is explicit in calling bishops the “pastors” of their diocese: “Individual bishops who have been entrusted with the care of a particular Church—under the authority of the supreme pontiff—feed their sheep in the name of the Lord as their own, ordinary, and immediate pastors, performing for them the office of teaching, sanctifying, and governing” (*Christus Dominus: Decree Concerning the Pastoral Office of Bishops*). *A fortiori*, the laws and obligations that apply to and govern a pastor apply more readily and govern more strenuously a diocesan bishop.

In a general sense, *Canons 1740 and 1741* recognize that there may be “some reason” other than illness that a pastor has become “harmful or at least ineffective.” In the same way, *Canon 402* recognizes the obligation of a bishop to submit his resignation if, beyond a case of illness, there is “some other grave reason” that would compel it. The question remains, how does the Church measure the gravity of the reasons offered in support of resignation or removal? As *Canon 1752* makes clear, the preeminent criterion by which such reasons are tested, the overarching principle guiding the decisions of the Church in such matters, must be “the salvation of souls, which in the Church must always be the supreme law.”

As we reason by analogy, we understand that within the context of the care and salvation of souls, *Canons 1740 and 1741* more specifically define what the Church understands as “some other grave reason” for the resignation or removal of a bishop. In particular, by analogy we see in *Canon 1741* the concern of the Church that both its pastors *and* its bishops never “cause grave harm or disturbance to ecclesiastical communion.” We see by analogy the concern of the Church that its pastors *and* its bishops maintain their “good name among upright and serious-minded parishioners.” We see by analogy the Church’s concern that parishioners not feel “an aversion” toward either a pastor *or* a bishop. We see by analogy that neither a pastor *nor* a bishop should “neglect or violate parochial duties.” We see by analogy the Church’s concern that neither a pastor *nor* a bishop should effect “bad administration of temporal goods with grave harm to the Church.”

*Canon 1740* instructs that removal of a pastor is justified even though injury or scandal “occurs without any serious fault on his part.” The same criterion, we take it, would apply to a diocesan bishop. The criteria articulated in these canons, as well as the principle that animates them, cannot reasonably establish a higher standard of accountability for pastors than for the bishops who supervise and shepherd them. Moreover, from this principle, it is reasonable to conclude that the necessity of removal is more compelling when the harmful consequences that raise

concern are the result of deliberate action on the part of the pastor or the bishop, and affect all the parishes of a diocese, not just one of them.

Again, the law of the Church imposes on a bishop the obligation to recognize his own failings in these matters, and upon such recognition it earnestly requests him to submit his resignation. But, insofar as the law of the Church makes no explicit provision for the removal of a bishop from office, in the manner that the bishop himself may remove a pastor, then we understand the law of the Church to speak and reason by analogy. It is an analogy fundamentally grounded in the belief that the Church's concern for providing a remedy for Christ's faithful is not confined to the level of the parish. Moreover, it is an analogy fundamentally grounded in the understanding of the pastoral obligations of a diocesan bishop, who are "constituted Pastors in the Church" (*Canon 375*).

***Canon 1389, §1: A person who abuses ecclesiastical power or an office, is to be punished according to the gravity of the act or the omission, not excluding by deprivation of the office, unless a penalty for that abuse is already established by law or precept.***

***Canon 1389, §2: A person who, through culpable negligence, unlawfully and with harm to another, performs or omits an act of ecclesiastical power or ministry or office, is to be punished with a just penalty.***

Our faith that the Church will act in defense of Christ's faithful by removing a bishop who refuses to resign is encouraged by *Canon 1389* which acknowledges the justice of imposing punishment on those who have abused their ecclesiastical power or office. First, the canon acknowledges that a harmful act, or omission, by ecclesiastical officials can require the remedy of punishment. Second, the canon recognizes that "culpable negligence" can also be harmful, and require a judicial remedy. Third, the canon demonstrates the willingness of the Church to exercise its judicial function to remedy wrongs and correct abuses, even abuses by those who hold high ecclesiastical office. Fourth, the canon implies that in the wisdom of the Church the mere appointment to the office of bishop or auxiliary bishop is no guaranty of right conduct. Neither can the trappings of office insulate those who harm others from justice. Ecclesiastical office itself is an inadequate defense against just penalties imposed by the Church as a remedy for the abuse of office.

We recognize that it is the Church that will determine both the gravity of the abuse and the justice of the penalty to be imposed. Nevertheless, we understand the canon not as a mere empty threat, but as a promise to Christ's faithful of the Church's commitment to justice. Moreover, we see in the canon the necessity of an objective investigation by the Church of the alleged harm suffered by Christ's faithful, whether that harm resulted from deliberate action, omission, or "culpable negligence."

We understand this canon to implicitly raise specific questions for consideration by the Church:

1. Was there an unlawful act or omission that harmed another?
2. Was there "culpable negligence" that harmed another?



3. Was that unlawful act an abuse of ecclesiastical power or an office?
4. How grave was the abuse and the harm that resulted?
5. What penalty for that grave unlawful act or omission is just?
6. Shall that penalty extend to “deprivation of the office?”

The implicit seriousness of this canon commits the Church not only to an abstract standard of particular justice, but also to the practical exercise of its authority in assuring the realization of the spirit of justice in the life of the Church. The canon assures Christ’s faithful that the Church will apply appropriate punishments even to those who hold high ecclesiastical office in order that justice may be restored, further harm prevented, abuse of office ended, and the good of the universal Church effected.

We understand further that in measuring the gravity of the abuse it is within the competence of the Church to consider, among other factors:

1. The number of unlawful actions, omissions, or abuses of office and/or ministry by an ecclesiastical official.
2. The number of people harmed by those unlawful actions, abuses, and omissions, as well as their age and station in life.
3. The dignity of the office that has been abused, and the obligation of that official to prevent such abuse.
4. The public attention drawn to the abuse, action, or omission, and the consequent damage to the reputation of the Church.
5. The number of faithful Christians scandalized by the unlawful actions, abuses, or omissions.
6. The subsequent efforts (including false statements) by the same ecclesiastical officials to conceal the original unlawful actions, abuses, or omissions that harmed others.
7. The deliberation with which such officials contemplated the repeated unlawful actions, abuses, and omissions.
8. The loss of the temporal goods of the Church which has resulted from the unlawful actions, abuses, and omissions of the ecclesiastical official.

Consideration of each of these issues will enable the Church to measure the harm done by the abuse of power or office, and to determine if such abuse, action, omission, or “culpable negligence” is deserving of “deprivation of the office” of bishop.

#### **IV. The central questions and our obligation.**

In what follows, it shall be our obligation to show that removal of our bishop and auxiliary bishop is justified. First, we shall prove that the past actions of each of these bishops constituted both a positive unlawful abuse of their ecclesiastical offices as well as “culpable negligence” of their obligations to prevent grave harm, especially to children. Consequently, as promised by the justice of the Church, each bishop should be “punished with a just penalty” that should include “deprivation of the office.”

We shall also present substantial evidence that there are “grave reasons” that have made each of these bishops “unsuited for the fulfillment of his office.” In particular, we shall establish that the current circumstances in the Diocese of Manchester meet the particular criteria announced in canons 1740 and 1741, which by analogy form the ground upon which we appeal for the removal of these bishops. In general, we shall prove that the diocesan ministry of Bishop John McCormack and Auxiliary Bishop Francis Christian have for grave reasons “become harmful or at least ineffective.” Moreover, specifically, we shall prove that both Bishop McCormack and Auxiliary Bishop Christian exhibit “a manner of acting which causes grave harm or disturbance to ecclesiastical communion,” that priests of the diocese and the lay faithful both understand that these bishops have lost their “good name among upright and serious-minded parishioners,” and that there is indeed an “aversion” toward each.

#### **V. Evidence:**

##### **A. Bishop John McCormack has abused his ecclesiastical power and his office through actions, omissions, and culpable negligence that resulted in grave harm to others and to the Church.**

To establish this claim we turn principally to the report of the Attorney General of the Commonwealth of Massachusetts, issued in July 2003.<sup>2</sup> In the first place, that report indicates that Bishop McCormack shared significant responsibility for “one of the greatest tragedies to befall children in the Commonwealth” and he was a central participant in “an institutional acceptance of the sexual abuse of children.” The investigation of the Attorney General determined that:

1. “Top Archdiocese officials knew of the extent of the clergy sexual abuse problem for many years before it became known to the public” and that Bishop John McCormack, among others in the Archdiocese, “had direct, actual knowledge that substantial numbers of children in the Archdiocese had been sexually abused by substantial numbers of its priests.”
2. “The Archdiocese’s response to reports of the sexual abuse of children, including maintaining secrecy of reports, placed children at risk.”

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<sup>2</sup>Office of the Attorney General, Commonwealth of Massachusetts, *The Sexual Abuse of Children in the Roman Catholic Archdiocese of Boston*, <http://www.ago.state.ma.us/archdiocese.pdf>.

Archdiocesan officials, including Bishop John McCormack, “regularly addressed and supported the perceived needs of offending priests more than the needs of children who had been, or were at risk of being abused.”

