

SUPPORTING AFFIDAVIT FOR THE ISSUANCE
OF A SEARCH WARRANT

3709

CHESHIRE, SS

KEENE DISTRICT COURT

Personally appearing before the court on March 10th, 1993 is affiant Detective James F McLaughlin a sworn police officer with the City of Keene Police Department. I am currently a detective in the police investigation division and assigned various offenses including child abuse crimes and related offenses.

1. On January 13th, 1993, I interviewed a male who will be heretofore referred to as [REDACTED] [REDACTED] reported that he met a Father Leo Shea, a Roman Catholic Priest, in Troy, New Hampshire in November of 1981. [REDACTED] had just turned 14 years old. [REDACTED] was serving as an altar boy at the catholic church in Troy when he came in contact with Father Shea. A relationship quickly developed with [REDACTED] spending time at the rectory in Troy and going on overnight trips to Father Shea's cottage on Cape Cod. [REDACTED] states that Father Shea was very nice to him, spending time and buying him gifts. [REDACTED] said that other altar boys were also taken on these trips to Cape Cod.

2. While still 14 years of age the relationship between [REDACTED] and Father Shea turned sexual. The first incident that [REDACTED] recalls, occurred when he went to the Troy rectory and was hugged by Father Shea. This escalated to Father Shea touching [REDACTED] genitals over his clothing. This occurred during the day and while [REDACTED] was still serving as an altar boy.

Subsequent to the first incident, [REDACTED] would meet with Father Shea in the Troy rectory. Father Shea would have [REDACTED] come into his second story bedroom where he would have the child remove his clothes and where he removed his clothes as well. Father Shea would have [REDACTED] lay down on his bed to receive a full body massage. This would include Father Shea masturbating [REDACTED] until he

3710

sexual act on Father Shea until he ejaculated. [REDACTED] would be on the bed and Father Shea would sit across [REDACTED] hips and ejaculate onto [REDACTED] stomach. [REDACTED] would do the same act sitting across Father Shea's hips as well. Father Shea was also described as using lubricant on his finger and inserting his finger into [REDACTED] anus while he masturbated him. [REDACTED] states his sexual contact with Father Shea was a weekly event.

[REDACTED] was asked to describe what occurred in Massachusetts with Father Shea. [REDACTED] told how he used to go on overnight trips to Father Shea's cottage which is located in Sandwich, Massachusetts. Other altar boys would also go on these trips. [REDACTED] estimates that he went to Sandwich, Massachusetts about ten times with Father Shea. These trips averaged two or three days each. [REDACTED] states he would sleep in the same bed with Father Shea. While in Sandwich [REDACTED] states that Father Shea performed oral sex (fellatio) on him. [REDACTED] also reports that he performed oral sex on Father Shea as well. [REDACTED] also described how Father Shea attempted to have anal sex with him, but this proved to be uncomfortable. [REDACTED] was not asked to penetrate Father Shea's anus.

[REDACTED] recalls that Father Shea used to drink alcohol while on these trips to Massachusetts. He recalls finding a hidden bottle of hard liquor in the bathroom of the cottage. He also recalls Father Shea having bloodshot eyes. [REDACTED] recalls Father Shea having sex with him, both when he was sober, and after having been drinking. Father Shea also purchased beer for [REDACTED] who would drink it in Father Shea's presence. No drug use was involved.

3711

At the time Father Shea never said anything to [REDACTED] about not disclosing their sexual relationship. [REDACTED] reports that throughout the years he received numerous checks and letters from Father Shea. These checks are believed to total in excess of \$7,000.00. [REDACTED] relationship with Father Shea went from the time he was age 14 until he reached age 19. They were sexual throughout this period. [REDACTED] states he did not have any prior sexual experience before meeting Father Shea. [REDACTED] states that his contact with Father Shea caused him a great deal of confusion over his sexual orientation.

3. On January 13th, 1993, I received authorization from the New Hampshire Attorney General's office (Graf) to tape a telephone conversation between [REDACTED] and Father Shea. The following are excerpts from the call (names XXXXX):

[REDACTED] Oh yuh, cause remember that letter you wrote to me ahm, which one, one was it. Was it say'n in that letter where you were, you had said someth'n about, ahm, what did you say, I, I think it was someth'n, remember that, it it was a letter that you wrote to me ahm, where you, I had written you a letter and you wrote back to me and said someth'n about what we, this, when we were having sex, back a while, quite a while ago, and XXXXX's got that letter.

FS Ahuh

[REDACTED] Went back when I was I don't know, like fourteen What, wasn't that how old I was when I, when I first met you?

