

THE STATE OF NEW HAMPSHIRE

CHESHIRE, SS.  
DOCKET NUMBER:

SUPERIOR COURT  
SEPTEMBER 1991 TERM

"JOHN DOE", A MINOR BY HIS MOTHER AND NEXT FRIEND

VS

GORDON MACRAE  
AND  
THE ROMAN CATHOLIC BISHOP OF MANCHESTER, INC.

INTERROGATORIES PROPOUNDED BY THE PLAINTIFF  
TO BE ANSWERED BY THE DEFENDANT GORDON MACRAE

The following constitute interrogatories propounded by the Plaintiff, "John Doe", a minor by his mother and next friend, to be answered by the Defendant Gordon Macrae, under oath, pursuant to and within the time prescribed by New Hampshire Superior Court Rule 36. All answers must be full and complete and contain all facts and evidence which substantiate the answer as it is given and which would be presented to the Court. When a question calls for the possibility of either an affirmative or a negative answer, do not limit your answer to a simple negative or affirmative, -- explain in detail. State the facts and reasons behind your answer fully and completely. If there are any documents which substantiate any answer, or any explanation to any answer, please specifically refer to them and attach copies to these interrogatories, whether or not they are requested.

These interrogatories shall be deemed continuing so as to require supplemental answers if the Plaintiff or his attorney obtains further information between the time answers are served and the time of a hearing on the merits regarding this matter.

1. Please identify yourself stating the following:

- A. Your full name and any other names by which you have been known.
- B. Your date and place of birth.
- C. Your present address.
- D. Your social security number.
- E. Your occupation.
- F. Business address.

A. Gordon James MacRae

B. Born April 9, 1953 in Beverly, Massachusetts

C. 4201 Meadowlark Lane #10, Rio Rancho, NM 87124

D. [REDACTED]

E. Admissions Director, in an adult renewal center

F. [REDACTED]

McMAHON

HEED

18 MIDDLE STREET

NEW HAMPSHIRE 03431

2. Please describe your educational background including all degrees, the date achieved and the education institute at which they were earned.

Lynn, Mass. Public Schools - graduated May, 1970  
Bachelor of Arts, May 1978 - St. Anselm College, Manchester, NH  
Master of Divinity, December, 1981 - St. Mary Seminary, Baltimore, MD

3. Please describe your employment background from graduation of high school to the present stating the type of employment, the name of employer and the dates between which such employment was held.

- May, 1970 - High School Graduation
- 1970 - 1974 - Machinist, Glenmere Die Co., Lynn, Mass.
- 1974 - 1978 - College
- 1978 - 1981 - St. Mary Seminary
- January, 1982 - May, 1982 Deacon Internship, St. Francis Parish  
Groveton, NH
- June, 1982 - June, 1983 - Assignment as priest, Miraculous Medal Parish  
Hampton, NH
- June, 1983 - June, 1987 - Assignment as priest, St. Bernard Parish,  
Keene, NH
- June, 1987 - Commenced leave of absence from ministry
- June, 1987 - November, 1988 - Monadnock Region Substance Abuse Services,  
Swanzey, NH
- November, 1988 - March, 1989 - unemployed
- March, 1989 - April, 1990 - [REDACTED]
- June, 1990 to present - employment at Servants of the Paraclete Center,  
Jemez Springs, NM

