

ND And that, and that's, so that's the focus of the treatment.

HG That's basically it. Yeah.

END OF SIDE A

BEGINNING OF SIDE B

You all set?

BB All set.

ND Um, and, and you said ah –

HG Except the instructional part of it. You say, "What's the matter with you? Don't you see what's happening? Don't you see everybody say that's not so?" That kind of thing.

ND And, and, excuse me if I've repeated the question –

HG Don't worry, don't worry about that.

ND -- and I've sort of, I have, I have, you know, questions and I wanna make sure I don't forget something. Um, the, the approach, your approach to treating patients who had sexual misconduct or engaged in sexual misconduct with minors, um, did it differ from your approach in treating other mental health issues?

HG I wouldn't say so. It's psychotherapy.

DB Speak up.

HG Oh, okay. I'm sorry.

DB Because you're on tape and your whispering so you've got to keep your voice up.

HG Okay. No. I wouldn't say so. Um, but every single patient has its own emphasis. I mean, you know, you can say it's the talking cure but that's so simple. It's what will you explore. What will you help and ah, what happens, you see, I had a general practice, other than, other than the legal or the, the harm potential, these did not ah, change very much from others. Others had other, you know, when you have somebody walking out of that office and you don't know if they're gonna kill themselves or not, you're just as concerned about, as the one whom has ah, has other kind of problems. So, it's not a highlighted thing. Everybody's important.

ND Let me ask about your, you started to touch on this earlier, your communication with the, the diocese, and I use that word generally. It sounds like you communicated with the chancery office? Is that accurate? I mean, who, who was you –

- HG Or the bishop. Or the bishop. There were still set patterns set up.
- ND Can you just ah, describe in, in general what the different types of, who, who the different types of people you would communicate with from other than the patients.
- HG It's not who I would communicate with though. Um, it could come in two ways. Either the, the priest came and he had a problem and he came to the diocese. Ah, I'm not talking about the ones who came to me. The ones who came to me, they didn't know.
- ND So the diocese –
- BB The diocese didn't know.
- HG The diocese did not know. That was it. Ah, and they knew they shouldn't ask. If the priest went to the bishop, it might be the bishop who would then communicate with me. And this confidentiality was so tailored, I mean, I, I tried to instill that in the. That they would only do something with permission, permission, permission and so forth. Or the, or the ah, the chancellor was the same way because he was personnel. Um, and the, and the problems were not only sexual ah, an awful lot of them were relational. The relations in, with the pastor, and the assistant and (unintelligible) that kind of thing. Anger. All different types of (unintelligible) would happen.
- BB When someone was referred to you because an allegation had been made, was there ever any discussion as to okay, I'm the one that you are going to report the status to or did that ever take place?
- HG Ah, first of all, some were referred and the police were already there. I never even asked. It's reported. Um, there was one case where the report came to me and then I, I reported them to the head of the Catholic Charities who then was a liaison with human services.
- BB So would, it, it, say in a particular case like that, obviously they needed to know the status of this treatment with regards to this, would there be a specific person that you would have to report that treatment to or?
- HG I don't fully . . . Could you . . .
- DB The pronouns, I think, are getting a little confusing.
- ND (Unintelligible)
- DB The "they" I understand your question, Sergeant, to mean that the diocese.
- BB The diocese. If the diocese referred a case to you, or if you, you, you became knowledgeable that there was some type of child molestation, you reported it to the

diocese and would the diocese then want you to report back to them? Would they make it clear?

HG One case ah, one case that I remember, I was requested to give them a report of the therapy to be turned over to the State but not for them.

DB I, I don't wanna interfere here in any way, but I, if I, I think what Sergeant's trying to get at is when you were referred a patient by the diocese, when the diocese sent you someone, um, was there an expectation or a protocol in place between you and the diocese that you would have an ongoing reporting relationship back to the diocese?

BB Right, right.

HG Yes, but I, as I understood the question, it dealt with someone dealing with child molestation. Was that what your question was? Or just general.

BB Mostly with child molestation.

HG That's what I thought your question was.

BB If it were a report of child molestation.

HG Okay. And in that case, I've said I was requested to give a re-, but not the entire therapy. That's separate completely. But the status of therapy.

DB Henry, you're, you're talking, I, it's important to me that you distinguish between, you're talking about a case that you remember where that was done and I think the Sergeant is asking . . .

BB Were there others?

DB More general questions about an on-going dialogue between you and the diocese regarding status and treatment.

HG But, again, you see, what she asked was those referred and there are some who came and were and then they were sent to, and then, with permission, there was a report given. The, the diocese did not expect to know, no.

ND Let me see if I understand this.

HG All right.

ND Um, there wasn't a uniform approach to ah, what the diocese expected ah, of information from you to them in cases involving priests who engaged in sexual misconduct with minors. There wasn't a uniform approach to that issue.

HG No, I would say not. The general uniform approach, no. It was very individualized. I'm sorry, I didn't quite understand.

BB That's okay.

HG All right.

BB That's why we have more than one.

ND I think you answered this, but who um, would refer clients to you where there were problems with sexual misconduct with minors?

HG Either the chancery office or the bishop.

ND Okay. And the chancery office would be the chancellor or some—

HG The chancellor.

ND Someone below the chancellor?

HG No, it would be the chancellor. I'm sorry, I'm not talking loudly enough.

DB I guess the proof will be in the pudding.

(Laughter)

ND I think, I think it'll be all right.

HG All right.

ND And were there, it sounds like there was at least one, were there, were there more than one situation that you dealt with where a priest had engaged in sexual misconduct with a minor that you reported back to the diocese about the status of the therapy?

HG No.

ND So there's only the one case that you remember. And to whom did you report?

HG Monsignor Quinn

ND And did you ever deal with Bishop Gendron on, ah, in, with respect to priests who had engaged in sexual misconduct with minors?

HG I don't really remember. I really don't remember.

ND How 'bout um.

HG Speculation, I could say (unintelligible) but to remember an actual case, I don't.

ND How 'bout um, whatever his position was at the time ah, Frank Christian. Francis Christian.

HG Yeah, he was the chancellor.

ND Right. So did you deal with him on these type of cases?

HG Yeah, I would say. Ah, I, I would like to amend that. I, I remember due to the documents that you sent I don't remember itself. I can't place it.

ND Um, I'm gonna ask a little bit about those in a couple minutes. Um, you referred a couple times now during the interview to the child abuse reporting law. Can you explain to us what your understanding of the New Hampshire child abuse reporting law requires?

HG Any reasonable suspicion of such behavior has to be reported.

ND And what kind of behavior does that include?

HG Touch. Um, assault, fondle (unintelligible) and type of physical type of thing. Um, any kind of verbal pressure. That's about it.

ND So sexual or physical abuse, you understand it to, did you understand it to include both of those?

HG Oh yeah.

ND Um, did you have any communication with the diocese about the requirements of the law in particular with respect to ch-, reporting child abuse?

HG Not the law. Ah, Catholic Charities um, had some seminars on that so I just speculated that they all knew.

ND Um, can you elaborate on um, that, what you just said that Catholic Charities would have seminars.

HG They, they're, they're social workers so forth had been advised of what the law meant so forth. Monsignor Quinn being director of the Catholic Charities, I automatically kind of said well he knows.

ND Do you know whether there was a more gen-, whether there was any more general training for the general clergy with respect to the reporting of child abuse?

HG I had part in that.

ND Right. Can you explain that?

HG Um, once a year we had a conference of all the major superiors in the diocese. The religious orders, men and women um, the bishops, the chancellor and so forth. And ah, now again, um, it's just not centered around child molestation, it's ah, addiction.

ND Umm hmm.

HG I just want to broaden the things. It's a broader problem, you know. How about the adult woman who was assaulted recently had to be protected just as much as, as the child, you know. Ah, so one year, I can recall, ah, having a session where, you know like they have in congressional hearings the ah, the curtain and ah, I had a priest behind the curtain with a voice distorter talk about his addiction and what he had gotten away with and this wasn't child molestation again. But it was general addiction tow-, to wake them up. To wake them up. And um, the theme, the theme clearly was that the addict, the sex addict, is the greatest con man in the world. Or woman, whichever. And to alert them, because the law says reasonably suspicious, but to alert them that they're dealing with people who are experts at deception. And that was what that program was aimed to do.

ND Do you remember, I'm, I'm not asking for a specific year, but was it more towards the end of your time with um, Consultation Services, towards the middle, middle.

HG That's middle. I would say the middle. The mid 80's I would think.

ND All right. And did that happen more than once that you would have this type of conference?

HG Oh yeah. Every year.

ND Every year.

HG But not on that topic.

ND Okay. What, what were, were other topics?

HG Oh, what were other topics.

DB Did any of them relate to sexual addiction?

HG No. No. That's the only one with that topic.

ND Okay. So, once, once –

HG With sexual addiction.

ND And the, you said, I think you said that the um, the atten-, attendees at the conference were the superiors of the diocese.

HG The provencals and so forth, of different religious orders and so forth.

ND So not the rank and file priests.