FS I think so, yuh.

[REDACTED] Yuh, I was what

FS About (unclear) or fifteen, close enough

And the following:

[REDACTED] I mean, because, I mean there ain't noth'n I'm gonna be able to do because, I mean, whether I was willing or not, I was under age.

FS

That's right...

FS

And you're still gonna get in trouble for it.

FS

...umm, I don't know.

FS

So, cause I, I don't wanna turn you in to the police. I mean, but what I'm curious of is what, what are you gonna say to them if they ask you about it?

FS

I'll have to tell them the truth.

FS

Yup.

Nothing else I can do, or they'll find out somehow.

And the following:

FS

Does he know about us?

FS

About that, I don't know.

FS

You don't know

FS

I never told anybody

FS

Yuh.

FS

Well

Well what about the church knowing. Didn't you say someth'n - remember you told me back a while ago that they made you go through, ahm, ah, counseling for that?

FS

Yuh, they don't, they know yea.

FS

The church knows about it?

FS

Yes.

And the following:

FS

None that, ah, you didn't have any sex with any of that, and XXXXX or XXXXX did ya?

FS

No.

FS

OK no.

FS

No. In fact, nobody in that, except you.

3713

4. On January 18th, 1993, I spoke with the Lancaster, New Hampshire Police Chief and learned that Father Leo Shea is presently assigned to the catholic church in Lancaster, New Hampshire. They have not handled any complaints involving him.
5. On January 18th, 1993, I contacted DET. Cotta of the Sandwich Police Department and he confirmed that Father Leo Shea did own a summer cottage in their town from 1981 until 1985. This cottage is located at 16 Pimlico Pond Road, Forest Dale, Sandwich, Massachusetts.
6. On February 10th, 1993, I located [REDACTED] a former altar boy at the Troy church. [REDACTED] states he went on one of the overnight trips to Cape Cod with Father Shea. He states he was not touched sexually by him. [REDACTED] presently lives in a group home for adults and was older than the other altar boys at the time he served.
7. On February 12th, 1993, I spoke with [REDACTED] who served as an altar boy at the Troy church from 1977 till 1981. [REDACTED] stated he had limited contact with Father Shea other than Sunday service. He did go on one of the overnight trips to Cape Cod, but nothing out of the ordinary occurred.
8. On February 18th, 1993, I spoke with [REDACTED] who served as an altar boy at the Troy church for a couple of years. [REDACTED] also said he went on one of the overnight trips to Cape Cod with Father Shea (possibly 1981). While on this trip Father Shea entered the bedroom where he was sleeping and got into his bed. Father Shea then fondled [REDACTED] penis for about a ten minute period. Father Shea then left the bedroom without saying anything. [REDACTED] states he was confused and never told anyone what happened.

9. On February 19th, 1993, I spoke with [REDACTED] who was also involved with assisting in the Sunday masses at the Troy church. [REDACTED] recalls that Father Shea, who he considers a close friend, left the church under "suspicious circumstances". Father Shea did not say good-bye to anyone and left quickly. [REDACTED] recalls one incident where his buttocks were touched by Father Shea, which he felt was inappropriate, but no further contacts. [REDACTED] (older than the other altar boys) was never invited, like the others, to go on the overnight trips to Cape Cod.

10. On March 3rd, 1993, I received authorization from the New Hampshire Attorney Generals office (Graf) to tape a telephone conversation between [REDACTED] and Father Shea. The following are excerpts from the call (names XXXXX):

[REDACTED] But, ah, I've been look'n, look'n and looking, and I ain't found noth'n. But, remember what we, we were talk'n about last time I talked to you, about the police?

FS Yuh

[REDACTED] Well, they finally contacted me about that

FS Ahuh

[REDACTED] And, ah, they in - they did an interview ah, they, well, called me in and had me do an interview with them

FS Ahuh

[REDACTED] And ah, it was quite interesting. They haven't contacted you have they?

FS No

[REDACTED] No. Huh, well they did inter - they interviewed me

FS Yuh

[REDACTED] And, ah, they wanted to know everything that was going on.

FS Yuh

[REDACTED] Cause, like I told you, XXXX had already talked to them.

FS Ahuh

3715

So, I didn't have much choice but to tell them, I mean, cause they're gonna question you about it anyway, I imagine eventually, they may, and I don't know if they will or not gonna, I don't know, but ah, they asked me to tell them everything that went on, about everything, and how it even st....for it first started being in Troy but, ah, they wanted to know about, how you, when we were, how we used to have sex upstairs in Troy,

FS Yuh

Yuh, they wanted to know about that, and about I don't know if you remember everything that ever happened then, but, they ah asked me about you, ah, putting your finger in my my rear end, and how you used to masturbate me. Got quite interesting.