4. Please describe in detail your career as a Catholic priest stating the following:

- A. Each parish to which you have been assigned since your ordination;
  - B. The dates between which you were assigned to each parish;
  - C. The reasons for your transfer from each parish;
  - D. For each such transfer please state the names of all officials of the Roman Catholic Bishop of Manchester, Inc. who were aware of the circumstances and reasons for your transfer from that parish.
- A. Miraculous Medal Parish, Hampton, NH  
St. Bernard Parish, Keene, NH
- B. Hampton-July 10, 1982 to approximately June 15, 1983  
Keene-June 15, 1983 to approximately June 30, 1987
- C. Near the end of May, 1983 I requested transfer from the parish in Hampton because of problems I was experiencing related to stress [REDACTED]. I did not make these problems known to anyone in the Diocese of Manchester at that time, but my request was accepted and I was transferred to the parish in Keene. I had suffered a seizure which precipitated my request, but did not divulge this.
- I was not transferred from the parish in Keene, but rather decided to leave ministry in the Diocese of Manchester and began a leave of absence to begin this process in June of 1987. In the last two years in Keene I experienced repeated seizures of increasing intensity and frequency and felt that stress was the cause. I again did not divulge my reasons for deciding to leave.
- D. To the best of my knowledge no one in the Diocese of Manchester was aware of the real reasons for my requesting transfer from the parish in Hampton, or for requesting a leave from ministry while assigned to the parish in Keene. The person in the Diocese of Manchester who I approached with my request to transfer from Hampton was Auxiliary Bishop Robert Mulvee who then consulted with Bishop Odore Gendron, who granted my request for transfer. The person I consulted with in deciding to leave the Diocese of Manchester while assigned to the parish in Keene in 1987 was Bishop Odore Gendron.

5. Please state all positions you have held in the church and otherwise where you have supervised or instructed children and the dates between which you held such positions. Please also state your reasons for leaving each such position.

1. January, 1982 to May, 1982 I was serving a deacon internship in Groveton, NH. A part of this was assisting in religious education classes on occasion, but, to the best of my recollection this was always in the presence of other adult instructors. I left this position after five months to prepare for ordination to priesthood.

2. July, 1982 to June, 1983 while in the parish in Hampton a part of my responsibility was as director of religious education for children and youth in the parish. As described earlier I resigned from this parish and requested transfer because of health concerns which I did not make known.

3. June, 1983 to June, 1987 a part of my responsibility in Keene was administration of religious education programs for children and youth. Because there were paid employees to work in this department I had less direct contact with youth and more administrative work. I did, however, know many of the youth in the parish.

4. I have never held any other positions in which I supervised or instructed children, except for a period of approximately six weeks in June and July of 1978 when I worked as an intern at Pine Haven Center in Allentown, NH. I left this position after six weeks because I did not care for the work. I left Pine Haven entirely of my own accord after a dispute with another member of the staff.

6. Please describe in detail your relationship with the Plaintiff in this matter stating when and where you first met the Plaintiff and describing the development of your relationship.

I knew the Plaintiff and his mother beginning in 1984 during my second year at St. Bernard Parish in Keene, when they attended services at the parish. After Sunday Mass when refreshments were available in the church hall they would often sit with me and talk. On occasion when I was not present the Plaintiff came to my office at the rectory at St. Bernard Church to say hello after Mass. He generally would only stay for a moment since his mother would be waiting for him, and a few times his mother also came to the rector with him. During this year I only saw the Plaintiff in this context. In 1985 the Plaintiff joined a youth choir in the parish with which I had only occasional contact since the parish employed a choir director. I still occasionally saw the plaintiff with his mother and a few times the plaintiff called me by telephone. The telephone conversations were always brief and usually of no particular consequence other than the plaintiff wanting to talk to me about school or situations happening at home. This relationship did not change over 1984 and 1985 with occasional visits by the plaintiff and his mother with me after a Sunday service. Sometime in 1985 or 1986 the plaintiff went to visit his biological father in another state and I did not see the plaintiff for several months. I was not sure if he was actually gone that long. Sometime in 1986 the plaintiff began calling me again stating that he was experiencing much conflict with his parents, particularly with his step father, and stated that he wanted to go to live with his biological father. At about this time the plaintiff seemed to have a lot of conflict and frequently called me for a time then stopped after telling me that I seemed to have time for everyone but him. Sometime in 1986 the plaintiff and his mother began to go to another church in Keene and I did not see them for many months. On one occasion in 1986 the plaintiff called me and said that he was spending a lot of time with the choir director in this other church because his mother wanted him to have someone to talk to and I was just too busy. In June of 1987 I took a leave of absence from the Diocese of Manchester and took another job in Keene. During that summer the Plaintiff's mother called me and asked me to come to her home. I did so and she told me that the plaintiff had a summer job with a youth job program and that he came home that day claiming that his employer had attempted to sexually assault him. The plaintiff's mother felt that the plaintiff was trying to get out of work and said that an argument ensued between the plaintiff and his step father. I had not seen or heard from the plaintiff in a few months but I asked to speak with him. Outside their home the plaintiff told me that he went to work that day and his employer took him to the employer's home and attempted to force the plaintiff to his knees in a sexually explicit manner and made sexual comments to the plaintiff. I told the plaintiff's mother that she should report this to the director of the job program whether she believed the plaintiff or not. The mother later that day told me that she did as I asked and that it was being investigated by the police in Swanzey. I also called the director of the job program to verify that she had reported this. The plaintiff began calling me frequently after this and often asked to see me. Usually we would just take a ride in my car and,