3. “The Archdiocese did not notify law enforcement authorities of clergy sexual abuse allegations. This practice continued even after the Archdiocese created an office specifically designated to handle sexual abuse allegations [headed by Bishop John McCormack], and even when the Archdiocese was dealing with priests who continued to abuse children after unsuccessful intervention by the Archdiocese.”
4. “Archdiocese officials did not provide all relevant information to law enforcement authorities during criminal investigations.” Senior Archdiocese managers, including Bishop John McCormack, “remained committed to their primary objectives – safeguarding the well-being of priests and the institution over the welfare of children and preventing scandal – and often failed to advise law enforcement authorities of all relevant information they possessed, including the full extent of the alleged abuser’s history of abusing children.”
5. Officials of the Archdiocese, including Bishop John McCormack, “repeatedly failed to thoroughly investigate allegations of clergy sexual abuse of children, including the facts of the alleged abuse and the history of the alleged abuser,” and “did not explore potential sources of information concerning allegations of clergy sexual abuse or the prior conduct of accused priests.”
6. “The Archdiocese placed children at risk by transferring abusive priests to other parishes.” Officials, including Bishop John McCormack, responded to allegations of clergy sexual abuse by “quietly transferring the alleged abuser to a different parish in the Archdiocese, sometimes without disclosing the abuse to the new parish or restricting the abusive priest’s ministry functions.”
7. Archdiocesan officials, including Bishop John McCormack, “placed children at risk by accepting priests from other dioceses with full knowledge that they had a history of being accused of sexually abusing children.”
8. “The Archdiocese placed children at risk by transferring abusive priests to other dioceses in the United States and abroad.” Officials, including Bishop John McCormack, “arranged for or assented to the transfer of sexually abusive priests so that they could work or reside in other dioceses in the country or abroad.”
9. “The Archdiocese failed to adequately supervise priests known to have sexually abused children in the past.” During the period of Bishop John

McCormack's service in the Archdiocese, "priests accused of sexually abusing children were transferred in almost all instances to new residential, ministerial, or administrative assignments, whether or not there was a period of psychiatric treatment resulting from an allegation. These transfers appeased victims by removing abusive priests from their parishes and promoted the well-being of accused priests by placing them in new environments where they could have a 'clean start.' These transfers to supposedly 'restricted' ministerial positions, however, did not ensure the protection of children."

The Attorney General of the Commonwealth of Massachusetts concluded that Bishop John McCormack was a central figure in "an institutional acceptance of abuse and a massive and pervasive failure of leadership."

**B. Bishop John McCormack is "unsuited for the fulfillment of his office" and his ministry has "become harmful and ineffective."**

**1. Bishop John McCormack's manner of acting causes grave harm and disturbance to ecclesiastical communion.**

- a. In the Fall of 2002, the Diocesan Task force on Sexual Abuse held a series of "listening sessions" around the Diocese of Manchester. The Task Force was appointed by Bishop McCormack, and included members of the clergy, educators, and professionals in social services and law enforcement, and was chaired by a prominent Catholic politician. According to the Report of the Task Force, and verified by the minutes of the listening sessions posted on the web site of the Diocese of Manchester, "The most common sentiment expressed on the part of those speaking at listening sessions was that Bishop McCormack should resign. There was considerable concern that Bishop McCormack does not have the authority to implement the revised policy on sexual misconduct nor to lead the Church forward in the healing process" (Diocesan Task Force on Sexual Misconduct Policy: Report to the Bishop of Manchester, p. 19).
- b. In April 2003, an organization of diocesan Catholics was established and dedicated to the sole purpose of effecting the resignations of Bishop John McCormack and Auxiliary Bishop Francis Christian. That organization, New Hampshire Catholics for Moral Leadership, despite being barred from Church property by the Diocese of Manchester, nevertheless, in a period of four months collected more than 1500 signatures of Catholics who both pledged their devotion to the Church and called on the two bishops to resign. The statement signed by these New Hampshire Catholics reads, in part, "As Catholics from parishes throughout the Diocese, we call on our

fellow Catholics in the spirit of faith, hope, and charity, to seek truth and justice, and to work for the cleansing of our Church. As people of faith we have been shamed by those priests who sexually abused children, and betrayed by the bishops who covered up that abuse. As parishioners, we have watched the undeserved humiliation of good priests, and witnessed the rapid erosion of the moral authority of our Church. As committed members of the laity, we have been astonished by the arrogance and duplicity of our bishops, and remain today mortified and outraged by the ongoing scandal of injustice” (New Hampshire Catholics for Moral Leadership, [www.nhcatholics.org](http://www.nhcatholics.org)).

- c. In the same week that the above organization was formed, the state chapter of Voice of the Faithful voted on, and publicly requested, the resignation of both Bishop John McCormack and Auxiliary Bishop Francis Christian. In their letter to the Holy Father, the steering committee of that organization wrote that: “Our loss of confidence constitutes a profound crisis of religious and moral leadership throughout New Hampshire. The result is that our Diocese is in a state of moral paralysis, with the office of Bishop not functioning normally. . . . The majority of Catholics here understand that their bishops lied to survivors of sexual abuse and made false statements to our courts. Their word is not trusted; their claim to moral authority seriously compromised” (New Hampshire Voice of the Faithful to Pope John Paul II, April 6, 2003).
- d. Bishop John McCormack is largely responsible for virtually ruining the parish of St. Patrick’s in Jaffrey, New Hampshire. First, the bishop removed a popular and very effective pastor, Fr. Seamus MacCormack, and did so mainly to punish the pastor for remarks he made in the public press about the tolerance for perversion among some Church leaders. That pastor had first hand knowledge of the efforts of some diocesan officials to cover up the homosexual activity of a deceased priest, Fr. Richard Connors, who was later accused of abusing a minor. Fr. Seamus MacCormack, because he had been the first to be contacted about the death of Fr. Connors, assisted in the clean up of the deceased priest’s rectory, and was witness to the removal of a large homosexual pornography collection that Fr. MacCormack maintained included child pornography. Because the deceased priest was among those accused of abuse, diocesan documents, and law enforcement records related to the case, were publicly released, and confirm the details of the account given by the former St. Patrick’s pastor. Fr. Seamus MacCormack subsequently sued the Diocese and Bishop McCormack, and reached an out-of-court settlement. His removal

from St. Patrick's was devastating to the parishioners who held him in great affection and esteem.

- i. "A priest sued Bishop John B. McCormack and other Church officials yesterday, alleging they ruined his career to keep him silent about the circumstances of another priest's death and the subsequent removal of 'dozens of plastic garbage bags' of pornography from the St. Pius X rectory in Manchester" (Manchester Union Leader, July 24, 2002).
  - ii. "A priest who claimed he was forcibly removed from his Jaffrey parish because he spoke out about a 'clandestine sexual subculture' in the Church has settled his lawsuit against the Manchester Diocese. . . . In July, when the lawsuit was filed, [Fr. Seamus] MacCormack said he was shocked and horrified by the Church's efforts to find and destroy the 'dozens of plastic garbage bags' full of pornography that were hauled out of the St. Pius X rectory. [Fr. Seamus] MacCormack said he was shaken by the sordid find, and the Rev. John Quinn, head of financial affairs, reassured him by saying, 'Don't worry. We've done this lots of times'." (Manchester Union Leader, May 14, 2003).
- e. To replace Fr. Seamus MacCormack, Bishop John McCormack assigned Fr. Roland Cote to St. Patrick's in Jaffrey. What Bishop McCormack knew, but did not tell the parishioners of St. Patrick's was that Fr. Cote had admitted to a six-year long homosexual affair with a young man almost half his age, whom he had regularly paid for sex. Both legal documents, and diocesan records confirm the facts regarding Fr. Cote's sexual misconduct. When this matter became public as a result of a court deposition given by Bishop McCormack, St. Patrick's parish was again devastated. The parish became the target of outside, non-Catholic, anti-homosexual protestors. The bishop was confronted by angry congregants who called him a liar. Fr. Cote was removed from the parish, but Bishop McCormack went on to excuse his assigning of Fr. Cote by explaining that the young man was at least 18 at the time of the affair, and since he was not a parishioner of Fr. Cote's, there was no violation of diocesan policy. Despite this assertion, the Diocese of Manchester paid the young man a substantial monetary settlement. Fr. Cote is considered by the Diocese of Manchester to be a priest in good standing. Fr. Seamus MacCormack no longer functions as a priest.
- i. "On Oct. 6, parishioners in one Church where the bishop said Mass urged him noisily to step down and accused him of

lying about a pastor he assigned to their parish without disclosing the priest's affair with a teenage boy. 'I'm not lying!' Bishop McCormack shouted back, according to people at the Mass in Jaffrey, N.H. . . . indignation at St. Patrick's parish boiled over after the bishop, in June, replaced Father [Seamus] MacCormack with the Rev. Roland Cote, whose six-year affair became public in judicial proceedings last month. . . . The diocese paid Father Cote's lover an undisclosed sum of money, and he signed a legal agreement obligating both him and the diocese to keep the affair secret. Some Jaffrey parishioners were infuriated that the bishop did not disclose Father Cote's past to them, partly because St. Patrick's parish runs a parochial school traditionally administered by the pastor" (New York Times, October 22, 2002).