HG Not rank and file.

ND Um, I was gonna start asking um, some questions about specific um, communications you had with the diocese. Did you have any other general questions you might have?

BB No, no right now, no.

ND Okay.

DB Do you wanna take a break for a minute?

HG I'm fine.

DB Okay, then I'll, do you mind if um, I take a quick break and (unintelligible)

ND No, not at all. (Unintelligible)

HG Well, I think I will now.

ND Okay. (unintelligible)

BB Okay. Then we'll just take a break. It is um, 10:40.

BB We are back on tape and it is 10:50 a.m.

ND I wanna ask you about um, Father Gerald Chalifour. The diocese –

HG Excuse me.

ND Yes.

HG The minute there's a name, I feel that confidentiality comes in.

ND Okay.

DB But we gotta take it on a question by question basis.

HG All right.

DB Okay. And that's part of my job here, okay.

HG Okay.

DB To be mindful of those issues so we'll listen to the question. Um, we're all mindful 'cause I've had discussions with Will previously about our concerns about that. Um, and he understands that, our concerns and that we need to be respectful of those obligations so.

HG Okay, probably I was overly sensitive

DB Take it one step at a time

HG The minute I heard a name.

DB Yeah, yeah.

HG I, I, to me, it gives a tag and.

DB Okay.

HG All right.

DB And um.

ND Yeah, right. And in part I wan-, I need to understand how broadly the privilege um, is going to apply in these circumstances so I may not ask you every single question once I get an idea of where we're going. Um, did ah, the diocese or the bishop refer Father Chalifour to you for therapy?

HG I don't remember. I really don't remember how it all started.

ND Did you receive from the diocese a police report with respect to Gerald Chalifour?

HG I've never received police reports from the diocese. Um –

ND Did you receive info, I'm, I'm, um, I might take a little while to ask these questions and I um, I understand this area of questioning becomes more difficult because of the privilege so I wanna see whether, whether I can ask questions that may not um, that may not ah, run afoul of the privilege. Did the diocese ah, communicate to you that Father Chalifour had an experience with a police department?

DB You can answer that.

HG I think I had that word from one of the letters, didn't I? If I recall.

DB Well, if, if, if he wants to –

HG I don't remember. I don't remember the actuality of it.

DB You speak to what you can recall if, if –

HG All right. I don't remember.

DB If Mr. Delker wants to show you documents, he'll show you documents, okay?

HG All right. Okay.

ND So, so you don't remember if the diocese um, brought to your attention that Father Chalifour had a um, some contact with the police?

HG (Cough) Excuse me.

ND Um, did you report to the diocese about your therapy, what the status of Father Chalifour's therapy with you?

DB You can answer that question yes or no.

HG Yes.

ND Ah, I have a letter um, I'm gonna call them bates numbers. That's just a, a legal term, I guess. Must be the people who made the machine. Um, it is ah, bate stamped page 304 at the top right hand corner. Ah, it is a letter dated May 14, 1982. Ah, I'm gonna ask you first if you recognize that letter.

HG What do you mean by recognize? That it must have come from me? Is it, or do I remember (unintelligible)

ND Do you remember that letter? Let me ask that, do you remember?

HG I don't remember that letter specifically, no.

ND Okay. Ah, your signature -

HG I recognize it, yeah.

ND Okay. Is your signature on that letter?

HG Yes, it is.

ND Okay. Did you send that letter to the bishop?

HG I must have, yes.

ND Actually, can I take a look at it.

HG Sure.

ND So I can ask some follow-up proper questions. Did you ah, this letter's addressed to Bishop Gendron. Did you communicate with Bishop Gendron on these ah, issues by

ah, by letter? Or telephone? Or a combination? Or in person? How was the, physically, how was the communication?

DB On, when you say, Will, on these issues.

ND Well um, let me ask generally, it's, it's clear from this letter, you must have had some communication with Bishop Gendron on, at least this one case. Um, did, did you ah, I'm, I'm, I'm backing up because I know I said we were gonna talk about specific cases but this prompts me to ask a question more generally about your communication with ah, cases um, priests that were either referred to you or where you had communication with the diocese about the work that you were doing with the priests and, and more generally um, what was the nature of, physical, physically, how did you communicate with either the Bishop or the chancery office?

HG Generally speaking, by letter. By disposition, trying as much as possible to limit communication because of confidentiality.

ND Um, did you –

HG Even with permission, I didn't like to communicate too much.

ND Did you um, did you on occasion have physical, face-to-face meetings with either the Bishop or the chancery office?

HG Yes, I did.

ND About patients, about the status of patients?

HG Yes. Very, very seldom that I can recall. Very seldom.

ND What would be the ah, occasion that would, that would, if it was a rare practice, what would be the occasion that would prompt that?

HG The occasion would probably be logistic. Um, I had permission, let's say, to give a report to the Bishop. Um, one case that I remember ah, I, I also did the testing screening for the diocese and they had the vocation board that would meet here in the chancery building so I was at a meeting and the Bishop sent in word could Dr. Ouellette stop by on his way back to his place for a minute. So I dropped by. That kind of thing.

ND Okay. Um, how about telephonic communications?

HG Yup. I, I remember, his, his calling.

ND And what would prompt the Bishop to call you?

- HG Either he was sending someone or again, permission had been given, I don't recall that though. It was if he was sending someone. Let me try to think. Types of conversations. Speculation, I can see where, I don't recall it, but I can see where.
- DB Henry, he's asking what you remember. Okay?
- HG Okay. I don't remember.
- DB And if he wants you to speculate, that's fine.
- HG Okay.
- DB But, I want you to answer the question based on what you remember.
- HG Well, I don't remember. I don't remember. I, I remember speaking with him. And, but your specific question –
- ND So you don't remember the particular occasion that would, that would um, initiate or that would prompt that type of communication by telephone.
- HG Again, if he was given permission by somebody. Um, also, he might be meeting with somebody and their discussing in particular. And if that person were to quote me, he would call.
- ND So, if he's meeting with a priest, and the priest says well, Dr. Guertin-Ouellette said whatever, the bishop, the bishop might call you up in that situation and, and confirm whether that true or not.
- HG A burn-out and I advised well, it would be nice if you could get, well, three or four weeks off. He tells the bishop. The bishop, that kind of thing.
- ND Okay. So he wasn't (laughter) so that the priest wouldn't just say I need a vacation, right?
- HG Actually, I have that as a violation of confidentiality and I have a right to respond, even if he doesn't give permission.
- ND (Laughter)
- BB (Laughter)
- HG So.
- ND Good. Fair enough.
- HG I know, I know. The intricacies of it all.

- ND Ah, did I understand you earlier correctly to say that your preferred method ah, of communicating was by letter?
- HG I prefer that.
- ND Okay. And why was that?
- HG Have it in writing. I mean, just as I don't want, just as I don't want the patient to misquote me, I wouldn't want the bishop to misquote me. And I feel having a letter in my own files that I sent him.
- ND Would you, if you did have um, or, let me ask generally ah, this question and if you have a specific memory of doing it, that's great. If you did have either an in-person meeting with the bishop or the chancery office or tele-, or some type of verbal communication by telephone, um, would, did you have a practice to ah, memorialize that in a letter and then send it? Send the letter to say, you know, following up on our conversation and, and then you would memorialize it?
- HG I might do something like that.
- ND Would you, was that a practice that you, would you try to –
- HG Especially when I was asking for a raise.
- (Laughter)
- HG I, I would write a letter in, you know.
- ND That's fair. I'm, I'm being –
- HG I'm sorry.
- ND No, no. That's, that's okay. I mean in connection with the –
- HG Yes, I know. I, I –
- ND Status of, status of clients, if there was either um, a referral from the bishop or you were reporting back to the bishop with the status of treatment, would um, and you did that orally, would you follow up with a letter?
- HG Not necessarily all the time, no. Ah, if it was a matter that he knew about then I would verify it and that was it.
- ND Okay. Okay. Now I wanna go back to the bates page 304 and the letter from May 14, 1982 that we talked about. Um, do you remember um, do you have a memory about the events surrounding this particular treatment?

- HG I don't. I don't have a memory. I have a memory of it because of your documentation.
- ND Okay. Did, did this, does this document or does these documents that you review help bring back um, what the nature of the ah, treatment was? Why, why you were treating Father Chalifour at the time?
- HG Some what.
- ND What, what was the purpose of the May 14, 1982 letter to the bishop?
- HG May I?
- ND Sure, yeah.
- HG (Unintelligible) I ah, from reading it, he must have asked for verification if the person was going.
- ND In, in this particular inc-, situation with Father Chalifour, did you have an understanding with the bishop that you would keep him apprised of Father Chalifour's progress or, or status in counseling?
- HG The only memory I have is that I would let him know when he started and when he ended.
- ND Okay. Did the diocese, either the bishop or, or someone else from the chancery office, tell you that ah, the reason they wanted Father Chalifour to see you was because um, there was a situation where he engaged in some inappropriate contact with ah, a boy?
- HG May I ask you to repeat that?
- ND Sure. Did the diocese, and when, when I use the term diocese generically.
- HG Okay.
- ND If I want to ask you particularly about the bishop, I'll do that.
- HG Yes.
- ND I think it's just easier.
- HG Either one or the other.
- ND Right. Did the diocese ah, communicate to you that ah, I think I'm gonna ask the question with a presumption that I'm not sure it's true so let me ask the presumption

first of all. Did the diocese ask you to ah, treat Father Chalifour? Was he referred to you by the diocese?