(next page)

McMAHON  
HEED  
28 MIDDLE STREET  
LEWISBURGH NEW HAMPSHIRE 03431

#6 (continued)

on two occasions we went to a movie with his mother's approval. Through 1987 and some of 1988 I saw the plaintiff about every other week. usually after he would call and ask to speak to me. At the time I was living in an apartment in Keene and had a position as administrator of an outpatient alcohol and drug rehabilitation program. The plaintiff often complained that I didn't have time for him, but continued to call me to talk about problems he was experiencing at home. Sometime in early 1988 the plaintiff called me very upset and said that he needed to speak to me. I drove to the plaintiff's home and he was very tearful when he came outside. He said that he had a fight with his step father, and that his step father struck him. He said that he was often hit by his step father whenever they argued. I gave the plaintiff the telephone number of a family mediation program and I called the program myself to discuss the plaintiff's complaints. The counselor there, whose name I cannot remember, encouraged me to have the plaintiff call. The plaintiff did not call stating that it would only make his situation worse. I never saw any sign that the plaintiff was injured, but I still encouraged him to call. Most of my contact with the plaintiff in late 1987 and early 1988 was when he was having some crisis at home and wanted to discuss it. This usually took place in my car since the plaintiff usually asked to to just drive around while he talked. A few times the plaintiff and I went to a place like Friendly's for soda while he talked. Occasionally his mother would also call and ask me to speak with him when there were difficulties with him at home. At one point the plaintiff complained to me that his mother was making him spend time with the choir director of the church they were going to and that he was going to spend the weekend with the man, but he did not want to go. I asked him why and he said that this made him uncomfortable. I pressed the issue but he said that he did not want to go, and he asked me to talk to his mother about this and get her to change her mind. I told him I would not but that he should confront the issue with his mother directly and tell her why. He said he could not because she wouldn't believe him. I again asked him why this made him uncomfortable and he just told me to figure it out. He was angry with me, but I did not know why. I cannot remember at what point this took place, but later discovered that this man was charged with offenses of a sexual nature after I had left the Keene area.

My relationship with the plaintiff changed after that. He would often call me, but usually to ask for money without being able to tell me why he needed it. A few times he called me when I was working and asked for money or for a ride home after a school function. I usually was able to give him the ride because he always said that he could only go to the school functions if he could get his own ride home. Beginning in the summer of 1988 the plaintiff began to ask me for large sums of money - usually thirty to fifty dollars - but I would never give it to him. It was at this time, in the summer of 1988, that the problems between me and the plaintiff began and these are discussed in #8.



7. Please describe in detail your criminal record stating all convictions against you in any state within the last ten (10) years or at any time if they are sexual in nature.