- ii. "Several law enforcement authorities, speaking on condition of anonymity, have told the AP they believed the teenager was 15 or 16 when the relationship began, though they were unable to make an exact determination and did not press charges. Sixteen is the age when sexual consent can be given legally in New Hampshire. Reporters were not allowed into the church during the service or discussion, but could hear the raised voices from outside. Before Mass, about 40 people picketed at the church, carrying signs saying, "Rectify, Redeem, Resign," and "No \$\$ to diocese until McCormack resigns." During the discussion after the service, the bishop was asked why he didn't tell the community about Cote's history. McCormack said it was a private matter that violated neither the law nor church policy. He said he decided to assign Cote to Jaffrey because "it was not anticipated that this would be public" (Associated Press, October 7, 2002).
- iii. "After Cote's secret was disclosed by a local newspaper in September, [Bishop] McCormack stated in a sworn deposition that has yet to be made public that he instructed Cote in May to tell parishioners that he had been subject to an investigation that concluded he had done nothing wrong, but to say nothing else. . . . St. Patrick's parishioners have also denounced their bishop and demanded his resignation, with many calling McCormack a liar for withholding details about Cote's past. Cote remains at the parish, but Mass attendance at the century-old, stone Church had dropped by at least a third." (Boston Globe, October 30, 2002).

- iv. “In depositions this fall in the case of the Rev. Roland P. Cote, the bishop, John B. McCormack, said he knew that the priest had had sex with a teenager but he noted that the teenager was not a parishioner. ‘You know, one is an activity where you have a trusted relationship with a parishioner,’ Bishop McCormack said in depositions obtained today by the Associated Press. ‘The other is an activity where you’re away from the parish and you’re off on your own. I’m very concerned about that. He was a young person. But it’s quite different from being with a parishioner.’” (New York Times, December 24, 2002).
- f. In contrast to Bishop McCormack’s gentle treatment of Fr. Cote was the way the Bishop handled an accusation against Fr. Paul Gregoire of St. Charles Borromeo parish in Dover, New Hampshire. Only a month after the removal of Fr. Cote, and only days before the Diocese admitted that the Attorney General had evidence sufficient to gain a conviction on child endangerment, Fr. Gregoire was removed from his parish. Bishop McCormack removed Fr. Gregoire after receiving an accusation of a single incident of misconduct from a woman who claimed she was touched inappropriately at a family gathering in her home more than 30 years earlier. Almost as soon as he received the accusation, Bishop McCormack received substantial testimonial evidence from members of the woman’s family affirming that Fr. Gregoire was innocent, that the alleged misconduct never occurred, and that the accuser had been repeatedly hospitalized for mental illness. Despite the exonerating evidence, Bishop McCormack maintained publicly and repeatedly that the accusation against Fr. Gregoire was “credible” and had been determined to be so “after a thorough investigation.” Bishop McCormack wrote to the parishioners of St. Charles telling them he had no intention of returning Fr. Gregoire to ministry. Fr. Gregoire, however, appealed to the Vatican, and was granted a recourse against Bishop McCormack in August 2003. He was returned to his parish. After the decision by the Holy See in favor of Fr. Gregoire, Bishop McCormack contradicted his previous statements, and took credit for the decision to return Fr. Gregoire to ministry. The ill-treatment of Fr. Gregoire not only damaged his reputation, but it eroded the faith of the people of his parish. The Parish Council publicly called on the bishop to remove himself as judge of Fr. Gregoire’s case, later publicly disputed the bishop’s account of Fr. Gregoire’s reinstatement, publicly requested that the Bishop not attend the reinstallation of Fr. Gregoire, and now has called on the Bishop to refund expenses incurred during the absence of their pastor.



- i. “I appreciate that you are upset at the absence of your pastor. My decision to remove Father Gregoire from ministry is based on the particular law of the Church in the United States<sup>3</sup>, the safety of our community and the credible accusation by a woman harmed as a child. While Father Gregoire retains all the rights afforded him by Church law under the process and policy of the Diocese of Manchester, I think you should know, that in light of the above reasons, I have no plan to assign him to ministry” (Letter of Bishop John McCormack to the St. Charles Pastoral Council, March 24, 2003).
- ii. “After writing letters to New Hampshire Bishop John McCormack and gathering 500 petition signatures demanding Gregoire’s reinstatement, members of the pastoral council are now taking their case to the public and calling on the bishop to resign” (Foster’s Daily Democrat, June 4, 2003).
- iii. “The Diocese of Manchester maintains that Gregoire was removed after its own investigation determined the Seattle incident was a “credible allegation.” Diocesan spokesman Pat McGee said it occurred while the woman was in her teens” (Foster’s Daily Democrat, June 4, 2003).
- iv. “The Diocese learned late last week that the Holy See had affirmed the recommendation of Bishop McCormack that Fr. Paul Gregoire return to active ministry” (Chancellor Edward Arsenault, Diocesan News Release, August 25, 2003).
- v. “A Catholic priest who overcame a sexual misconduct allegation to return to his parish last month broke his silence yesterday and challenged Bishop John McCormack’s version of events by circulating his private correspondence from the Vatican. In recent days McCormack has insisted that he had privately supported the Rev. Paul Gregoire’s push to get his job back despite pulling him from St. Charles parish in Dover in December and repeatedly calling the misconduct claim against him credible. But Friday, Gregoire said he had seen no evidence of McCormack’s support and said McCormack

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<sup>3</sup> Fr. Gregoire was removed from ministry on December 6, 2002 after an investigation by the Diocese of Manchester. The “Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests and Deacons” was approved by the Congregation for Bishops on December 8, 2002, and Promulgated by the United States Conference of Catholic Bishops, and by Bishop McCormack in the Diocese of Manchester on March 1, 2003.

had frequently demanded he resign” (Concord Monitor, September 9, 2003).

- vi. “A parish council is demanding that Bishop John McCormack reimburse it \$14,600 in expenses for the nine months its priest was suspended for alleged sexual misconduct. In a letter this week, the St. Charles parish council accused McCormack of seriously botching his investigation of the Rev. Paul Gregoire, who was cleared by the Vatican and returned to his Dover Church in August. McCormack has refused to acknowledge the Vatican’s ruling and has told clergy and the lay Catholics that he alone exonerated and reinstated Gregoire. ‘Within two months of Father Paul [Gregoire]’s removal you had received testimony from both the mother and brother of the accuser exonerating Father Paul,’ the council wrote. ‘This fiasco should have ended at that time, but you chose to extend it for seven more months’.” (Concord Monitor, October 4, 2003).
- g. In addition to the cases involving Fr. Seamus MacCormack, and Fr. Paul Gregoire, other priests of the diocese have publicly expressed a loss of confidence in Bishop McCormack, or otherwise questioned his judgment or credibility.
  - i. Some priests circulated a letter calling for the bishop’s resignation. “‘It was an attempt to try to encourage the priests to sign them, figuring that, maybe if they realized there would be a number of others, they would do it,’ said the priest, who helped distribute the letters. Diocesan clerics, even those who believe the bishops should resign, are ‘moving on’ the priest said. ‘But they are moving on without a shepherd,’ he added. (Manchester Union Leader, August 15, 2003).
  - ii. “It was my very strong impression that some files had been destroyed and the files were destroyed because of incriminating evidence.” (Monsignor Wilfrid Paradis, regarding his archival research in the Diocese of Manchester, quoted in the Manchester Union Leader, January 8, 2003).
  - iii. “Now the scandal has distracted the Church leadership and muted their impact on our political leaders and population. In my preaching, unlike in the past, I now find it harder to quote the bishops on important social issues. A few have damaged the prophetic voice of the many. Shouldn’t be that

way; but that's how it seems to me. God, speaking through Jeremiah, makes it clear to a shepherd-less people, 'I myself will gather the remnant of the flock . . . I will appoint shepherds for them who will shepherd them.' Jesus is the proof that God is doing just as God promised. Not only is Jesus assuming the shepherding task, but he is appointing others to carry on when he is gone. I hope and pray that Bishop McCormack and Bishop Christian will resign soon. God will not leave us scattered." (Parish Bulletin message from Fr. Timothy Thibeault, Immaculate Conception Church, Penacook, NH, July 20, 2003).

iv. "Parishioners of a Durham Church said their pastor's frank acknowledgment last Sunday of the suffering the clergy sexual abuse crisis has caused Roman Catholics cracked the silence that has greeted them from the pulpit on this issue. . . the Rev. Daniel A. St. Laurent recounted a recent conversation he had with Manchester Bishop John B. McCormack about his concerns over the bishop's continued leadership and directly addressed the pain the crisis has caused victims and Catholics in general. . . . St. Laurent's homily drew a standing ovation at the 9 a.m. Mass" (Manchester Union Leader, September 25, 2003).

h. These incidents highlight what has been a long period of dangerous decline in the moral and spiritual fiber of the Diocese of Manchester. Souls have been endangered by the continued scandalous presence of Bishop McCormack. Some parishioners have stopped attending Mass, or stopped contributing to their parish. Some Catholics have left the faith for other Churches, or given up religious practice entirely. Some parents refuse to have their children confirmed by either Bishop McCormack or Auxiliary Bishop Christian. Some parents have withdrawn children from the Catholic Schools. Some Catholics are not receiving spiritual counseling due to diocesan budget cuts. Some diocesan programs for the needy have become less effective. Some priests no longer attend diocesan functions, and will not, unless required, attend events at which the bishop is present. Recently a large number of priests refused to attend the diocesan formation program. Bishop McCormack remains a sign of division for the laity and clergy of the diocese.