HG I believe he was.

ND Okay. And did they tell you that the reason he wanted, they wanted him to, you to treat him, did they tell you that the reason they wanted you to treat Father Chalifour was because he had engaged in some inappropriate contact with a boy?

HG I don't remember specifically.

ND Okay. Um, do you remember whether they told you that um, Father Chalifour had engaged in mutual backrubs ah, where he was unclothed and the boy was unclothed?

HG Again, I don't recall that.

ND Um, did the diocese tell you that the police had been involved in this case with Father Chalifour?

HG See I don't, I don't remember specifics that were given to me in regard to this. That's what I don't remember.

ND When Father Chalifour was referred to you at this time, were you aware that he had previously engaged in sexual um, contact with a boy in Hudson?

HG I don't know.

ND Would, would that be important to you?

HG Oh yeah. That would be very important.

ND Um, do you ah, whether they provided you with ah, die-, diocesan memorandum describing an event with Father Chalifour in 19 ah, 69?

HG I don't recall that.

ND Okay. Um, you don't recall that or, or you, that didn't happen.

HG I don't recall that.

ND Did, did that ever happen where they would provide you with a um, memo to the file describing the events that had happened with a particular priest as part of a referral?

HG See, in my memory, I can't distinguish the various forms of information that I got. Sometimes I know I, I was given information about someone but I don't know in what form. Right now, I don't remember in what form ah, you see, an interoffice memo means just for themselves into their own files. I don't recall that.

ND Um, you said it would be important to know about the instance, the prior instance of um, sexual contact with another boy um, prior to, prior to ah, this, excuse me, referral. Why, why would that be important to you?

HG I mean, aside from the law, the therapy. You know, I mean, to know whether a kid tried to light up a building versus playing with a match. What your dealing with.

ND So it's um, you're saying that it's important to have full information.

HG That's right.

ND Um -

BB When the diocese would give you information, do you remember whether they would offer you their opinion as to whether they felt the allegations were true or false or if they believed the priest over the alleged victim?

HG (Unintelligible) allegation.

BB So they wouldn't tell you what their opinion was that you recall?

HG No and I didn't want to know. That was their administrative ah, realm and I didn't wanna get into that. And ah, I didn't wanna have to, and also deal with these priests, what did the bishop say. I want to truthfully be able to say he didn't. Not to be in that position of refusing to answer, that type of thing. So the less I knew from that point of view, what they felt and what they wanted to do, the better I was in doing my work.

ND Was a report made to DCYF or social services, whatever the organ-, the ah, state protective services, child protective services agency was at the time, was there a report made um, in this case with Father Chalifour?

HG I wouldn't know that.

ND Okay. Did you, and then I'm gonna follow up. Did you make a report?

HG Oh no, I did not.

ND Okay. And are you aware of whether the diocese made a report?

HG I'm not aware of that.

ND Would that be important to you? Whether they made a report?

HG It certainly is.

ND Why?

- HG My livelihood is at stake. My license. It's as clear as that for me.
- ND Well, can you elaborate what you mean by that? Why would, why is your license at stake?
- HG I break the law. It's important in itself. But there was a very direct personal thing as far as my livelihood is concerned.
- ND Did you make, did you make any inquiries in this case whether a report had been made to child protective services with Father Chalifour?
- DB Can I see that letter, please?
- HG You see, to me, this letter, doesn't express seriousness in what I'm dealing with. Just talkin' about this letter.
- DB I don't understand what you were saying.
- HG If I had, for instance, suspected in any way that it was, that I was dealing with a reportable crime, that letter would not sound this way, it would not be this way. That's all I'm saying on this letter.
- ND Um, would you view um, a referral in a, and again I apologize if I keep asking the same question. I just wanna make sure --
- HG No, go right ahead. Go right ahead, yeah.
- ND -- I ask. Would you, would you view a referral more seriously if you were aware of the fact that the priest had engaged in similar misconduct with another boy in the past? Would that make, would that make, make a more current um, referral more serious in your mind?
- DB Will, can, can I just express a concern I have? Your implicit in your question is that in, in the face of this referral that Dr. Guertin-Ouellette was told of misconduct with a boy by this priest and he has told you that he doesn't remember what he was told and I just don't want by omission to have it become an assumption that when this priest was sent to him, that he was told about an incident of abuse.
- ND Right.
- DB Okay. I just want that to be clear.
- ND I think that's, I think that's fair. Um, I think the um, um, I think the importance of the question is, is almost ah, if he wasn't told, that's obviously important to us.
- DB Okay.

- ND But even if he was told ah, by, if he wasn't told then, then that's is very important. If he was told ah, even if he was told the question is that if he was told, would it be serious if he was aware, if you were aware that there was also a prior accusation. Do, would you view that even more seriously?
- HG That would be added data, yes, to work with.
- ND Okay.
- HG Definitely.
- ND Okay. Um, I'm, I'm, excuse me for taking a few minutes to try to think on how to proceed with this.
- DB Take your time. I understand this is a difficult area.
- ND I'm gonna ask this question hypothetical, understanding that you don't remember what was told to you when Father Chalifour was referred. If he was referred to you ah, because of an allegation that he had engaged in inappropriate sexual contact with a minor, if that was a basis for the referral, would you have inquired about whether a report had been made to child protective services?
- HG I'm trying to formulate my answer hypothetically.
- ND Take your time, sure.
- HG I want to bounce back on here. And it's not a reflection on this. I want to generalize it a bit. But in 1982, ah, if at that time an allegation were reported to me, what would be of most importance is when was the allegation ascribed to. And if it was an allegation that had arisen and it had been 20 years before and no difficulties before, I would have felt there something to work toward here. But that certainly would have been a different nature then if somebody had said ah, somebody in Nashua has just telephoned and this has happened last night, that would be two different things. I don't know if I answered. As far as the seriousness.
- ND Let me ah, ah, see if I get to the heart of whether the difficulty here with the questions is your memory about these events or attorney/client, the attorney/client privilege. Um, Father –
- DB Not the attorney/client relationship.
- ND I'm sorry, the doctor/patient privilege. The ah, ah, Father Chalifour told us that he, the bishop referred him to you as a result of a recent, a 1982 um, incident in which he took a boy on a trip and engaged in sexual contact with the boy ah, and that's why the bishop referred, or he, he tried to engage in um, inappropriate touching with this boy. Um, and that that was the reason why he was referred to you. Um, did the diocese commu-, do you remember whether the diocese communicated that to you?

HG I don't remember. I really don't remember that case.

ND Did you learn that those were the facts surrounding this?

HG Again, I don't remember how it resolved but I learned from your documents that this must have been so, yes.

ND Um, let me um, just, I have a couple more pages here, let me just see what, what about it, these documents. I think these are the only documents that I'm aware of that relate to Father Chalifour.

HG Testing and so forth.

ND Um, yeah, yeah. I'm sorry. Right, you, you took, you reviewed the documents that I sent to your lawyer.

HG Yes, yes.

ND All right. And um, it was through this that your memory or, or that you became aware, again, that this involved this incident.

HG Yes.

ND Right. And so you don't, and just so I'm clear, you don't have an independent recollection about how Father Chalifour was referred.

HG I don't recall.

ND Um, if um, the facts were as I just described them to you, that, that the bishop referred Father Chalifour to you as a result of um, his contact ah, with a minor um, and the involvement of the police, in that circumstance would you, would you have inquired about whether a report had been made to protective services?

HG I think so. I would think generally um, I'd say you'd realize that has to be reported for whatever it is, yes.

ND And you don't, you just, now you don't remember whether that happened or not.

HG I don't recall, I don't recall at all the events of that.

DB Are you, Will, are you talking about a situation in which Dr. Guertin-Ouellette was aware that the police were already involved in terms of an allegation and so that there was already law enforcement involved in the situation, would he have viewed that as?

ND Yeah, would you –

HG Oh no.

- ND You would not have viewed that as –
- HG No. I felt the law was in on it, that's it.
- ND Okay. Okay. All right.
- DB That's accomplished.
- ND Even if it was ou-, even if it was a police department from another state that was involved?
- HG In my private practice, I had to report someone from Maine to New Hampshire so.
- ND Okay. All right. So, so it wouldn't matter to you whether, whether the conduct occurred somewhere else.
- HG It's, it's the police.
- ND Okay. All right. Um –
- BB So because of your private practice, in, in private practice, if somebody in Maine reported to you that they were abused in New Hampshire, you wouldn't report that to New Hampshire.
- HG I did.
- BB So because the police were involved, even though it was out of state, your understanding was that police had been involved –
- HG The police are involved.
- BB -- the officials know that you wouldn't have to then report that separately.
- HG It's an official complaint yes.
- ND I wanna um, go through a couple more documents here. I'm gonna show you what's been bate stamped 305. Do you recognize that letter? Do you recognize that letter?
- HG Again, I think the same holds for this letter as this one. Um, I don't remember it but um, it's more than plausible. I mean, I, I would say the recognize the contents. It's within the context.