I was convicted of a misdemeanor offense of endangering a minor on November 18, 1988. While on probation for this incident I pleaded no contest to a violation of probation in August of 1989.  
I have never been convicted of any other crime in any state.

8. Please describe in detail each and every time you discussed matters of a sexual nature with the Plaintiff stating the dates, times and places of each such discussion, the content of each such discussion and the context in which the discussion occurred.

Sometime in May, 1988 the plaintiff asked me to take him to look at some bicycles at a store in Keene. Outside the store in my car the plaintiff asked me for a large amount of money to purchase a bicycle. I told him that I could not give him this money. In the conversation I asked him why having money was so important to him. He said it just is, and that he would do anything for it. I asked him what he meant by anything and he said "anything I asked him if he was talking about sex and he said "yes, but only with someone I know". I asked him who he was talking about and he said "Someone I know - I wouldn't do it with someone I didn't know". He then said, "but I know you would never let me do it". I asked him how he knew that and he asked me again if I would give him the money. I told him simply "not now" and I said I was taking him home. He said he didn't want to go home but wanted to go to my apartment. I told him I had things to do and he became angry with me. I then told him "I would not ask for such a thing but if you suggested it I didn't know if I would refuse or not. I then took him home.

A few weeks later the plaintiff called me and asked if we could do something. I picked him up and we went to a restaurant for lunch. I asked him if he remembered the conversation in the car and he said yes. I said "there are a lot of ways to make money". He asked how and I told him to guess. He asked me how much money we were talking about. I then became frightened at this conversation and told him that he was right before, that I wouldn't let him do this. The conversation was vague and not sexually explicit but I felt that the plaintiff knew what I had made reference to. This conversation did not go any further.

In August, 1988 the plaintiff called me on a Saturday - I do not know the exact date - and asked me what I was doing. I said that I was staining a computer desk I had made. He asked if I wanted help and I said yes. I picked the plaintiff up and we went to my apartment. While working on the desk I again brought up the conversation of money, but I did not mention sex. I asked the plaintiff if he was still looking for money and why he needed it. He said that he needed to buy school clothes. I asked him if he knew how he would get it and he said no. After awhile he told me that I seem to be under a lot of stress. I told him that I was. He said "maybe you need a girlfriend." I told him that I did not think so. He then said "maybe you need a boyfriend." I again told him that I did not think so. The plaintiff then told me that he knew someone "who was into that". I asked him who and he said that he could not tell me. He then said that he would find it gross but he said for a lot of money he would think about it, then said, not now but maybe someday. I told the plaintiff then that I had to leave and I drove him home.

9. Please describe in detail each and every time you had physical contact with the Plaintiff of a sexual nature stating the date, time, place and nature of such contact and the context in which such contact occurred.

I have never had physical contact of a sexual nature with the plaintiff.

The plaintiff also stated this in a letter he sent to me in June of 1989. In this letter the plaintiff stated that he wanted me to contact him secretly and stated that he only told the police that I asked him for sex but also told them that it never happened. This was seven months after the conviction of the offense against the plaintiff. I did not answer the letter but turned it over to the probation department and my attorney.

10. Please describe in detail each event for which you have been convicted of an offense with respect to the Plaintiff in this matter.

On November 15, 1988 I learned of a police investigation involving an allegation brought by the plaintiff that I had offered him money for sex. I went to speak to the officer involved and he confronted me with the conversations with the plaintiff. I did not recollect using some of the words and phrases the officer quoted the plaintiff as saying, but I admitted that this is what I was alluding to in these conversations and I agreed that I would plead guilty to this charge and end this. I did not understand my irresponsibility in allowing these conversations to take place.

On November 18, 1988 I pleaded guilty and was found guilty of endangering a minor. This conviction involved the offense against the plaintiff.

J. MCMAHON  
& HEED

28 MIDDLE STREET  
LE. NEW HAMPSHIRE 03431

11. Please state the name of each and every church official with whom you have discussed your relationship with the Plaintiff and the dates and contents of each such discussion.