**2. Bishop John McCormack has lost his good name among upright and serious-minded people of the diocese. Among both priests and lay faithful, there is an aversion to him.**

- a. There is strong evidence for a significant decline in the support of many parishes, and of the Diocese of Manchester itself, that is directly attributable to the loss of reputation of our bishops, and to a widely expressed aversion to them.<sup>4</sup>
  - i. The diocese itself has acknowledged “that the sexual misconduct crisis has resulted in certain extraordinary administrative expenses as well as the use of virtually all diocesan savings to fund financial settlements.” This difficulty, the diocese reported, was coupled with “lost and fractured trust in some Church leaders” which “impacted parish revenues upon which the diocesan administration relies for support through parish assessments. We must acknowledge now that it is likely that the assessment revenue to the diocesan administration will decrease in the coming fiscal years for an undetermined amount of time.” (Diocese of Manchester, “Diocesan Administration Reconfiguration Plan,” March 2003).
  - ii. The diocese reported that “the recent financial constraints on the operating budgets of the diocesan administration and Catholic Charities require us to reduce each operating budget by at least \$500,000. (Diocese of Manchester, “Diocesan Administration Reconfiguration Plan,” March 2003).
  - iii. “Eight New Hampshire Catholic Charities employees lost their jobs this week and seven others had their hours reduced in an effort to trim \$500,000 from the agency’s budget.” (Manchester Union Leader, April 11, 2003).
  - iv. The budget reductions forced the Diocese of Manchester to eliminate staff positions, reduce benefits paid to diocesan employees, close ministry programs, and suspend publication of the diocesan newspaper. At the same time, the diocese retained its corps of lawyers and its public relations advisors.

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<sup>4</sup>“The existence of aversion may be manifested in various ways, e.g., the parishioners’ avoidance of the pastor’s multifaceted ministry, frequent protests against him, and significant declines in moral and financial support of the parish.” James A. Coriden, Thomas J. Green, Donald E. Heintschel, *The Code of Canon Law: A Text and Commentary* (New York: Paulist Press/Canon Law Society of America, 1985), 1038.

- v. The diocesan finance officer was required to develop a program of “loans” in order to allow parishes to fully meet their diocesan assessments. “I know paying the bills, month to month, has been difficult for us all this year,” wrote Msgr. John Quinn. “In an effort to help parishes ‘catch up’ on past due assessments and centralized expenses, I have instructed Moe Pratte to make a series of short-term loans available to parishes with outstanding balances higher than \$5,000” (Memo of Msgr. John Quinn to Pastors and Parish Administrators, May 20, 2003).
  - vi. To this proposal, one parish administrator wrote that the loan proposal “exempts the Diocese of Manchester from any responsibility or accountability for the financial crisis and exacerbates the problem at the parish level.” (Letter of Deacon Richard Cloutier to Msgr. John Quinn, June 10, 2003).
  - vii. According to a survey taken at Immaculate Conception Parish in Portsmouth, NH, only 25% of the parishioners expressed “trust in the leadership of the diocese.” (“Parish Life Survey,” Center for Applied Research in the Apostolate, Pastoral Assistance Surveys and Services, November, 2002)
  - vii. According to a similar survey taken at St. Thomas More parish in Durham, NH, “nearly 50% of Durham Church respondents have curtailed or halted donations, and 93% of those members list Bishop McCormack as the reason for their actions” (Manchester Union Leader, May 25, 2003).
  - viii. According to a survey taken by the University of New Hampshire 25% of Catholics statewide have decreased contributions to the Church because of the scandal. The same survey indicated that 72% of Catholics in New Hampshire believed Bishop John McCormack should resign. (Granite State Poll, University of New Hampshire Survey Center, February 12, 2003).
- b. Nearly every major newspaper in the State of New Hampshire has published an editorial critical of Bishop John McCormack, and calling on him to resign. These public editorials are further evidence that Bishop John McCormack has lost his good name. We cite below only a selection of excerpts from those editorials.

- i. “The Diocese of Manchester now needs leadership that has not been tarnished by this scandal. In the best interest of all he should step aside as bishop” (Manchester Union Leader, May 8, 2002).
- ii. “A man who has thus abused his responsibilities should accept the consequences of failing to protect children over whom he exercised awesome power. What kind of example would the Church be setting if it left Bishop John B. McCormack in office? How could any parent look upon him as the man to lead the Diocese of Manchester into a better future?” (Concord Monitor, May 5, 2002).
- iii. “No matter how all the lawsuits against the Diocese of Manchester and against the Archdiocese of Boston are resolved, many Catholics won’t be able to look at Bishop McCormack, who was in charge of ministerial personnel in the archdiocese from 1984 to 1994, and to Cardinal Law without recalling this shameful episode in Church history. ‘It is time for the Church to wield a big broom and clean house,’ we previously editorialized. The most recent attempts by Law and McCormack to explain their past failures haven’t changed the need for such action. They ought to step down” (Nashua Telegraph, May 12, 2002).
- iv. “Manchester Bishop John McCormack acknowledged last week that he assigned a priest to St. Patrick Parish in Jaffrey though he knew the priest had conducted a six-year love affair with a man almost half his age. McCormack’s reaction to the public revelation of this scandal further erodes any faith one could have in the Church leadership” (Manchester Union Leader, October 2, 2002).
- v. “We are again calling for the resignation of Cardinal Bernard Law and New Hampshire Bishop John McCormack. In light of all the information released about Law and his former Boston personnel director in dealing with sexual abuse by priests, we feel both men are no longer worthy of the priesthood. Tuesday’s decision by the New Hampshire Diocese to settle with the attorney general rather than be charged under the state’s child-endangerment statute is an indication of the preponderance of evidence against the Roman Catholic Church in this state as regards sexual misconduct” (Portsmouth Herald, December 11, 2002).

- vi. “Bishop John B. McCormack has served as the leader of the Roman Catholic Diocese of Manchester, N.H., since 1998. But, he carries with him the taint of the years he spent in Boston assisting Cardinal Bernard Law in shuffling priests accused of sexually abusing children from one parish to another. . . . McCormack should resign as the leader of the diocese. The Church, as it did with Cardinal Law, should replace him with someone willing to get to the bottom of the sexual abuse scandal and prevent it from happening again” (Lawrence Eagle-Tribune, February 10, 2003).
- vii. “When we called for McCormack to step down, more than a year ago, we noted that, ‘the continuing revelations about (Bishop McCormack’s) actions – and inaction – in the Boston cases have further damaged the bishop and now are causing real harm to the Church here in New Hampshire.’ That harm continues. Church collections are down. Catholic Charities continues to suffer. The Bishop’s Fund summer reception was cancelled last year. Under the circumstances, it would be wise not to resurrect it this year. . . . The problem is a lot deeper than dollars and cents. It is one of faith and trust shattered” (Manchester Union Leader, July 20, 2003).
- viii. “The picture of McCormack as a man who willingly put children at risk by covering up for people he knew were sex offenders is crystal clear. That he will apparently get away with this deplorable behavior remains one of the most astonishing aspects of the entire scandal” (Manchester Union Leader, July 25, 2003).
- c. Bishop McCormack’s name has appeared frequently in the media over the last two years, and in almost every case, the stories reveal some aspect of his failure to use his high office and ecclesiastical power to protect children or to enact justice.<sup>5</sup> We cite below only a fraction of the headlines that have appeared, which again prove that Bishop McCormack has lost his good name among the people of the diocese:

“NH bishop ensnared in abuse scandal”  
 “Bishop McCormack questions linger”  
 “Complaints didn’t dim bishop’s faith in priests”

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<sup>5</sup> Appendix A contains a sample chronology of revelations and media reports about Bishop John McCormack, Bishop Francis Christian, and the Diocese of Manchester for the three month period of September 1 to December 31, 2002. That chronology could easily be extended in the same fashion back to January 1, 2002 and forward to the present date.

“N.H. bishop say he often didn’t report abuse to civil authorities”  
 “Bishop says he accepted priests’ denials of abuse”  
 “Bishop McCormack’s role in sex abuse scandal questioned”  
 “N.H. bishop played key role in handling sex-abuse cases in Mass.”  
 “N.H. bishop was silent on accused priest”  
 “N.H. bishop named in suit”  
 “Accuser: N.H. bishop knew of abuse”  
 “Suit calls McCormack culpable”  
 “Church files say McCormack turned blind eye”  
 “N.H. bishop admits ‘tragic’ errors”  
 “Lawyer says McCormack, Paquin<sup>6</sup> linked”  
 “McCormack to be deposed”  
 “Church leaders destroyed child pornography found at dead priest’s home”  
 “McCormack again under fire at Keene task force hearing”  
 “N.H. bishop reportedly coached priest on abuse reply”  
 “Allegations revealed in Manchester diocese settlement”  
 “Parishioners blame McCormack for assigning priest accused of sexual misconduct”  
 “N.H. Catholics upset, ask for truth”  
 “Church files show N.H. bishop McCormack’s role in Shanley<sup>7</sup> case”  
 “N.H. bishop closely tied to Shanley situation”  
 “Bishop McCormack role in priest sex abuse suit unclear”  
 “Law, McCormack failed their flock and must go.”  
 “John B. McCormack, pastor to the wolves”  
 “Bishop McCormack has lost NH trust.”  
 “Clerical Doubletalk raises doubt about investigation”  
 “Dover Church members angry at McCormack.”  
 “Losing faith: Bishop McCormack still doesn’t get it.”

d. In addition to the editorials and news headlines, numerous letters to the editor, many from good Catholics, have appeared in newspapers throughout the diocese, criticizing Bishop McCormack, and calling for his resignation. Other Catholic parishioners have sent similar letters privately to the Bishop. We cite excerpts from a sample of the public letters.

i. I am writing about those who are protesting Bishop John McCormack every Sunday. They have been seen protesting at St. Joseph’s Cathedral at the 10:30 a.m. Mass. This is my Church. I’m a regular. I’ve gone to the 10:30 Mass before but not currently. I’ve met the bishop. The current scandal has not dented my faith. My concern is why they are protesting the bishop. What is his part in the scandal, the cover up? Going against my Church, my community is like going against my family or my country. But I must. I don’t want to, especially since it would be fighting the current. However, I must. I am a Christian, a Catholic, and my own Church teaches me to do the right thing. The right

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<sup>6</sup> Accused priest Fr. Ronald Paquin, Archdiocese of Boston.