END OF TAPE

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TAPE 2, SIDE A

ND: Um, and I'm going to show you now page 307, it's a letter dated September 1st, 1982, do you recognize that letter?

HG: Again the same characterization as before. I mean format and terminology and everything else I'd say yes.

ND: Okay and.

HG: But I don't recall it.

ND: Is your signature on it?

HG: That's my signature.

ND: Um, what was the purpose of that letter?

HG: Ah. The context of it is that I think ya the bishop had requested to be, um, told about the beginning that he was, ah, truly in therapy and after termination.

ND: Okay. Do you how many sessions you had with Father Chalifour?

HG: According to the documents that, ah, I had about four months.

ND: Okay and would, how often would you meet with him (unintelligible)?

HG: Ordinarily once a week.

ND: Once a week? So twelve sessions?

HG: About twelve sessions.

ND: Sixteen.

HG: Ya.

ND: Okay, once a week for four months.

HG: Yes.

ND: Fine, okay. Um. Did you recommend the Diocese, ah, in 1982 that any restrictions be placed on Father Chalifour's ministry?

DB: Um, that gets into an area where I'm gonna, I'm very concerned about the privilege. Because with respect to whatever documents you had, you have and that information is obviously or I presume and determined not to be privileged but any

recommendations that Dr. Guertin-Ouellette made to the Diocese would presumably be based in significant measure upon information that he learned in his confidential relationship with the patient so I believe that Dr. Guertin Ouellette cannot answer that question without being a risk of, um, violating his privilege, his privilege obligations, and I'm gonna advise you not to answer that question.

ND: Let me ask, um, the question, ah, without getting into the substance of, of what was communicated, ah, do you know whether you had any other communication, ah, with respect to the, Father Chalifour other than letting the bishop know that, ah, that the session had ended?

HG: I don't know.

ND: You don't know?

HG: I don't, I don't, well I don't remember.

ND: Okay, um. Would you, and, and I'm gonna ask generally not with respect.

HG: Okay.

ND: To Chalifour in particular, if you recommended particular conditions be placed on a priest's ministry would that be something, ah, that you would communicate orally, in writing, or what would be the mechanism of that recommendation?

HG: In writing.

ND: Okay. Would there be an occasion where you would only communicate that, ah, orally?

HG: Of some less serious matter I could visualize yes.

ND: If, if, I mean if your recommendation is that a priest doesn't have contact with minors anymore, would that be something that would be serious that you would put in writing?

HG: I would think so. I would think so, ya. (Unintelligible).

ND: So that's the type of, that would be the ss, type of serious matter that you would, you would wanna put in writing?

HG: Yes. Theoretically, but, um. Recommendations based on four months on therapy would not be given usually cuz the four month, anything that you deal with, ah, with serious this would take longer than four months.

ND: Okay. Um. Do you know whether the Diocese, independent of any recommendations that you may have made, do you know whether the Diocese placed any restrictions on Father Chalifour's, ah, ministry during this time period in 1982?

HG: No I don't. Um. I'm getting my cases mixed up. There's one case where there's a, a reference where I was sent a letter of restrictions that the case, I don't know.

ND: Okay.

HG: In that, in that . . . so I don't remember.

ND: But you don't remember that's fine.

HG: I just don't remember.

ND: Okay, um.

HG: I can't place it now.

ND: Let me show you what I, at least in terms of the documents we have as the last in, in, ah, this sequence of, of this correspondence, ah, document bated stamped 308 it's a letter dated September 7th, 1982, um. Do you recognize that letter?

HG: That's the bishop again.

ND: Okay. And, and that's typical of the type?

HG: That the typical kind kind of thing but I don't remember it as such.

ND: Okay. Um. We're gonna jump ahead now to the early 1990's nineteen, I believe it's 1991, 1992, um. Did the Diocese ask you to evaluate Father Chalifour at that time?

HG: I don't remember. I don't remember when I was asked to do that.

ND: I'm gonna show you, um, a letter, this one is dated January 7th, 1992, it is bated stamped page 324. Um, just take your, take your time and look at that letter.

HG: Alright. Okay (unintelligible). From the documents. Okay.

ND: Okay, you, um, do you recognize or you remember that, recognize that letter?

HG: Well, ah, that's, that typical kind of letter.

ND: Okay.

HG: Yes.

DB: I think he's saying do you remember seeing it?

ND: Do you remember seeing it, now let me ask this question more specifically, do you remember seeing that letter in particular?

HG: Again I saw it in your documentation but I don't remember seeing it before.

ND: Okay. Um, do you remember . . . Let's see a part from that letter do you remember the Diocese, ah, referring Father Chalifour in this time frame, 1992, to you for evaluation?

HG: I don't remember this request.

ND: Okay. Um. The letter refers to a request that you evaluate Father Chalifour, ah, based on some other, some conflicting reports that he had done.

HG: Yes.

ND: Is that accurate?

HG: Yes, yes.

ND: Alright, ah, had you been asked to do that in the past?

HG: (Sigh) I don't remember being asked that in the past. With a good reason I don't remember it happening in the past.

ND: Why do you say for good reason?

HG: Well I don't remember having this kind of conflict from a hospital in the past. Where, ah, a weighing to get a consensus was necessary I just don't remember that.

ND: Okay. Um. Are you, were you familiar at the time with the Servants of the Paraclete?

HG: Yes.

ND: Okay, can you, um, explain what that, um, organization is?

HG: Again, ah, I visited the place. It was, ah, a conference that I went to in Albuquerque. And Jemez Springs is close to Albuquerque so they had provided transportation of people at the conference who might be interested in visiting their place and so I went. Ah. They're a residential set up. Um. Very secluded, isolated. And, ah, they have professional staff as well as clerical staff at the (unintelligible).

ND: Okay what, do they have, um, any kind of specialty in terms of the treatment that they provide?

HG: Yes, they, they did treat, ah, ah. I think it was molestation I'm not sure if it was sexual addiction in general.

ND: Okay so sex, definitely.

HG: Ah.

ND: Sexual addiction in general.

HG: Yes, yes.

ND: And maybe specializing in mol.

HG: Yes.

ND: Child molestation.

HG: Yes.

ND: Okay, um. Had, generally, had any of the patients that you, ah, worked with through the Diocese, ah, been referred to servants, the Servants of the Paracletes, um, in your experience? Had you had that experience where your, where patients that you worked with, ultimately ended up going to the Servants of the Paracletes in New Mexico?

HG: I'm gonna say yes, one of them.

ND: Okay. Um, and, and what would, what would be the reason that the patient would go to that, ah, treatment center?

HG: It would be again sexual addiction type of thing.

ND: Okay and, and why would they, um, why would they go there as opposed to continuing counseling with you?

HG: Well first of all an additional treatment being the group aspect and the residential aspect. And they I think also headed by a physical program associated with it (unintelligible). They were right next to a big mountain. They had hiked those mountains.

(Laughter)

ND: Um. This is so, eh, eh, fair to say that it would be a more, ah.

HG: A more expansive program.

ND: And, and more, um, in depth.

HG: Oh yes.

ND: Than you could provide them?

HG: Oh yes.

ND: Um. Now the letter asks you to resolve what appears to be or, or what, um, Monsignor Christian characterizes as a conflict between the different, ah, therapist reports, um. Were you, um, for lack of a better word, qualified to do that? To, to ss, to, I don't know if second guess is the right word but to, um, re-evaluate what, ah, the, the professionals at the Servants of the Paraclete had done?

HG: I think I was.

ND: Okay, um. You said that they, that this, the Servants of the Paraclete had, ah, specialized, ah, professionals that worked the sexual addiction issues, um.

HG: Psychiatrists, psychologists.

ND: Um, how was it, I mean why wouldn't, why wouldn't they be able to deal with it? I mean, how would you be able to deal with it better or how would you be able to resolve the conflict where they weren't able to?

HG: They had two professionals conflicting. Just as in medicine. And, a third opinion gives added weight to whatever side you, when you're seeking some sort of a consensus that's all. Now I'm not saying that I'm better than they are. I'm just adding another opinion. That is professionally valid and, to see whether it helps them in making up, making a judgment.

ND: Um. Did, um, I'm gonna show you let's see what has this bate stamped pages 325 through 329. Do you recognize that document?

HG: Now look see this is, I suppose that's mine, that's my signature and that's my report.

ND: Okay. Um. Is, is, um, part of your re-evaluation of Father Chalifour, ah, did, eh, have you had a chance to read that before today?

HG: Oh ya.

ND: Do you review that?

HG: Oh yeah,, that's what you, ah, you sent and Dave let me see it.