I never discussed my relationship with the plaintiff with church officials, at least not prior to the conviction in November, 1988. After the conviction I requested, even though I was on leave of absence from the Diocese of Manchester, that the Diocese assist me by permitting me to enter a residential psychiatric center. The person I talked to was Rev. Francis Christian. He conferred with Bishop Odore Gendron and confirmed that the Diocese would assist me in this matter. I told Rev. Christian about the prior mentioned conversations at that time.

N. MCMAHON  
& HEED

28 MIDDLE STREET  
ENE, NEW HAMPSHIRE 03431

12. Please describe in detail all events which resulted in a child abuse petition which was determined to be founded dated April 18, 1986 including in your description:

- A. The nature of the abuse committed;
- B. How you came to be in contact with the victim or victims;
- C. The dates of the abuse;
- D. The names of all church officials who had knowledge of these events and the child abuse petition;
- E. The names of any police officers or representatives of the Division of Child and Youth Services who investigated this matter or questioned you with relation to this matter;
- F. The terms of the disposition of the petition;
- G. What agreements were made by you to secure the disposition;
- H. Attach any letters or other documents pertaining hereto to your answer.

Note: In answering this interrogatory, it is unnecessary for you to reveal the name of the victim or victims.

A) Sometime in April of 1983 a minor in Hampton, who visited me often, came to see me. I had been drinking on the day that he visited and during the visit he embraced me. Following that I sat next to him and put my arm around his shoulder and attempted to kiss him but did not actually do so. I then asked him to do so and he declined but remained sitting with me. He later wrote me a letter, which I no longer have, and said that this made him uncomfortable. On seeing the letter I called him and apologized for this behavior. He said that he would still like to visit and remain friends but I was alarmed at this behavior and avoided being alone with him after this. (continued on next page)

12-A (continued)

[REDACTED]

[REDACTED]

[REDACTED] The individual mentioned above continued to call me when I went to Keene but I dissuaded him from doing so. In November of 1989, about six months after leaving Hampton I learned that the individual had reported my inappropriate behavior to a counselor he was seeing.

B. I knew this individual and his family as members of the parish to which I was assigned in Hampton.

C. I believe the incident to have occurred sometime in April, 1989 however I am uncertain as to the exact date.

D. To the best of my knowledge no one in the Diocese of Manchester knew of this incident until six months after beginning the assignment in Keene. The two persons in the Diocese who discussed the incident with me were Rev. Francis Christian and Rev. John Quirk.

E. I have never been aware of the actual allegation in this petition nor have I ever been interviewed by any person investigating this incident, nor have I ever been aware of the names of such persons.

F. I have never been aware of any terms in the disposition of this petition.

G. I have never made any agreements to secure this disposition.

H. I have never seen or had any letters or documents pertaining to this disposition.

13. Please state in detail each and every reason for your transfer to St. Bernard's Parish in Keene, New Hampshire.

I was transferred to St. Bernard Parish in Keene in June of 1983; The reason for this transfer was that I had resigned the parish in Hampton. At the time of my resignation no reason for the resignation was given to church officials.

My personal reasons for resigning involved my concerns over [REDACTED] a debilitating seizure I had had a few months prior to my resignation, and my intense concern over the behavior with a minor in Hampton which I related to my alcohol abuse at the time. At the time of my resignation these reasons were known only to me.



14. Please state the name and address of each church official involved in the decision to transfer you to Bernard's Parish in Keene, New Hampshire.

Auxiliary Bishop Robert Mulvee, who was then Director of Personnel for the Diocese of Manchester, accepted my resignation which was given verbally.

Bishop Odore Gendron assigned me to St. Bernard Parish in Keene at that time.

I am not aware of any other church officials involved in this decision.

GREEN, McMAHON  
& HEED

28 28 MIDDLE STREET  
ENE. A KEENE, NEW HAMPSHIRE 03431

16. Please state in detail all duties, positions and responsibilities to which you were assigned while at St. Bernard's Parish in Keene, New Hampshire.