<sup>7</sup> Accused priest Fr. Paul Shanley, Archdiocese of Boston



thing is never easy, just ask Jesus. Bishop McCormack should resign like Cardinal Law. It is the only way to bring true healing to the community” (Al Perreault, Manchester, NH).

- ii. “Our pastor, Rev. William Kelley, gave another thoughtful and inspiring homily. . . . As I listened to it I couldn’t help but wish that our diocese arranged for a statewide day of prayer for peace in the world. . . . But then I reminded myself that Bishop John McCormack was busy preparing for depositions to be made. I urge him to resign without delay. Our diocese is suffering. His continuation as our part-time bishop, whom many of us don’t trust, only prolongs the agony we (especially the victims of abuse) have endured for too long” (Bernard Vigneault, Peterborough, NH).
- iii. “The report of [Bishop McCormack’s] deposition in the Jan. 23 Union Leader said he stated other church officials were responsible and that he did not think it necessary to notify the parents of an abuse victim. Unbelievably, he said he didn’t think of the sexual abuse of a child as a crime! The bishop is in a world of his own in which there is no place for personal accountability. His concept of reality is far different from mine. Had his moral compass been functioning, he would have confronted the ‘other church officials.’ Bishop McCormack, resign now!” (Ward O’Neill, New London, NH).
- iv. “Last week there was an article in the paper about a few priests who had the backbone to sign a petition asking for new leadership in this diocese. The rest of the story is that a few other priests have also asked the same through other channels. . . . Since your arrival from Massachusetts, you have managed to dismantle all the work of your predecessors. Emmaus House is closed, the Catholic newspaper has ceased publishing, youth services have disbanded and the list goes on. With all of the pressure you are getting from some Catholics in New Hampshire, some brave priests, and the Massachusetts people, it is evident that you choose to keep as low a profile as possible, so low that there was not Catholic support in New Hampshire for the pope’s statement regarding gay unions. As the Union Leader editorial stated, your silence on this issue was deafening” (Open letter to Bishop McCormack, by Richard Valliere, Dover, NH and Thelma Gitschier, Madbury, NH).

- v. “Every Catholic needs to ask themselves this question: Is Bishop John McCormack really the best the Catholic Church has to offer? . . . Can Catholics honestly look into the eyes of their children and believe that they could trust their physical, emotional, and spiritual well being to this man? Why John McCormack feels he has the right to lead as bishop of Manchester is troubling, surely there is a person within the Church with courage and integrity that could take his place” (Carol Clark, Portsmouth, NH).
  - vi. “Although the bishop is not a sex abuser, he certainly was just as bad as those priests were for not removing them from their position. I believe that he has tarnished the Church leadership and I think the Pope should have done something about these bishops as well. There is no more moral integrity in the Catholic Church as long as people like Bishop McCormack, Cardinal Law, and others remain in their positions” (Ronald Gebo, Manchester, NH).
  - vii. “The *Monitor’s* April 8 article, ‘Testimony shows nun warned about abuse’ about Sister Catherine Mulkerrin gets to the root of the matter about why Bishop John McCormack must resign. Her deposition revealed she was trying to comfort the victims of abusive priests while McCormack was trying to protect those priests. After interviewing over 200 abuse victims, Sister Catherine urged the bishop to make others aware of the wrongdoing, unfortunately to no avail. . . . We will go on without you, Bishop McCormack. Have no concern that you are indispensable” (Brian Mazerski, Henniker, NH).
  - viii. “The accountability of the bishops and their associates who have conspired in the denials and cover-ups of priest abuses can only come from their resignations or removal from office” (Eugene E. Tillock, Durham, NH).
- e. In addition to the general loss of reputation Bishop McCormack has in particular earned a reputation for duplicity and prevarication.
- i. "A Jesuit priest who is the former chief of psychiatry at Massachusetts General Hospital has excoriated former leaders of the Archdiocese of Boston for withholding key information about accusations of sexual misconduct against priests he evaluated for the Church. During a two-day deposition taken in May by lawyers representing alleged abuse victims, the Rev. Dr. Edwin Cassem accused Church

leaders, particularly Bishop John B. McCormack, of concealing the information. He said that he was appalled to learn that Church officials had apparently ignored his advice and reassigned some abusive priests to active ministry after he recommended that they be kept away from parish work. The list of priests Cassem evaluated includes some of the archdiocese's most notorious abusers, including the Rev. Paul R. Shanley, who is facing criminal charges for allegedly raping young boys. During the deposition, Cassem said he was 'stupified' that the archdiocese had apparently withheld documents suggesting that Shanley was involved with the North American Man/Boy Love Association and that Shanley believed that boys were generally the aggressors in seducing men. Had he known that information, Cassem said, he would have recommended that Shanley be 'laicized and jailed.' 'He was a notorious, dangerous pedophile,' Cassem said. 'He was a predator. He was a scumbag . . . castration was too good for him.' Cassem called McCormack, a former top aide to Cardinal Bernard F. Law who now leads the Diocese of Manchester, N.H., a 'liar' during the deposition." (Boston Globe, July 12, 2003).

- ii. "In April 1987 Bishop McCormack responded to a letter to Cardinal Law from a father whose son was an altar boy serving Father Joseph Birmingham and who wanted to know whether this was the same Father Birmingham previously removed from a parish because of allegations of sexual molestation of young boys. In spite of his knowledge of prior child sex abuse allegations against Father Birmingham, Bishop McCormack wrote the parishioner: 'I contacted Father Birmingham and asked him specifically about the matter you expressed in your letter. He assured me there is absolutely no factual basis to your concern regarding your son and him. From my knowledge of Father Birmingham and my relationship with him, I feel he would tell me the truth and I believe he is speaking the truth in this matter.' (Office of the Attorney General, Commonwealth of Massachusetts, *The Sexual Abuse of Children in the Roman Catholic Archdiocese of Boston*, p. 43). "McCormack acknowledged [in his deposition] that in 1987, when the father of a 13-year-old altar boy serving with Birmingham wrote a letter asking whether Birmingham was the same priest who had previously been removed from another parish because of a sexual abuse allegation, McCormack replied, 'There is absolutely no factual basis to your concern.' Asked why he did not tell the concerned father that

his son was indeed serving with the same Father Birmingham, McCormack said, 'I can't explain that.'" (Boston Globe, January 9, 2003).

- iii. "The retired California bishop who suspended former Boston priest Richard T. Coughlin for sexual abuse in 1993 said yesterday he received no information from Boston that Coughlin had been accused of molesting a Bay State boy. Bishop Norman McFarland's statement directly contradicts assertions late Friday by a former Boston cleric and confidante of Bernard Cardinal Law - Bishop John B. McCormack, now chief of the Diocese of Manchester, N.H. - who claims he alerted a California diocese in 1986 that Coughlin has a history of pedophilia. McFarland is the former bishop of Orange, Calif., where Coughlin ministered until his suspension for molesting choir boys in 1993. 'If there was something (in Coughlin's file) about Boston, I would have remembered,' McFarland, who retired in 1998, said yesterday. McFarland personally suspended Coughlin in February 1993 after a number of men came forward - including David Coleman, 54, of Eastham - claiming they had been sexually abused by Coughlin dating back to the 1950s" (Boston Herald, March 17, 2002).
- iv. "The case in question, filed in Suffolk County Superior Court in Massachusetts, alleges former priest John Geoghan molested a victim, referred to only as "John Doe II" on several occasions from **1992 to 1995**, when the victim was 8 to 11 years old. The suit went on to allege McCormack and other officials 'negligently breached said duty' to properly supervise Geoghan. The case also contained a written response by McCormack through the Church's lawyer, Wilson D. Rogers Jr. In it, McCormack flatly denied allegations of responsibility and said he '**has no personal knowledge**' regarding incidents of abuse by Geoghan." (Foster's Daily Democrat, March 10, 2002). "To prepare for his **1991** meeting with Geoghan, [Bishop Alfred] Hughes asked Father John McCormack, then vicar of clergy and later Law's special delegate on sex abuse cases, to review Geoghan's personnel record.<sup>8</sup> **McCormack gave Hughes a verbal summary over the phone.** Hughes took notes. . . . In 1989, Hughes wrote, there was a fourth complaint that Geoghan fondled a boy. The state social worker

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<sup>8</sup> "Bishop Hughes directly supervised Bishop McCormack, who had direct responsibility for clergy sexual abuse matters, including allegations and the response to allegations." Office of the Attorney General, Commonwealth of Massachusetts, *The Sexual Abuse of Children in the Roman Catholic Archdiocese of Boston*, p. 36.

investigating the case dropped it for lack of evidence. However, Hughes' notes include a recommendation by a doctor for inpatient treatment for Geoghan. 'Need to take incidents seriously,' Hughes wrote. 'Homosexual pedophile? Recommend residential treatment because he may act out in a cyclical way' (Gambit Weekly News, New Orleans, May 21, 2002).