ND: Okay. Um, as part of your, ah, re-evaluation at the request of the Diocese, did you re-administer the, um, some of the tests that the Servants of the Paraclete did?

HG: Yes, I did.

ND: Had, um, is that typical? Is that, ah, is that appropriate I guess is the question?

HG: It's a approp, not only appropriate but very ordinary.

ND: Okay.

HG: Hm.

ND: Okay let me, let me ask specifically.

HG: Helps to use a second opinion.

ND: Sure I guess. Um, in the, ah, in the, ah, the, that report refers to the fact that, ah, MMPI-2 was re-administered I wanna ask you generally about that test. Um, what, what type of test is that?

HG: Okay. When I make a clarification with my memory of a test (unintelligible).

ND: Oh sure absolutely.

HG: Ah. Actually. Ah, your report has produced a certain thing within me. Um. And it's this, it is not only a loss of memory, but it gave me a realization that I could no longer could do today, um, I get emotional about it. I could no longer do the level of work today that I did then. I realize it. And so when you ask me about the test and what did it do, I used to do the, ah, screening, and I wrote articles on it because I thought I could do a good job. And, ah, I cannot interpret the test today as I did then and that's the, that's the (unintelligible) thing.

ND: Okay, I and, and I, I, I understand.

HG: I'm sorry about that.

ND: That's okay no.

HG: Mostly for myself but.

ND: I understanding.

HG: What can you do.

ND: And, and I understand that that's, ah.

HG: The progress of time (unintelligible).

ND: That happens I think to all of us and I.

HG: (Unintelligible).

ND: Um, and if you can't answer of these.

HG: Ya.

ND: I'm not gonna ask you a lot of questions.

HG: Well ask all the questions you want.

ND: Okay and if, and you know and I'm not gonna ask you in particular to interpret these, ah, reports at that time I, um, just wanna I guess ask generally, um, the MMPI-2 test, um, person, it's a personality test.

HG: It, it's a personality test.

ND: Right?

HG: And then and it ends very, ah, validated test it's one of those in most worked over and researched tests okay, now. My response here.

DB: We're not going to talk about.

HG: Oh alright the testing?

DB: Your response here he's asking you generally about.

HG: The test.

DB: The MMPI test.

HG: Hm, hm, thank you.

ND: And, um, with, (sigh) wait (sigh). If, if, if, if a patient doesn't, um, what's it mean for a patient not to have a valid response on that test?

HG: That's. Alright that's what I'll.

ND: Generally.

HG: That's what I was gonna mention. There's a, there's an index, to the test, validity index. And you read it. And evidently the validity index that they got down there was not valid although you can derive some limited interpretations. When I gave it I got a valid index. That's all it means.

ND: Why would that change over on, ah, their report, if their report was done in November of 91 and yours is dated January of 92 so two, two or three months, um, why would that, why would the results change over what is two or three month period?

HG: Internal disposition. Anxiety with (unintelligible) um.

ND: The patient's anxiety?

HG: The patient's anxiety, the patient's fear. Ah. He might have been far more fearful at that end, being alone, isolated, having known person here, a little more comfortable could render a different validity te, ah, index. But he's.

BB: If a patient has taken the MMPI cuz I've taken that multiple times.

(Laughter)

BB: Being in the police world.

HG: Yes.

BB: Ah, every time you go to a new department you have to take that test again.

HG: Ya.

BB: If a person, if a patient has taken that test and they've had an interview with the psychologist and the psychologist has gone over the different areas where they didn't come up with the validity, ah, standard they didn't come up where they had a concern, if a person knew that, could that then change the results of how that test is taken at another time? Do you understand what I mean by that? Could it influence it?

HG: No, I don't understand what you mean, ah, the minute you say influence. Could the first, ah, oh I see what you mean (unintelligible) could the first?

BB: When I took the test ya (unintelligible).

HG: Could the first administration affect the second?

BB: Right I know you're gonna be concentrating on these particular questions which were asked about twenty different times.

HG: Yes.

BB: And twenty different ways. Could that influence how that person?

HG: I believe the MMPI's been researched in that regard and it can be re-administered. Without influencing.

BB: Without influence?

HG: I believe that's, and that's why you're re-administered the thing (unintelligible) at different times.

ND: What has, what has the MMPI told you about, eh, your patient's problem is ss, is, um, sexual misconduct towards minors, how does the MMPI help you as a therapist or as a, as a psychologist, um, evaluate the patient?

HG: I'd have to read to see what I said about him. Because.

ND: But I, but I mean in general I mean what, what's the nature, the test itself I mean how is it, how is it, ah, ah, helpful for sexual issues is it focused on that?

HG: Well it's, no. Oh no it's a general personality test.

ND: Okay.

HG: And, and, ah, sexuality's only part of the personality and so there's only one part that might be more involved with that, um. But you know the best of tests is limited. And that's what you have to remember in all of this. And that's why the multitude of the test to see if you can balance one with another and so forth, you know. And. When I did the screening for the Diocese, I had a new method of doing the screening because of that, that fact. Most of the others screened, gave a report to a Diocese and they made it, they, they, they accepted all it, or declined, the, the candidate.

ND: Oh you're talking about, um, applicants for the ministry?

HG: Ya. I administered the test, I saw the applicant, applied it with the applicant and the applicant I would say ninety-eight percent of the time decided whether he'd go on or not. And that I thought was high (unintelligible).

ND: Um. That's interesting that's, so that was part of your work through Consultation Services to, ah, screening.

HG: Screening.

ND: Um, applicants. Did that take place throughout the time you worked with them?

HG: No, no that started, probably in the mid-eighties. Well, ah, no, it's when a new director came cuz for a while it was somebody or a psycho-analytic bent in Derry that was doing it. And then when a new director came and I suppose he, ah, that means they asked if I would and, ah, and, ah, I undertook that and the nice part of it was that I would go to their meeting then and discuss the test with them (unintelligible) to the, ah, vocation board. And they would challenge every part I looked forward to those meetings.

ND: Um, was, ah, testing of candidates for the priesthood, how long did that (unintelligible)?

HG: Oh boy. I started about the mid-eighties and they had somebody I don't know when it started, but it was going on before that.

ND: Ah, so it was before you, you started?

HG: Before I started doing it.

ND: And you don't know when they started?

HG: I don't know. I have no idea.

ND: Um. Ah, let me, before I go launch down a whole line of questioning I understand is, ah (unintelligible) where privileges applied this particular report, ah, makes recommendations about Father Chalifour's continued ministry, um, is, um, in light of the fact the document itself references those am I allowed to ask questions down that line or do I have, or should I just go ahead and just start asking questions and can find out.

DB: And I assume your distinguishing you're, you're allowed to ask anything you want.

ND: I'm allowed to ask you anything I want.

DB: You're, you're (unintelligible).

ND: But, am I going to get anywhere?

(Laughter)

DB: Will he be allowed to answer it?

ND: Right. Am I allowed, am I gonna get anywhere?

DB: Ah, um, he, I think, Will, that consistent with our prior discussion, um, and my earlier comment that, ah, you know, for example to the extent if you were to ask him about the reason for his recommendations as reflected by this report, you know, why did he recommend, ah, or suggest that Father Chalifour not be given any ministry dealing with young people in any way based upon his assessment, my advice to Dr. Guertin-Ouellette would be that because that recommendation is based at least in substantial measure upon information that he obtained in his confidential communications with the patient, that he cannot, um, appropriately and safely discuss that with you without violation of the privilege and so my advice to him would be that he not answer those questions.

ND: Okay. But I wanna ask him questions about the implementation of, by the Diocese about whether their implementation was consistent with his recommendations, um, the recommendation. And excuse me cuz I only have one copy so, we'll have to share this one, um, one of the recommendations is that it's number two that Father Chalifour not be given any ministry dealing with young people in any way, ah, would it be consistent with your recommendation if the Diocese had allowed Father Chalifour to continue to engage in parish work? Would that be consistent with this recommendation?

HG: Parish work is a, ah, is a very broad term.

ND: Okay.

HG: I think I'd have to interpret this very, very, very narrowly, um, ministry dealing with young people.

ND: Or why would you interpret it narrowly?

HG: Ah, you have a larger parish and you have a pastor who's more or less an administrator in that parish. And, ah, and, ah, he doesn't even meet adults never mind, never mind, ah, children, um, some of the larger parishes that, and when he's not included to and he's an older man and all of that, I would say that would still be within that caution.

ND: I'm sorry I didn't understand the last piece of that.

HG: It would still be within this caution, cautionary thing of not dealing with children, you have an individual who's.

ND: Like I say in, in his role if he, if he were assigned to a, um, as an administrator of a parish.

HG: Yes.

ND: Um. You're saying that if you are assigned to roles in, in administering the parish that didn't deal with children that would be consistent with your recommendation or inconsistent with your recommendation?

HG: With, yes but in totality. Notice with that's surrounded with. Monitoring.

ND: Okay.