FS I never put my finger up your rear end.

Well, I don't know, I guess, ah, according to them, they ah, they said that ahm, there's a - do you know of a kid named XXXXX that you ever brought down to the Cape?

FS XXXXX (name of person from above)...

Some kid named XXXXX.

FS XXXXX...from Troy?

I don't know where he was from. I have no idea.

FS XXXXX

It's a guy they asked me, they wouldn't, they didn't say a last name, but they said this kid's name was XXXXX and he claimed that you had sex with him too.

FS XXXXX, I don't know anybody by the name of XXXXX.

I don't know. They said his name was XXXXX.

FS Well

That's what they said. But they wouldn't give me where they wouldn't say where, whoever this person was, where he was from or anything, but I guess this supposedly took place down at the Cape when you had your place, your cottage on the Cape.

I don't remember anybody with that name. The only one that came down was, who was it, ah, but was his name XXXXX XXXXX?

XXXXX XXXXX, yup

FS Yuh

Yup

3716

FS But I never touched him.

Yup, that's who it was.

FS You were there

No, I remember XXXXX

FS Yuh

I remember the name now, yuh, now I remember it. Ah, that was quite a, see, cause I don't, the only ones I remember being alter boys at the time was me, XXXXX XXXXX, and XXXXX ah XXXXX (three different names)

FS Oh, a that's his name, oh yuh

XXXXX XXXXX

FS XXXXX

So you never did anything with XXXXX

FS No

Well, he claims you did.

FS Well, he's lying. I never touched him.

Yuh, well, I don't, I still, now I remember him now that you mention the last name, I could...I didn't know, they wouldn't say anything to me, so, I don't know

FS No, but XXXXX, I never touched him. You were the only one.

Yup. I don't know.

FS Well,

But,

FS Besides, they were too young anyway

Yuh, wasn't, well tell, remember ah, XXXXX XXXXX, now wasn't he quite a bit younger than me?

FS Oh yuh

How many, do you remember how old, how we - how long it was, I mean, how old he was?

FS I think he was only about nine or ten

Nine or ten?

FS Yuh

3717

Cause I, they asked me if I knew how much younger he was and I said I really don't know, I said, I'm guessing maybe a couple years, cause I wasn't really positive. Ah, and they asked me about you having anal sex with me. Do you ever remember trying that?

FS Tried - but it didn't work.

Yuh, that's what I told them. I said you tried it but it never worked. That's what I always, that's what I told them. But, XXXXX XXXXX, his, I never even remembered, I forgot all about, was he an alter boy when I was?

FS I think so.

Yuh, I didn't remember

FS Yuh, cause that whole group, in fact I got pictures of all of everybody, all the alter boys at the time.

Oh, you got pictures of us?

FS Yuh - all taken in the, the chair, the chair behind the alter

Yup, huh

FS And so, but, I don't ah, that's a lot of the names I don't remember

Yuh

FS So

I don't know, ...(unclear)... I didn't even remember XXXXX, the only ones I remembered was me, XXXXX XXXXX, and ah XXXXX XXXXX. Cause, he's still around too. I see him every once in a while, but, the only ones I remembered was those ones because they were asking me, and I ain't gonna lie to them, cause it's just gonna get me in to trouble for lying to them.

FS Yuh

So I didn't, I ain't gonna lie to them about it, cause that's like I told ya know, like when I asked you what you were gonna say when they, if they come question you, cause I'm sure they're gonna now.

FS Um

So, but,

FS I know one kid you had anal sex with

Me?

FS Yuh

Who?

3718

FS XXXX, I don't know his last name

XXXX

FS Yuh

One that I did?

FS Yuh, cause I got up during the night and you were both on the couch

Where was this?

FS At the Cape

nope, not that I ever remember. The only one I ever remember being there when I was with you was XXXXX XXXXX.

FS No

XXXX's the only one I ever remember being there with you, with us when we went down. I don't ever remember anybody else being with us down there.

FS We picked him up at a trailer

A trailer....Oh, I know who you're talking about. XXXXX XXXXX.

FS XXXXX?

Yuh

FS Oh

Yuh, I think, it might, yuh matter of a fact I think it was XXXXX XXXXX that we had brought down there at that, one time.

FS Cause, I got his picture too.

Oh you have a picture of him too.

FS Yuh, but I didn't remember his name. All I remembered was XXXXX

Yuh, it was XXXXX XXXXX.