- v. "But some parishioners have expressed doubts about the bishop's role in the Gregoire case. Some remain convinced their pastor was a convenient scapegoat for the bishop at a time when McCormack was under fire for his handling of clerical sex abuse allegations in the archdiocese of Boston and the diocese here was facing possible child endangerment indictments, following an investigation by the state's attorney general. In June, members of the pastoral council began petitioning for the pastor's return and, in a rare statement of defiance toward a bishop, sent an open letter to newspapers calling on McCormack to 'take your baggage, step aside and let somebody who is credible judge Father Gregoire.' So what really happened? Did McCormack suspend Gregoire to take some of the heat off the diocese and himself? Was the priest's reinstatement due to 'insufficient evidence to support the accusation,' or was it a move to placate angry parishioners? The contradictory statements made by the bishop and the Rev. Edward Arsenault, chancellor of the diocese, have only added to confusion and concern about how Church officials deal with allegations of this sort" ("Clerical doubletalk raises doubts about Investigation," Commentary in Manchester Union Leader, September 7, 2003).

**C. Auxiliary Bishop Francis Christian has abused his ecclesiastical power and his office through actions, omissions, and culpable negligence that resulted in grave harm to others and to the Church.**

1. Bishop Francis Christian was a central figure in the investigation of the Diocese of Manchester by the State of New Hampshire.<sup>9</sup> "Christian handled clergy sexual assault reports for the diocese from 1977, when he became chancellor, until 1996, when he was ordained auxiliary bishop, said diocesan spokesman Patrick McGee." (Manchester Union Leader, March 5, 2003). Among the general conclusions drawn from that investigation were the following:

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<sup>9</sup>New Hampshire Department of Justice, *Report on the Investigation of the Diocese of Manchester*, March 3, 2003. <http://www.state.nh.us/nhdoj/Press%20Release/3303diocese.html>.

- a. “The Diocese of Manchester has reached a legally binding mutual agreement with the office of the Attorney General of New Hampshire which involves acknowledgment by the Diocese that the State has evidence likely to sustain a criminal conviction against the Diocese for a failure in its duty to care for young people.” (Bishop Wilton Gregory, December 10, 2002).
- b. “The Attorney General’s Office has now concluded its investigation. During the course of this investigation, the State gathered sufficient evidence to present to the grand jury one or more indictment against the Diocese of Manchester for endangering the welfare of children. The State believes that the grand jury would have returned indictments and the State would have been successful in obtaining convictions after trial. Given the evidence obtained by the State and the elements required to prove a criminal violation of the New Hampshire child endangerment statute (RSA 639:3,I), the Diocese acknowledges that the State has evidence likely to sustain a conviction against the Diocese of child endangerment. . . . The Diocese has acknowledged that certain of its decisions concerning the assignment to ministry of priests who had abused minors in the past resulted in other minors being victimized. . . . In some instances, the facts established that the Diocese was aware that a particular priest posed a sexual threat to children, the Diocese failed to effectively respond to that information, and other children were subsequently victimized by the offending priest. In the State’s view, such facts would support a charge of endangering the welfare of a child under RSA 639:3, I. The Diocese has acknowledged that the State has sufficient evidence that it would likely have obtained a conviction on such a charge. (State of New Hampshire, Attorney General’s Office, December 10, 2002).
- c. “The investigation uncovered instances where Diocesan officials made apparently false statements in the context of civil lawsuits and in the course of a pre-sentencing investigation conducted by the Department of Corrections for the purpose of the sentencing of a Diocesan priest. This conduct may have constituted perjury, false swearing, or unsworn falsification. . . . Even if the statute of limitations was not tolled, evidence that the Diocese made such false statements would likely have been admissible on charges of Child Endangerment to establish the purposeful conduct of the Diocese and to establish its consciousness of guilt” (Report on the Investigation of the Diocese of Manchester, State of New Hampshire, Attorney General’s Office, March 3, 2003, p. 13).
- d. “The Diocese does not believe it is in the best interest of our community to comment in this Report on the specifics contained in the State

Report.” (“Restoring Trust: A Report to the People of New Hampshire by the Diocese of Manchester,” March 3, 2003).

**D. Auxiliary Bishop Francis Christian is unsuited for the fulfillment of his office” and his ministry has “become harmful and ineffective.”**

**1. Bishop Francis Christian’s manner of acting causes grave harm and disturbance to ecclesiastical communion.**

- a. In some measure, Bishop Christian shares with Bishop McCormack responsibility for the divisions and disturbances among both clergy and laity in the Diocese. More specifically, Bishop Christian’s credibility has been terribly damaged by his false statements and refusal to truthfully acknowledge his wrongdoing.
  - i. “There are several instances in the documents where Bishop Christian appears to have made misstatements or mischaracterized the facts to the victims and their families.” (James Rosenberg, Assistant Attorney General, State of New Hampshire).
  - ii. “I think that his statement that he honestly responded to victims is not true,” said William Delker, senior assistant attorney general. “I don’t know how much plainer you can say it.” (Concord Monitor, March 7, 2003).
  - iii. ““Despite evidence that [accused abuser, Fr. Paul] Aube still had exposure to children in hospital ministry, the diocese and Bishop Christian reported to victims that he was both closely monitored and not in contact with children,’ [Asst. Attorney General James] Rosenberg said.” (Manchester Union Leader, March 5, 2003).
  - iv. “After the man refused to sign a confidentiality agreement that included payment for his counseling costs, Christian lied and told him [Fr. Robert] Densmore had admitted to the abuse. Densmore had vigorously denied the allegations to Christian.” (Concord Monitor, March 7, 2003)
  - v. “ Christian lied to a victim of Father Gerald Chalifour in 1988, leading him to believe that Chalifour had admitted his child abuse allegation when he hadn’t.” (Concord Monitor, March 7, 2003).
  - vi. In the case of Father Roger Fortier, investigators found that Christian lied to a state probation officer in 1998 about the abusive priest’s past. At the time, Fortier was being

sentenced for molesting two Farmington boys. Christian told the officer that Fortier's "sexual problems with youth were unknown to the diocese." But the files show that Fortier had confessed to Christian 14 years earlier that he fondled a boy after a night of drinking and pornographic movies" (Concord Monitor, March 7, 2003).

vii. "In several instances, Christian referred abusive priests for treatment with a note to doctors that the priests had been 'indiscrete' with 'young men.' In some cases, the victims were actually children." (Concord Monitor, March 7, 2003).

viii. "You have informed the State through your attorney, Brian Tucker, that you will refuse to testify or provide information on the basis of your privilege against self-incrimination unless given assurances that the testimony and/or information provided by you remains protected under the Fifth Amendment and Part I, Article 15 of the New Hampshire Constitution. . . . As the current Auxiliary Bishop of the Diocese of Manchester, please reassess the extent of your affirmative responsibility to the residents of this State to be truthful, complete, and forthright in providing information. I fail to understand how considerations of personal risk can impact the duty and willingness of a bishop to tell the truth." (Letter from Attorney General Philip McLaughlin to Bishop Francis Christian, October 14, 2002).

- b. Some priests who circulated a letter calling for the resignation of Bishop McCormack, also called for the resignation of Bishop Christian.
- c. New Hampshire Catholics for Moral Leadership also called for the resignation of Bishop Christian.
- d. New Hampshire Voice of the Faithful also called for the resignation of Bishop Christian.

**2. Bishop Francis Christian has lost his good name among upright and serious-minded people of the diocese. Among both priests and lay faithful, there is an aversion to him.**

- a. Some of the loss of financial support for the parishes and diocese are the result of objections not only to Bishop McCormack, but to Auxiliary Bishop Christian as well. Bishop Christian bears particular responsibility for the financial condition of the diocese, made worse by the huge financial settlements paid to those who were harmed by priests he protected.



- b. Following the release of documents from the diocese by the Attorney General of the State of New Hampshire, many newspapers added the name of Auxiliary Bishop Christian to their editorial calls for resignation.
- i. “These are the darkest of days for the Roman Catholic Church in New Hampshire and for the thousands of men, women, and children who have defended it, sought solace from it, placed their faith in it and been betrayed by its leadership, past and present. Unless the men in that leadership leave, the future looks nearly as bleak. . . . Auxiliary Bishop Francis Christian, it turns out, was doing in New Hampshire what McCormack was doing in Massachusetts – turning a blind eye to victims and thus enabling pedophile priests to prey on more. Christian hasn’t learned. He says he did what lawyers told him to do and didn’t mislead anyone (An assistant attorney general all but called Christian a liar on that)” (Manchester Union Leader, March 6, 2003).
  - ii. “How many ways can Bishop John McCormack and Auxiliary Bishop Francis Christian ignore the message that they ought to pack up and vacate their leadership positions in the Diocese of Manchester? . . . McCormack and Christian may be sincere in wanting to right the wrongs they helped to occur. However, when laypeople see them, or listen to them, the image of their failure to protect young children is what comes to mind. It would be better for McCormack and Christian to acknowledge that situation and ‘move on’ so new leadership could take over. There’s much reconstruction work of a spiritual nature to be done in the diocese and having someone at the helm that isn’t tainted by the sex abuse scandal would truly start the process” (Nashua Telegraph, April 3, 2002).
  - iii. “It is too soon to say whether the deal the state cut with the diocese was the best possible outcome. In a nutshell, the agreement gave the diocese and its leaders immunity from prosecution in exchange for increased state oversight and the release of thousands of pages of Church records that detail how the Church dealt with priests accused of sex crimes and their alleged victims. We doubt the public would ever have learned so much about the Church’s cynical cover-up of its sordid problems had the deal not been made. But as other states debate the New Hampshire precedent, they should keep in mind its one great failure. Bishop John McCormack and Auxiliary Bishop Francis

Christian are still on the job. Their continued presence at the head of their Church mocks the very concepts of justice and forgiveness. . . . McCormack and Christian escaped prosecution. Now they must go” ( Concord Monitor, April 29, 2003).