DB: You didn't, you didn't, you didn't answer Mr. Delker's question which was is what you're saying that if you have this recommendation number 2, which he's read to you, if and, and if he asked you if a, if the, if a priest with respect and made that recommendation was assigned to a parish in a, and the assignment, um, by definition

involved no contact with children, would that be consistent or inconsistent with the recommendation, that's his question.

HG: Okay and I feel I, I answered it by in other words if, if there were a position in that parish where there was no contact with children but with monitoring. You don't let him go on his own.

ND: Okay.

HG: Where he could on the sly have contact.

ND: Okay.

HG: If the position itself is and then you have the proper monitoring that he does it.

ND: Okay.

HG: I think that would go within the definition for me.

ND: Okay so, um, let me give you a, ah, an example if, if Father Chalifour worked as a administrator because the pastor was sick, ah, in a particular parish in Goffstown for a period of twenty-two months, um, ah, would that be consistent with your recommendations?

HG: I cannot answer that.

ND: Why not?

HG: I cannot answer that because of, ah, I don't know the circumstances, ah, involved here. If, if replacing a pastor meant doing his book work with proper monitoring, I don't know. And you know, you're asking me to comment on their behavior I never even, once I did this.

ND: Hm, hm.

HG: That was the end of it. Oh and, um.

ND: Ah, um, my questions aren't, aren't designed to.

HG: No no, no, no, no I know that.

ND: Okay.

HG: I'm just trying to give you a picture really.

ND: Sure.

HG: That was it. And so now you're asking me and I think certain circumstances and how I would interpret it and, um, and I'm interpreting it as I see it now.

BB: So you really feel that if they were to be able to go to a parish that they still had to be monitored?

HG: Not every parish. I'm, I'm, I'm saying it's a particular type of parish where, ah, the, the work as the pastor would be more or less a more secluded type of work.

BB: So it's not a hands-on.

HG: Right.

BB: With the parishioners type work?

HG: Well you might be meeting with some adult committees or something but, ah, when ya, if, if he's dealing with families, you've got kids. Then I'd say whoa beware. That kind of a, general, I, I mean you know, ah, ah, some parishes have one priest he's the pastor of it and that I would say no. Because by the very nature of the work indirectly he might come in contact, even with monitoring or anything else. But in a larger if you notice I said a larger, where the work can be secluded or segregated, in a certain way with monitoring, I would say yes.

?: I think that answers the question.

ND: Um, let me just see if there were any other questions.

HG: Yes.

ND: About those conditions. Um. The purpose of the, um, there's a couple of recommendations here one is that he establish a relationship with the spiritual director and then that he find a priest friend with whom he can discuss his present status. Were those two different people?

HG: Oh it had, it would have to be.

ND: Okay.

HG: Because you see the spiritual director, internal and the other one is external.

ND: Okay. Alright, and what's the purpose of the spiritual director? Is it, does have that a, an affect, ah, I mean is that related to the sexual, um, aspects of this?

HG: (Unintelligible) right now are you asking?

ND: Not (unintelligible) in generally ya, in general ya.

HG: In general, oh ya.

ND: Okay.

HG: Ya, I mean, ah, this type of behavior has a legal and it also has a moral, ah, dimension. And to presume the priest is dealing with a, a seriously with a moral dimension in his life and so you want to introduce somebody who will deal with him in that dimension.

ND: Okay, alright, that makes sense.

HG: Well the friend, well support and the whole thing.

ND: Alright, and, and that's just not in the, the, um, again just generally, that's to deal with stresses I mean what it says here is with whom he can share tensions and difficulties that might arise.

HG: Stresses or smarten up or whatever.

ND: Um, the last recommendation is that Father would keep in touch with Consultations Services for some time following this report, um. What, ah, what is meant by that?

HG: (Laugh) I was retiring (laughs) and so not with me but with, with the center. And well that's kind of, ah, an after care type of perspective.

ND: Okay.

HG: That's all.

ND: Who, ah, I did actually have a question that I, ah, well you prompted my for remembering to ask the question who replaced you at the Consultation Services when you retired?

HG: Oh what's his name? He was, he was a counselor in teaching psych over at Notre Dame College I know that. Oh they could provide you with that name I've blocked that name. Cuz he was the one that replaced me see so I block it.

(Laughter)

ND: Okay.

HG: I really have block on it.

ND: That's fine. Um.

HG: And of course Monsignor Quinn could supply with that. He works with charities.

ND: And this, just to sort of close the loop on this particular evaluation, um, page 330 is a letter dated, bate page 330 is a letter dated, ah, February 20th, 1992. Do you, um, do you recognize that artic, in particular and if not is it?

HG: Not in particular.

ND: Okay.

HG: In general format.

ND: And it's consistent with the, the type of correspondence you got from the Diocese?

HG: (Unintelligible). I, I mean I recognize it.

ND: (Unintelligible) I don't, ah, I'm actually jumping back in time and I apologize. It just happens to be the order of these documents, ah. Just show you, ah, well I'm actually not gonna show you I'm just gonna ask you about it if you need to see to refresh your memory then I'll do that, um, ah, in 1988, um, did Monsignor Christian contact you about, ah, Father Chalifour and, and, um, inquire about his status?

HG: I don't remember.

ND: And, um, I have this document, pages 368 and 369 dated May 16th, 19, ah, 1988. Ah, I'm gonna refer you to what is the third full paragraph it starts with I called Dr. Ouellette, Ouellette, um, is that refresh your memory at all?

HG: (Sigh). I, I don't recall that and I don't recall the document. Oh.

ND: So you don't recall the conversation.

HG: The content of the conversation or the document itself, I don't recall it at all (unintelligible).

ND: Um, and just so I'm clear, you don't, what you're saying is do you remember speaking with, ah, Monsignor Christian and telling him that Father Chalifour had been in denial during your treatment, during your treatment of him?

HG: I don't recall, I don't recall telling Father Christian, I. Not at all.

ND: Do you remember telling anyone else from the Diocese that?

DB: But when did, that and may I have, I have to instruct you again that if you had a memory of that.

HG: No I don't.

- DB: That would be based upon communications from your patient and that would be privileged information.
- ND: Actually, can I ask the question this way does he have a memory of that without the substance of it, does he have a memory of having communication, um, with anyone else on this subject?
- HG: I have no memory.
- ND: Okay let me you generally, um, what, without respect to Father Chalifour but in general, um, what the significance of denial is in treatment of a patient that has, ah, problems of sexual addiction?
- HG: And one, no I mean, ah, denial is a very general, is a very general defense mechanism.
- ND: Okay.
- HG: And, um, there's been an evolution on denial, at first it was all negative and all it seemed as partially positive but it's an unconscious mechanism, number one the person who's denying doesn't realize he is denying it. And it's rationalization probably the deepest defense that a person has. Generalization or what. Ah, full mental and so but this is just a, a, a freezing of consciousness. And whenever that takes place in a very strict strong way you really have a very disturbed person. Very disturbed person. You have an abol, eh, eh it's in degrees. Parents with regard to their children if they do something wrong, Johnny never did that, they saw him do it, denial.
- ND: If a, if a patient had denial, that type of denial that you're talking about, would, um, ah, would you end your counseling with them or would you continue counseling?
- HG: You don't continue or end. The patient does. And so many times the person in denial is the very one who want to end. Ah, cuz they don't see anything to deal with it, I mean, they're denying everything. I mean, and, ah, in that position of well at home there was no doubt, but in that position, I have no duty ah, ah, authority bring them in, so, eh, they indicated they didn't want to return, you just have to go along with that. If there's, ah, ever (unintelligible) if there's a behavioral consequence to that, well then, you have to take that into consideration to deal with that in that light.
- ND: What do you mean by that?
- HG: Well. An individual has a gun. And he's in denial of a lotta things and you're fearful that, ah, he might use that gun. And as long as he's keeping tabs with you regularly you keep track of him then all of a sudden it ends you've got something to do. And I had a case, layperson, I called the police chief and said look here's what it is. One person was in the process of, ah, ah, having, ah, a permit for a gun. Nicely he was denied and that kind of thing.

ND: Um. Alright, I wanted to, um, shift gears to, ah, Father Joseph Maguire, um, and ask you some questions, um, along those lines I understand your reaction is, ah, that but hopefully we can go some, down the line we did, ah, just a minute ago and sort of tread the, ah, the, tread the line between.

HG: Tread the line.

ND: Okay, between, ah, privilege and, and, and non-privilege communications. Um.

DB: Ah, ah, for what it's worth, I, I appreciate your efforts to respect the position we're in here.

ND: Oh I, I understand it completely so I'm and, and you know like we talked about it.

DB: Right.

ND: Okay this more later than maybe, an occasion we need to decide.

DB: Yup.

ND: Or get a final decision about whether the privilege applies or not.

DB: Yup, I understand.

ND: The position is reason, reasonable. Um. Did, the Diocese refer Father Maguire, Joseph Maguire to you for evaluation?

HG: Might I answer that question a more general way (unintelligible) from this point of view to give you a (unintelligible), alright no.

DB: Um.

HG: If, if you ever asked me that question before I saw the case, I would have said "who."