FS Oh

He lived in [REDACTED]

FS Oh

That's where he did, but I think he lives [REDACTED] in Troy now, with his parent's still

3719

FS Oh, oh gee's

And he's ...God, he's my age, but

FS Yuh, hum

But, you ain't involved with anybody in Lancaster are ya?

FS I haven't, no, no

Asking cause ah, they're gonna, gonna question anybody you're around now. Now that they've questioned me, they're gonna question anybody

FS Yup

Well

FS No, nobody, nobody here not since I've come here. I haven't touched anybody.

Yuh. But, I don't know, I'm sure they'll be question-
ing you about it.

And the following:

Huh, but you know, the police coming, if they come and question you about, what are you gonna say to them?

FS Well, I'll have to, ah, admit it was true, I mean,

Yuh, because I mean, it, you know, ..XXXXX, everybody's always told me when I was always in trouble as a kid, if you, as long, if you're truthful with them, the cops and even, cause it's the Keene cops that are doing it

FS Oh

And that, you know, it will probably be easier on you in the long run, instead of letting them find out on their own.

FS That's right

Cause, otherwise it's, they're gonna really do something about it, I don't know what they do, but, but that's probably the best thing you can do is be truthful with them

FS Yuh

That's why I am, cause I don't want to get in no trouble over it.

FS Oh no

And it's not that it's gonna get me in trouble, but I don't want them to find out that I'm lying to them.

FS Right

I mean, cause I'm not the only one that's saying it

FS Um

It's, there ah, have interviewed and said that it's actually happened, but

FS Huh

But, I don't know

FS Well, XXXXX's big mouth that's

Yup. You ever feel guilty about that?

FS No, cause I was doing out of love.

Yuh

FS No I never, I really never did.

Yuh

FS And, I mean, I was wrong in doing it, but I mean I wanted, wanted to show my love, and I didn't know how to do it.

Yuh

FS So,

I don't know. But, I don't know what, when and if they're gonna come see you, but I'm sure they will eventually.

FS Oh, I'm sure they will.

They'll come and talk to you.

FS Yuh

But, I mean cause I even have a lawyer that wants to, there's a lawyer that wants to do a law suit over this.

FS Oh

Not against, I don't think as far as it being against you. They want to do, remember how you were saying that the church had known and they sent you to therapy

FS Yuh

Well, that's what he wants to do it for be cause the church knowingly ah, knew it was going on, and continued to let you be a priest

3721

FS Oh, ahuh

So, he wants to do a law suit against the church, ah the Roman Catholic Church,

FS Oh

But, hey that's - that's weird, ya know, that's one thing I've always been wondering, how did the church know about that?

FS I don't know

That's what I always wondered, was how, and if it was going on, how they, how would they know?

FS I don't know; they didn't tell me.

No. How long ago did they find out about it?

FS Well, I was

Was that quite a while ago?

FS Well, ya, when I was still there

You were in Troy?

FS Troy.

Oh, hum

FS That was over ten years ago

Oh yuh

FS Because they knew I was here,

I don't understand how they

FS Ah, oh about ten years in January

Yup

FS I've been up here

Huh. I mean cause I never ever told anybody, and that's why I I can't figure out how they would have found out

FS Well, I don't know either.

How long did they send you to therapy.

FS Ah, I think it was three months.

Ah, really,

FS Yuh

3722

Oh. Now when you, you left Troy willingly, right?

FS Oh yuh.

Did they transfer you because of that going on?

FS Yuh, I think so, yuh. They didn't tell me, but, I'm sure it was that

Yuh, they didn't tell you that?

FS No

Yuh, that's probably why they did.

FS Yuh

Ah, I don't know. I imagine they'll talk to you soon, sometime, for sure.

FS When did they talk to you?

Ah, they talked to me, it was yesterday at I don't know, I was I think it was like around eleven o'clock that they had gotten in touch with me and wanted to talk to me, so I came down and that's what it was about.

FS Oh

They wanted to know about it, so, cause I never knew anything was ever going to come about it. They just questioned me about it one day, when I was in here for something else, and, it's ended up coming about

FS Hum

So now it's gonna, but, I don't know. I don't want to tell you to write to me cause if you write to me at that address I don't know if I'll get it, cause

FS Ah

I mean, if you wrote last time and I didn't get it, I mean, it's - I didn't ah

FS Maybe it's best that I don't.

What, write to me?

FS Yuh

Well, it doesn't matter. You can write to me, I'll just give you a different address.

FS Ahuh

And, I'm, that way I know I'll get it.