## **VI. Conclusion.**

We maintain that this presentation of evidence is sufficient to establish our claims regarding the leadership of Bishop John McCormack and Auxiliary Bishop Francis Christian. We trust that this record of evidence will be sufficiently convincing to prove that Bishop McCormack and Auxiliary Bishop Christian have abused their ecclesiastical power, and that their ministry has become harmful and ineffective. In particular, we have faith that The Holy Father, Pope John Paul II, will understand that these bishops are unsuited to fulfill their offices, that they have lost their good name, and continue to cause grave harm and disturbance in the ecclesiastical communion of the diocese. We appeal to the Holy Father for relief, and seek the removal and replacement of Bishop John McCormack and Auxiliary Bishop Francis Christian.

**Appendix A:**  
**Chronology of Media Reports**  
**September 1, 2002 to December 31, 2002**

- Sept. 6: Bishop John McCormack removed from a national bishop's panel on sexual abuse.
- Sept. 13: Newspaper stories reveal Bishop John McCormack, while he worked in Boston, knew at least as early as 1992 that Fr. Robert Gale had anally raped a 12-year old boy, and yet Gale remained as a priest, and even said Mass at the diocesan Camp Fatima, as late as 1999, after Bishop McCormack had become Bishop of Manchester.
- Sept. 13: Diocesan spokesman Patrick McGee says the Diocese of Orange California *was* informed by Bishop John McCormack that Richard Coughlin, a priest transferred there from Boston, was a pedophile. McGee says documents in the Boston Archdiocese prove this. No such documents have ever come to light, while two California bishops and a police detective say they were never warned.
- Sept. 26: A Massachusetts judge orders the Archdiocese of Boston to turn over 50-year's worth of records on abusive priests. Bishop John McCormack's name figures prominently in that documentary record.
- Sept. 27: Bishop John McCormack sits for one of his many depositions in the lawsuits by victims of abuse in Boston. Legal fees and hours away from pastoral duties mount.
- Sept. 30: Fr. Roland Cote reveals to his parish that he had a sexual relationship over several years with a teenage boy, whom he also paid for sex. Prosecutors were unable to determine the boy's age, except to say he was at least 16, the age of legal consent. In exchange for a settlement, the boy stipulated he was 18 at the time. Documents connected with the case strongly suggest he was 16. Fr. Cote and the diocese stress that the boy wasn't a minor nor a parishioner.
- Oct. 2: The Diocese of Manchester opposes the efforts of a plaintiff's lawyer to obtain clergy personnel records of accused priests. Spokeswoman Diane Quinlan says: "information brought out in the civil discovery process may unfairly compromise the diocese in the criminal investigation." Diocesan lawyers also file a motion requiring victims' names to be made public.
- Oct. 2: Manchester Union Leader publishes yet another editorial calling on Bishop McCormack to resign. The headline on the editorial? "Losing Faith: Bishop McCormack Still Doesn't Get It."
- Oct. 5: Diocese of Manchester forms a Task Force on Sexual Abuse Policy. That Task Force holds "listening sessions" around the state. According to both the minutes and the final report of that Task Force, the most common sentiment expressed by members of the lay faithful in the diocese? "Bishop McCormack must resign."
- Oct. 6: Angry parishioners at St. Patrick in Jaffrey confront Bishop John McCormack calling him a liar, and telling him to resign.
- Oct. 10: Nashua Telegraph Editorial: "Diocese Needs Change Starting from the Top."
- Oct. 11: Diocese of Manchester pays \$950,000 to settle 16 lawsuits by victims of priest sex abuse. The Diocese refuses to identify the parishes in which these priests worked.
- Oct. 21: Concord Monitor story reporting on the progress of a New Hampshire Criminal investigation of the Diocese of Manchester: "Prosecutors are interviewing witnesses in and out of the country as they investigate whether the Catholic Church in New Hampshire, or its leaders, violated state child endangerment laws by transferring priests suspected of molesting children from parish to parish."
- Oct 30: The Boston Globe reports that Bishop John McCormack "coached" Fr. Roland Cote on what he was, and was not to reveal to his parishioners about his relationship with a teenage boy. In the article, the Rev. Thomas Doyle, noted canon lawyer and victims' advocate, is quoted as saying: "Sadly for the people of the Diocese of Manchester, Bishop McCormack brought his same regrettable lessons he learned about dealing with sexual abuse in Boston to New Hampshire."
- Nov. 2: Fr. Roland Cote resigns as pastor of St. Patrick in Jaffrey, admitting homosexual affair with a teenage boy.

- Nov. 15: Associated Press reports that Grand Jury is investigating the Diocese of Manchester and its administrators for possible criminal conduct in relation to the mishandling of abusive priests.
- Nov. 16: Commenting on a policy approved at a United States Conference of Catholic Bishops' meeting in Washington, Rev. Edward Arsenault of the Diocese of Manchester is quoted as saying that Bishops will be held accountable because their names would be in the paper: "I expect it will be matter of public record," he said. "Your name will be in the paper if you have not complied."
- Nov. 21: A Boston Globe story reports on deposition by Cardinal Law, in which it is revealed how Bishop John McCormack dismissed the account of an abuse victim of Fr. George Rosenkranz. Bishop McCormack told the young man he had misinterpreted the priest's affections. Rosenkranz had asked the boy to masturbate in front of him.
- Nov. 25: Judge denies Archdiocese of Boston motion to seal documents related to abuse cases. Those documents give evidence of Bishop John McCormack's malfeasance.
- Nov. 27: Diocese of Manchester pays \$5.2 million to settle more lawsuits by victims of priest abuse. Diocese empties its reserve fund to pay the settlement.
- Nov. 28: A New Hampshire judge orders the Diocese of Manchester to open its records to the Attorney General's investigators. The diocese had sought to avoid answering a subpoena for those records.
- Dec. 2: Archdiocese of Boston floats the idea of bankruptcy. Diocese of Manchester denies it is considering a similar course of action.
- Dec. 3: Documents released in the Boston Archdiocese show Bishop John McCormack was informed by his aide, Sister Catherine Mulkerrin, that a Massachusetts priest regularly exchanged drugs for sex with boys. Bishop McCormack did . . . nothing.
- Dec. 4: Manchester Union Leader story on documents released in Boston reports that Bishop John McCormack "apparently ignored allegations dating back more than a decade, including a case where one priest was initially accused of misconduct in 1984 but not removed from ministry until 1993."
- Dec. 4: Boston Globe story on document release shows Bishop John McCormack acted deliberately to cover up crimes by an abusive priest. Bishop McCormack even recommended to another bishop that he lie to members of the press who may inquire about the priest.
- Dec. 5: Boston Globe reports on the case of Fr. Foley, who fathered two illegitimate children, and was present during the drug overdose death of the mother of those children. Bishop John McCormack learned of the details of Foley's involvement in 1993, but never reported the case to authorities. Foley was assigned to another parish in 1994. Bishop McCormack wrote to concerned parishioners that Foley "was held in high regard" by his colleagues.
- Dec. 6: Associated Press reports the New Hampshire grand jury investigation could produce an indictment against the Diocese of Manchester.
- Dec. 7: First reports of deal between the Diocese of Manchester and the state of New Hampshire Attorney General's office. The Diocese will avoid indictment in exchange for releasing records on abusive priests.
- Dec. 8: Fifty-eight priests in the Boston Archdiocese sign a letter calling on Cardinal Law to resign.
- Dec. 10: Once again, the Manchester Union Leader calls on Cardinal Law and Bishop John McCormack to resign, pointing to their "obfuscations and duplicity," and saying, "they cannot be trusted to lead the Church."
- Dec. 10: Diocese of Manchester concludes a deal with the Attorney General's office in which it avoids indictment, but admits the state had sufficient evidence to gain a conviction for child endangerment. The Diocese is also required to release 9,000 pages of priest personnel files.
- Dec. 11: Headline in Manchester Union Leader: "New Hampshire Diocese admits conduct was criminal."
- Dec. 13: Cardinal Law resigns. Calls for a similar resignation by Bishop John McCormack increase. Sexual abuse survivor Gary Bergeron announces: "Bishop McCormack, we're coming after you."
- Dec. 13: Bishop John McCormack receives a subpoena to appear before the Massachusetts grand jury investigating the sexual abuse of children by priests in the Archdiocese of Boston.