ND: Okay.

HG: I did, I don't even remember seeing this person.

ND: Okay.

HG: That's how blank I am on this person.

ND: Okay.

HG: Whatever recollection came from the papers.

ND: Okay, alright. Um. And.

HG: Okay?

(Laughter)

DB: No that, that's fine.

ND: I think that's, that's fair.

HG: (Unintelligible).

DB: When you say might I answer it

(Laughter)

DB: It might do a lot of things.

HG: We're, we're all under your aegis here.

DB: Well you know. Only sort of.

(Laughter)

ND: Um. Unfortunately these pages are extremely difficult to read but I believe it's 615 and 616, are the bates pages that in any event it's a letter dated January 8th, 1992, ah, appears to be, um, from Monsignor Christian to yourself. Ah, I'm gonna show you this letter and ask if you had a chance to take a look at it in prior to this interview.

HG: Again I'm remembering cuz I read, you know, ah. Is there any particular part, ah, just to recognize the letter you mean?

ND: Ya you read it before the interview.

HG: I read it.

ND: Right.

HG: Before yes.

ND: Based on the stuff I gave you.

HG: On the stuff you gave me, right.

ND: Did, um, ah did this, does this letter help you, ah, refresh your memory about, ah, whether the Diocese referred Father Maguire to you?

HG: He, he, he's a ghost to me.

ND: Okay.

HG: He really is so, ah, and I can see why because it was a short-term type of thing it seems.

ND: Okay. Um, I wanna.

HG: Oops, sorry.

ND: Um, um, you may not I don't know what your answers to some of these questions will be so why don't I just ask them, um, I don't know what the answers to a lot of your questions have been so, um, the, ah, letter refers to the fact that or, or the letter says and I'll just read it that shortly after his ordination in 1973, Father Maguire, while stationed in Hudson, was indiscreet with a young man. Um. Do you know more than what's in this letter about that event?

BB: (Unintelligible).

ND: (Unintelligible)?

HG: No.

ND: Would you have received more information about that event than was in this letter from the Diocese?

HG: I don't know. I don't know. Is that a letter from Monsignor Christian?

ND: Yes.

HG: Oh, he must have given me the information that, ah, he intended on in that letter I would think.

ND: Okay, um, was it typical in the way you, you communicated with the Diocese that he would give you the information he wanted in the letter like this referral letter?

HG: Later yes. At the beginning, ah, as, as I mentioned before, um, somebody was sent with kind of a, a very general schema and I didn't have any real thing to work with with him and I found myself at a loss so I had to really request detailed letters of detailed information to come. And it's not that they were denying it it's just that, it just was not taking place in the way that I thought was most effective.

ND: Okay, um. Now this letter refers an incident, ah, in some time after 1973 in Hudson where, ah, Father Maguire was indiscreet with a young man. Would it be significant to you that, um, the conduct actually involved a twelve year old boy?

HG: Oh sure.

ND: Um.

BB: If you saw a young man in a letter such as that, what would that lead you to believe?

HG: Um, if I saw a young man?

BB: If, if you received a letter.

HG: Being indis.

BB: That said there were indiscreet activities with a young man. In your mind what would you picture that young man to be? Twelve? Would, would you consider a twelve year old a young man?

HG: Oh, oh, oh the young man?

BB: Yes.

HG: Deal.

BB: Would you consider a twelve year old a young man?

HG: No, no.

BB: Ah.

HG: No. A young man to me goes up to eighteen, nineteen is a young man.

BB: So a twelve year old would more like be a child?

HG: A child.

ND: And indiscreet would that, um, would you understand that to mean fondling?

HG: Not necessarily. Um. Indiscreet, improving imprudent is on that, I'd have to know what the indiscretion is.

ND: And, and it, would that be important to you in evaluating?

HG: Oh it would be, I mean you know.

ND: Um.

HG: As such.

ND: Would it be important to you to know that the priest had admitted to fondling the twelve year old boy? When you got the evaluation?

HG: Ya, ya.

ND: Um, would it be important to you if the priest were, ah, the police were involved in an incident involved like that?

HG: (Unintelligible).

ND: Okay. And so would that out be important for you know in, in terms of your evaluation of the priest?

HG: It's important data I mean, it's an essential part of the data sheet that we'd want.

ND: What I wanna make sure that I'm not, um, missing here is if you've got a letter if, I know you don't have a specific memory about this specific letter but was it typical for the Diocese to write a letter like this that said that a priest was indiscreet with a young man and then either before the letter was sent or after the letter was sent say what I meant by that was and give you more detail about it?

HG: They might. I don't have any exact memory of, of a circumstance but that's that I think that might happen very easily and then that would happen very easily.

ND: But you don't remember in particular any times that that happened?

HG: Not a particular incident, no.

ND: Um. Ah.

BB: Would it also have been important to you to know that the priest had admitted to what was in or his treatment and his care would be important to know that this was something they had already admitted to and?

HG: Oh ya I would think so. I would think so because if he, if he happens to be a person who's in denial he could admit it here, come into therapy and deny it completely and say he hadn't admitted it. So him, that's why I wanted the information. . .

END OF SIDE A, TAPE 2

TAPE 2, SIDE B

ND: Um, the letter goes on the next sentence the letter reads several years later while in ministry in Dover it is alleged that he, meaning Maguire, had some sexual contact with two young men, um, and then there's a parenthetical, ah. Would you understand, um, if the, if the males that he had the sexual contact were ten to fourteen would that fit your description of young man?

HG: If you're, not a young man.

ND: Okay. Alright, um. Again now here it says it is alleged that he had some sexual contact, um, would it be consistent with your understanding if Maguire had admitted to that, if that conduct occurred? That sexual conduct occurred with?

HG: Well I mean I can see where an allegation is, is still alleged. And he's still admitting I could see where both can fit in on the same sentence, yes.

ND: Um. And I think you already said this but it would be important that if there was an allegation it was also followed up by an admission?

HG: Oh well yes.

ND: Um.

BB: So then if there was a, a some type of a police report that the Diocese had access to would it have been important that they were referring him to you, for you to have a copy of that or at least knowledge that had taken place?

HG: I would think so. I would think so.

ND: Um. I'm gonna show you this one's really hard to read it's, um, ah, I don't know that I'm gonna make out the bates numbers but it is a document that is five pages long, ah, it is dated March 4th, 1992, on the last page, and on the first page says report and testing for Joseph T. Maguire candidate for the Diocese of Manchester. I'm gonna show you that document and ask you if you recognize it?

HG: Well again just the recognition is typical letterhead and it's the kind of document of a report that I would send out (unintelligible) stamp on it.

ND: Alright and do you, um, is, is your signature on the last page of that document?

HG: Yes it is.

ND: Do you have a memory of?

DB: He's continuing to speak, be speaking so softly in some respects that I, I'm worried that it's not gonna get picked up.

BB: Not coming out.

HG: Not coming out.

DB: Anyway but that's fine.

HG: Alright.

ND: Um, do you have a memory of this evaluation?

HG: I have no memory about that, that individual, my work with him or anything else. I've, I, I have no memory of the case.

ND: Okay.

HG: As I mentioned what I first saw the, the name I would have said to you "who?"

ND: I don't know if I can ask you a whole lot of follow-up questions based on that then.

HG: Really? Really? What date was, oh it was?

ND: It was 1990, 92.

HG: That's ah, just before I retired.

ND: Ya. Um. Then let me ask I guess generally this I think refers to. Just, um, I'm sorry just give me one moment while I refresh my own memory about what is.

HG: Well it's nice to hear.

(Laughter)

HG: While you're refreshing, I'm wondering if I can take a little walk.

DB: Oh sure.

BB: (Unintelligible).

ND: Absolutely, ya, sure why don't we take, go off tape (unintelligible).

BB: We're back on tape after a short break and it's 12:15.

ND: I have just one or two questions, um, to close out the, the questions with respect to this report on Joseph T. Maguire. I understand that you don't remember, um, Father Maguire or this report in particular, ah, ah, my questions is whether you could, um, shed some light on, ah, the concluding paragraph in the letter and, um, maybe explain what you meant by it if you can, um, and in particular the sentence reads and you can look at this if you, if it's helpful but the sentence I'm curious about reads, "If Father were to follow the usual precautions of living with others and seeking the help of his spiritual adviser, his own spirituality could be in tact." And then in particular the sentence is "If Father continues to take the usual precautions advised to those who have experience in sexual difficulties in the past, one could reasonably conclude that there should be no incidences to interfere with Father's praise worthy and religious

aspirations for the future.” And I’m curious, um, what you mean or what you meant by if Maguire continues to take the usual precautions advised to those with experience sexual, sexual difficulties in the past.

DB: Hm, and, and Henry my advice to you is that it is not appropriate for you to explain, ah, what you meant by that language in this letter with respect to this patient because of the reasons that I’ve previously articulated. If there’s a way for you to get at that information and by speaking generally about your use of the term “usual precautions with sexual offenders” or whatever the terminology is, um, I, I, I think we can proceed in that vein but can, can we just take a look at.