I was assigned to adult education, sacramental preparation, marriage preparation, daily and Sunday services, hospital chaplaincy, and religious education administration. The parish had an employed director of religious education so I had little direct involvement with this program except as advisor to the staff.

I was also asked to form a youth ministry in the parish, but I declined.

McMAHON

HEED

18 MIDDLE STREET

NEW HAMPSHIRE 03431

17. Who was responsible for your assignment to these duties?

When I was assigned to St. Bernard Parish the person responsible for assigning these duties to me was Rev. Gabriel Houle who is now deceased.

18. If the person or persons identified in Interrogatory Seventeen above was aware of the child abuse petition identified in Interrogatory Twelve, when did he or they become aware and what action did he or they take as a result of that knowledge?

This person was never aware of the petition described in #12.

I. MCMAHON  
& HEED

28 MIDDLE STREET  
LEWISBURGH, NEW HAMPSHIRE 03431

19. If you have paid any money for counselling expense of the Plaintiff, please specify the amount of such payments and attach hereto copies of all checks or all receipts for such payments.

The total cost paid by me for counseling expenses for the plaintiff between November 18, 1988 and November 18, 1990 was approximately \$4,200.00. I do not have the receipts for these payments however I will attempt to obtain them.

20. Please state the name of all probation officers you have had as a result of any criminal convictions you have had as a result of the subject matter of this suit.

Karen Grovier- Keener  
Lee Quant- Exeter  
Tom Tewey- Exeter  
Miguel Padilla- Bernalillo, New Mexico

21. If you have ever been found to have violated probation, please state the date and nature of such violations.

In August of 1989 I pledd no contest to a violation of probation. The violation took place near the end of June and the beginning of July, 1989. While I was in a residential treatment center in New Mexico I received two letters from a youth eight weeks prior to his eighteenth birthday. I had known this individual and his family well for the previous six years. This individual indicated that he was having legal difficulty and was placed in a residential facility. His older brother, then aged nineteen, also called me and asked me to respond to these letters. I wrote three supportive letters after consulting with the probation officer in New Mexico who indicated that I may do so if I allowed officila at the treatment center I was in to review the letters first. I did do this and believed that I was permitted to respond to this individual. The youth asked me to visit him which I declined to do, however while I was on a scheduled furlough from the center I drove the older brother so that he may visit his brother, but I did not attempt to do so, nor did I ever see the youth. I had, however, failed to consult with the Keene probation officer prior to writing the letters believing erroneously that hheofficer in New Mexico had the authority to approve of this.

McMAHON  
& HEED

28 MIDDLE STREET  
LEWISBURGH, NEW HAMPSHIRE 03431

Respectfully submitted,

"John Doe", a minor  
by his mother & next friend  
By his attorneys  
GREEN, McMAHON AND HEED  
28 Middle Street  
Keene, New Hampshire 03431  
(603) 352-3523

Dated: Oct. 7, 1991

*Peter W. Heed*  
Peter W. Heed, Esquire

I hereby certify that an original plus two (2) copies of the foregoing Interrogatories were mailed this date to Stephen B. Bragdon, Esquire, Bragdon and Berkson, 82 Court Street, Keene, New Hampshire 03431.

*Peter W. Heed*  
Peter W. Heed, Esquire

\* \* \* \* \*

Dated: November 25, 1991

*Gordon MacRae*  
Gordon MacRae

STATE OF NEW HAMPSHIRE  
CHESHIRE, SS.

Personally appeared the above-named Gordon MacRae, who upon oath declared that the statements in the foregoing Interrogatories by him subscribed are true to the best of his knowledge and belief.

Dated: 11-25-91

*Melinda Aron*  
Justice of the Peace/Notary Public

MY COMMISSION EXPIRES: 5-7-92