- Dec. 14: Bishop McCormack refuses to resign. Rev. Thomas Doyle explains why Bishop McCormack *must* resign: “I hope this demand for accountability spreads to others who are directly responsible for what has happened in Boston, particularly Bishop McCormack. He knew what was going on. He was part of the cover-up. He was part of the revictimization of victims,” Doyle said.
- Dec. 15: Bishop McCormack complains publicly that he is being treated unfairly. “My mistakes and failings have been lifted up, scrutinized and characterized by some to be such that I am a harmful person or one who lacks moral character.”
- Dec. 17: Yet another Manchester Union Leader editorial: “Bishop McCormack’s sins: Forgiveness comes after Accountability.”
- Dec. 17: Diocese of Manchester priest Francis Talbot pleads guilty to molesting an 8-year old boy.
- Dec. 18: Newly released documents show that in 1987, Bishop John McCormack was told by a mother that her 14-year old son had been abused by Fr. Joseph Coleman. The priest admitted the molestation to Bishop McCormack. In 1988, Bishop McCormack recommended his return to ministry.
- Dec. 20: The Survivors of Joseph Birmingham, a group of men who were molested as children, demand a meeting with Bishop John McCormack. Bishop McCormack had been a seminary classmate and fellow curate with Birmingham. Despite having received several reports of Birmingham’s crimes, and despite having later been director of ministerial personnel, Bishop McCormack never acted to remove Birmingham from ministry, and even lied to some parents who inquired about the dangers to their children.
- Dec. 21: Sister Catherine Mulkerrin, former assistant to Bishop John McCormack, testifies at a deposition that she repeatedly warned Bishop McCormack to notify parishioners where abusive priests had been stationed. He repeatedly refused, dismissing her concerns as “a broken record.”
- Dec. 23: Associated Press reports that during a deposition, Bishop John McCormack asserted that it was not as serious for a priest to have sex with someone not his parishioner. ““You know, one is an activity where you have a trusted relationship with a parishioner. The other is an activity where you’re away from the parish and you’re off on your own,” he said.
- Dec. 31: Fr. Richard Lower of the Diocese of Manchester, commits suicide after the Diocese of Manchester notifies him of an accusation of sexual misconduct against him.

**Chronology of the Canon Law Petition  
Concerning Bishop John McCormack  
And Auxiliary Bishop Francis Christian  
From Members of the Laity in the Diocese of Manchester**

1. 2003, October 28. Letter to Pope John Paul II, via the Congregation for Bishops, transmitting the Canonical document entitled “Christ’s Faithful in the Diocese of Manchester on the Matter of the Episcopal Leadership of John B. McCormack, Bishop of Manchester, and Francis J. Christian, Auxiliary Bishop of Manchester” (herein after “Canon Petition”).
2. 2003 October 28. Letter to Archbishop Julian Herranz, President of the Pontifical Council for the Interpretation of Legislative Texts inquiring of the manner in which the laity may seek relief from bishops who have betrayed them. Canon Petition enclosed.
3. 2003 October 28. Letter to Apostolic Nuncio to the United States of America, Archbishop Gabriel Montalvo, transmitting the Canon Petition.
4. 2003 November 8. Letter to Archbishop Wilton D. Gregory, President of the United States Conference of Catholic Bishops transmitting the Canon Petition.
5. 2003 November 10. Letter to Bishop John B. McCormack, transmitting the Canon Peition.
6. 2003 November 10. Letter to Auxiliary Bishop Francis J. Christian, transmitting the Canon Petition.
7. 2003 November 13. Letter from Bishop Bruno Bertagna, Secretary for the Pontifical Council for Legislative Texts, denying jurisdiction in the matter, and suggesting the matter be addressed to the Council for the Laity.
8. 2003 December 3. Letter to Cardinal James F. Stafford, President of the Council for the Laity, transmitting the Canon Petition.
9. 2003 December 3. Letter to Archbishop Sean P. O’Malley of Boston, transmitting the Canon Petition.
10. 2003 December 3. Second Letter to Archbishop Wilton D. Gregory requesting a response to the Canon Petition, and requesting to meet.
11. 2003 December 3. Second Letter to Archbishop Gabriel Montalvo asking for a reply to the Canon Petition, and offering to meet.
12. 2003 December 17. Letter from Cardinal Stafford indicating that he is no longer president of the Council for the Laity, and that in any case, that Council would not have jurisdiction. Cardinal Stafford forwarded the Canon Petition to Cardinal Angelo Sodano, Vatican Secretary of State.
13. 2004 January 12. Letter from Bishop John McCormack denying responsibility under the canons cited in the Canon Petition, and offering pastoral assistance through his designees.
14. 2004 January 18. Letter to Bishop John McCormack, agreeing to meet with his pastoral designees, and requesting that he and Bishop Christian agree to meet with the entire group of petitioners.
15. 2004 March 3. Message from Monsignor Gabriel Caccia, at the Vatican Secretariat of State, sent via the Apostolic Nunciature in Washington, D.C., acknowledging receipt of the Canon Petition forwarded by Cardinal Stafford.
16. 2004 March 17. Third Letter to Archbishop Wilton D. Gregory asking for a reply and a meeting.
17. 2004 March 17. Third Letter to Archbishop Montalvo seeking a response and again requesting a meeting.
18. 2004 March 23. Letter from Bishop McCormack requesting that James Farrell meet with Abbot Matthew Leavy, O.S.B., of St. Anselm College.
19. 2004 March 27. Letter from James Farrell to Bishop McCormack, agreeing to meet with Abbot Matthew, asking again that he and Bishop Christian meet with the entire group of petitioners.
20. 2004 March 29. Letter to Abbot Matthew Leavy, arranging to meet, and transmitted relevant documents.
21. 2004 March 29. Letter to Archbishop Montalvo requesting a meeting with him during his trip to Portland, Maine for the installation of Bishop Malone.
22. 2004 March 30. Facsimile Reply from Archbishop Montalvo declining to meet with the petitioners. (Also sent by U.S. Postal service.)

23. 2004 March 31. Letter to Archbishop Montalvo, asking again for a reply to the Canon Petition, and requesting once more a meeting with him.
24. 2004 April 15. Letter from Bishop McCormack to James Farrell asking him inform Abbot Matthew Leavy who will be meeting with him on April 19. Bishop McCormack declines to meet personally with Farrell, or with the group of Petitioners.
25. 2004 April 18. Email correspondence to Abbot Matthew Leavy informing him that he will be meeting with James Farrell and Tyler Foss.
26. 2004 April 21. Letter to Cardinal Joseph Ratzinger, Congregation for the Doctrine of the Faith, transmitting the Canon Petition, and citing a recent news report that indicated his Congregation would handle serious violations of church law by bishops.
27. 2004 May 18. Letter to Cardinal Giovanni Battista Re, President of the Congregation for Bishops, requesting to know the status of the Canon Petition sent to his Congregation in October, 2003, and asking for a prompt and substantive reply.
28. 2004 June 2. Meeting of four petition signers with Archbishop Sean P. O'Malley of Boston.
29. 2004 June 29. Letter to Abbot Matthew Leavy requesting to know the status of our request for a group meeting with Bishop McCormack.
30. 2004. June 29. Letter from Abbot Matthew Leavy informing us that Bishop McCormack again declines to meet with the group of Petitioners, but will agree to meet with James Farrell.
31. 2004. July 5. Letter from Abbot Matthew Leavy replying to Farrell letter of 29 June.
32. 2004. July 20. Letter to Bishop John McCormack from James Farrell inviting him to meet a small group of the Petitioners at his home for dinner.
33. 2004. August 18. Letter to Archbishop Sean P. O'Malley thanking him for sending a representative to meet with members of our group, and reiterating our hope that our concerns are addressed during the *ad limina* visit of the New England bishops.
34. 2004. August 25. Letter from Bishop John McCormack to James Farrell declining the invitation to dinner, but offering to meet with him individually.
35. 2004. August 31. Letter from Rev. Robert T. Kickham, on behalf of Archbishop O'Malley, acknowledging receipt of the letter of August 18.
36. 2004. September 13. Letter from James Farrell to Archbishop Montalvo requesting to meet in Washington, D.C. in early October.
37. 2004. September 13. Letter from James Farrell to Archbishop Wilton D. Gregory requesting to meet in Washington, D.C. in early October.
38. 2004. September 23. Meeting of James Farrell and John Grimes with Bishop John McCormack and Chancellor Edward Arsenault.
39. 2004. September 24. Letter from Monsignor Leopoldo Girelli, *Charge d'Affaires* of the Apostolic Nunciature to the United States, to James Farrell stating that the Archbishop is unable to schedule a meeting, and that Bishop McCormack intends to meet with Farrell.
40. 2004. September 27. Letter from Archbishop Wilton D. Gregory to James Farrell declining to meet with him in Washington, and stating that our concerns are a matter entrusted to the local bishop.
41. 2004 October 8. James Farrell visits the Apostolic Nunciature in Washington, D.C., requesting to meet with Archbishop Montalvo or Monsignor Girelli. Not permitted to meet with any official.
42. 2004. October 28. Letter to Cardinal Giovanni Battista Re, Congregation for Bishops, requesting a response to the Canon Petition after one year.
43. 2004. October 28. Letter to Archbishop Gabriel Montalvo, Apostolic Nuncio, requesting a response to the Canon Petition after one year. [Similar letters were sent to Cardinal Sodano, Cardinal Ratzinger, Cardinal Stafford, & Archbishop O'Malley.]