ND: Sure absolutely.

DB: The language here. Um. And, and your, the language of interest to you is “If Father were to follow the usual precautions of living with others in seeking...”

ND: No. Actually the next sentence down.

DB: Okay.

ND: I’m sorry.

DB: Excuse me, “If Father continues to take the usual precautions advised to those who have experienced sexual difficulties in the past.”

ND: That’s correct.

DB: And would it be fair to, um, rephrase your question as, um, were there, um, usual or general precautions, um, that in Dr. Guertin-Ouellette’s experience were advised with respect to those who have experienced sexual difficulties without reference to this particular patient.

ND: That, that’s fine.

DB: Alright, then you can go ahead and answer that.

HG: Ya and I, I think probably, ah, um, ss, since, ah, the behavior comes from, ah, an awful lot of isolation and a need for affection that kind of thing, um, you kinda advised some no matter if it was twelve years ago or, or, or fifteen years ago, um, you gottas communal kinda living, had a lot of friends, just be with people, get social and this would be the usual thing that’s advised anyway. Um, then the precautions would be and that need not be with children but if, if the case deals with let’s say with women, take, take the usual precautions you realize that there’s a propensity towards this kind of behavior always be with somebody when you’re with a woman never be alone that kind of thing that’s what would be meant by usual.

ND: Would the Diocese have understood what you meant? Did you have that kind of communication with them where they would understand with that, what you meant by that?

HG: You know I guess that was an assumption on my part that they were (unintelligible). See I didn't have enough full communication on all these things. I didn't want it. So to really know their thinking their deep thinking I really didn't know.

ND: So, so you're not.

HG: But that's a good question.

ND: Alright. So, um, you don't, you don't remember sitting down with them or having some kind of, ah, either written or verbal communication with them that says here are the usual precautions.

HG: What I mean usual no. Never. No I don't. But that's a good question though.

ND: Okay. Any other questions on?

BB: No.

ND: Maguire?

BB: No.

ND: Um, I wanna ask you next about Gordon MacRae. Ah. The, um, eh, eh, let me ask more generally without regard to Gordon MacRae, is it appropriate for a therapist to treat both a patient and a victim, eh, eh, of, of an offender of sexual, ah, sexual offender and the victim of the sexual offender, at the same time?

HG: Um, I would say so. Ah.

ND: That, that it is appropriate you?

HG: I would say so. Ah. As long as there's a recognition that the offender's the offender and the, the victim is the victim and that's separate from the adult, um. I think probably if I preferable to have it separate of the same things, marriage counseling and the husband and wife type of thing, so it's not an absolute.

ND: So it wouldn't be, it wouldn't be, you're saying that there's no prohibition in your profession, um, if you're treating an offender and you're also asked to, um, offer advice with respect to the victim, there's nothing about your, your profession that, that.

HG: Nothing that's prohibited.

ND: Outlines that?

HG: But I mentioned there are preferences.

ND: Okay, um. Ah. Are you, with respect to Gordon MacRae, are you aware that he, um, was evaluated by the House of Affirmation and also by Strafford Guidance Counseling.

HG: Through your documents I am.

ND: Do you remember that, um, with respect to him, after you reviewed these, did that refresh your memory about that?

HG: I don't remember the House of Affirmation.

ND: Or do you remember the Straff.

HG: What was the other one?

ND: Strafford Guidance.

HG: Ah, Strafford, ah, I remember the incident itself, yes.

ND: Um, do you remember him being evaluated by Strafford Guidance?

HG: That, that's right, that's what I remember.

ND: Okay, um. I don't know if you can answer this question but if Strafford Guidance, um, ah, concluded that Gordon MacRae had some serious, ah, sexual problems with children, um. How is it that they could reach that conclusion, um, ah, I'm not sure I can ask the question the way that it's gonna be able to allow you to answer it because I, as I think about how I'm phrasing the question I, I'm almost going to invite you.

HG: (Unintelligible).

ND: To get into what your treatment with him was, and, um, was, let me ask this, was Gordon MacRae referred to you by the Diocese for treatment?

HG: I don't recall that. I, I. I don't recall it. The actual, where, if he came up by himself or the Diocese did.

BB: We interviewed Gordon MacRae and he had told us that he had been in counseling with you when the allegation of ah, abuse came up, ah, and the Diocese then spoke with you about that abuse, do you recall that?

HG: I do. The incident I recall. Um. I recall receiving a call, ah, from the child's counselor.

BB: Which would have been?

HG: Ah, Pat, ah, Judy Patterson.

BB: Okay.

HG: Did she, ya she called me because she was Catholic Charities and so we were on the consult together. And so, um, she called me and said this is what I have to do immediately, I says yup. And they called me, she did and I did immediately, Monsignor Quinn reported.

BB: So you also called Monsignor Quinn?

HG: I did too.

ND: Did, did you report directly to, ah, Social Services?

HG: (Unintelligible) Monsignor Quinn. Ah, I reported to Monsignor Quinn and then I had a meeting with a representative from Human Services, I don't recall how much later, in his office to discuss the matter.

ND: Oh. Do you remember if that was the commissioner of the department of welfare?

HG: Ah, one of the documents gives, ah, I believe it was her it was the, ah.

BB: Chevrefils? Does that, did that name sound familiar?

HG: What name?

BB: Chevrefils, Chev.

HG: No, no, ah.

BB: Chevrefils.

HG: That's the commissioner, ah, the other one, ah.

ND: Jen, Jeannette.

HG: Jeannette Gagnon, I'm sus, I'm suspecting, all I know is that the person who came to that meeting had been previously an employee of Catholic Charities and was now in DHS.

ND: Hm, hm.

HG: And she was appointed I think too. I think she was the one, I'm not sure.

- ND: Did you know, um, that social ser, ah, would have been office of Social Services concluded that the allegation with respect to Gordon MacRae, um, was a founded allegation?
- HG: I believe I do, yes.
- ND: Do you know whether the Diocese was aware of that? The fact that it was a founded allegation?
- HG: If I was, they were.
- ND: Okay, um. And, um, is this the only case that you referred to Social Services?
- HG: Yes.
- ND: Um. In, ah, your treatment of priests generally, um, did you ever recommend that the Diocese, um, remove a priest because you thought he posed a danger to children?
- HG: Not actually removed no. I would give a picture.
- DB: What does that mean remove or (unintelligible).
- ND: Removal.
- HG: Not assign it.
- ND: Take them away, their priestly ministry.
- HG: Take, exactly. I never did. I, I, I that was not my role, to tell them what to, I gave them a picture. And it could have been some, ah, to remove that was a decision to be made (unintelligible).
- ND: Do you remember whether you made any recommendations to the Diocese, ah, with respect to Gordon MacRae at the time in nineteen, ah, 1983?
- DB: You can answer that yes or no.
- HG: Um. Would you repeat the question?
- ND: Sure. Do you remember whether in 1983, um, as a result of this incident with, ah, [REDACTED] that whether you made any recommendations to the Diocese about, um, Gordon MacRae?
- HG: I don't remember.
- ND: You don't?

HG: I don't remember that.

ND: Um, wait, just so I'm clear, you don't remember whether you did or not make a recommendation?

HG: I re, I don't remember giving any recognition one way or another.

ND: Okay. Are you aware of other than this incident with Gordon MacRae, are you wear, aware of any other, um, situations, ah, maybe that you weren't personally involved in where the Diocese or your colleagues at Consultation Services made a report to Social Services under the (unintelligible)?

HG: Any other cases? (unintelligible) Um, other cases I felt (unintelligible).

DB: He, he (unintelligible) the question.

HG: Police.

ND: Okay, um.

HG: The police were involved.

ND: Okay so if the police were involved there wasn't an independent report of the con, with, ah, ah, to the Social Services.

HG: I ah, not from me anyway.

ND: Were you aware of other cases where the police were involved?

HG: No, the only cases I'm aware of, ah, are the ones that I dealt with myself. Ah, again there was no real communication between the two places and if they had problems with the police, they took care of that unless it made the newspapers, ah, I would not know about it.

ND: Um. I'm not sure that I can ask you any other questions with respect to Gordon MacRae that wouldn't get into the attorney-client.

BB: That's my problem.

ND: I mean, ah, doctor patient privilege though. Um, if you've got questions you may wanna try to ask us and see, ah, you know I didn't. Cuz I'm.

BB: Mine are right there, mine, mine, I know.

ND: Alright so I think that, um, we may need to, we may need to get back together again, ah, to resolve this issue of whether the privilege applies and somehow (unintelligible) but I think that, ah, at this point I don't have any other questions. Do you have any?

BB: (Unintelligible) do you have any?

ND: Anything else from, for us that you wanna add?

(Laughter)

ND: Anything that we didn't cover today, we always this question, anything?

HG: Oh really?

ND: That we didn't cover today that, that you think we should have covered?

HG: No. I'm at your disposal and, ah. I, ah.

ND: Thank you very, very much for your time today.

BB: And I will be turning the tape off and it is 12:35.

END OF SIDE B, TAPE 2