FS Yup.

Some people that I know in Keene that will make sure that I ain't, nothing's gonna, that I get my mail

FS Ahuh

It's a P.O. Box that I use in Keene now, anyway. That's what I been doing. Cause I'm not with her no more, with XXXXX in Marlborough.

FS Oh, oh yuh.

No, we had a little spat, and I ain't been with her since this last Saturday, but, write to me, ah, just use P.O. Box (deleted) in Keene

FS O.K., in Keene, O.K.

Just put my name

FS O.K.

But, you know, you know the Keene zip, right?

FS I can look it up.

It's 03431 anyway, so you know. Eut, just write to me.

FS Ahuh

And see if I get it this time, I'm sure I will this time, cause I get my own mail.

FS Alright

But, alrighty

FS Yup

O.K., I'll keep in touch with you.

FS Yup

Just write to me

FS O.K. I will.

Alright

FS Yup

Alright, bye bye.

.....end of conversation.

3724

11. On March 5th, 1993, I spoke with [REDACTED] the mother of two boys who were altar boys at the catholic church in Troy under Father Leo Shea. She reported that both her sons went on an overnight trip to Cape Cod with Father Shea. When they came back one of their sons reported that he felt uncomfortable wrestling with Father Shea and from other touching that took place. The other son reported that he did not like the fact that he had to sleep in the same bed as Father Shea, and that Father Shea fondled his penis.

[REDACTED] reported this information to Father Connor's, then working at the Newman Center, Keene State College, Keene, New Hampshire. She was assured by Father Connor that the matter would be kept confidential and Father Shea would be dealt with. [REDACTED] reports that this incident may have occurred in either 1979 or 1980.

[REDACTED] states she confronted Father Shea about this and he denied doing anything to either boy and said they must have misunderstood his hugging them. [REDACTED] believes it was about 5 or 9 months later that Father Shea was taken out of the Troy church and sent to the Midwest for treatment.

[REDACTED] recall that this event with her sons occurring in 1979/80 which might be faulty. Father Shea was in Troy as late as 1983 (referred to by suspect in transcript). An exact date for his leaving Troy has not been established, but he bought his present home located in Danbury, NH in September of 1983.

12. On March 8th, 1993, I spoke with [REDACTED] and learned that he was fondled by Father Shea on an overnight trip to the cottage on Cape Cod. [REDACTED] states this happened when he was young, possibly as young as 8 or 9 years old. He recalls being in his underwear when approached by Father Shea who then fondled his penis.

3725

█ also recalls reporting this to his mother when he returned home from the trip.

13. On March 8th, 1993, Merrimack County Deputy Sheriff Scott Hilliard reported that he had located Father Leo Shea's residence in Danbury, New Hampshire. This residence was described as located on Bohannon Road. It is a single family residence, ranch style, that is green with yellow shutters. It also has a wrap around deck and on and exterior chimney is the name "Lion's Den".

14. On March 9th, 1993, I spoke with █ who was an altar boy at the Troy catholic church with Father Leo Shea. █ states when he was 9 or 10 years old (1979/1980) he went on one of the overnight trips to Cape Cod with Father Shea and other Troy altar boys. While on this trip █ said he experienced a lot of unwanted touching from Father Shea. This included Father Shea touching his leg and moving his hand up his leg in an attempt to touch his genitals. █ said he had to move Father Shea's hand away from his leg a number of times. █ reported this to his mother when he returned from the trip.

15. On March 10th, 1993, I spoke with █ who was an altar boy at the Troy church with Father Leo Shea. █ states he was an altar boy between 1982 and 1983. █ states the proposition to go on the overnight trips to the Cape were always made but he never did go. █ states he was never touched inappropriately by Father Shea.

3726

16. On March 10th, 1993, I spoke with [REDACTED] who was an altar boy at the Troy church with Father Leo Shea. [REDACTED] states he was an altar boy between 1980 and 1982. [REDACTED] said he went on one of the overnight trips as did [REDACTED]. While on this trip he was not touched inappropriately by Father Shea. [REDACTED] did engage in mutual masturbation with [REDACTED]. [REDACTED] had confirmed earlier to me that this was the case. It has been my experience and from my training that children who are being sexually abused often turn to younger children and act out in this manner.

17. That probable cause exists for the issuance of a search warrant to search Father Leo Shea's Danbury residence for the property listed in the attachment.

Then personally appeared the above named DET. James F. McLaughlin and made oath that the foregoing affidavit by him subscribed is true.

DET James F. McLaughlin

Before me this 10th day of March, 1993
