

Oct. 23, 1988

[redacted]

- Ennie Toungay

- when 14 (1970) approached by [redacted]
- taken to Cape, told a special, "diminished" individual, blind by birth, like complex in the Bible - invited in the Church.
- first time at Cape, lie by his side, on yellow paper for
- then were later genital touches
- he wanted me to masturbate him
- he had me sleep with him in his bed at the rectory. 4 or 5 about 75% of time when I was around. Mainly it was a case of sleeping together in bed.
- worst problem was manipulation of Hippel, manipulation of me to suit his need.
- he has other problem [Luis, family, Mexico]
- in April 1988, my younger brother mentioned that this happened to him growing up.
- Also a [redacted] in Weymouth.

~~2/10~~

[This was brought to my attention in May, 1974. I called in Toungay - who denied it. Fr Haly + housekeeper brought it to my second attention. I spoke to [redacted] + he also denied it. That was the end of that. [redacted] admits he lied to me. Toungay spoke to [redacted] - told him what to say. It was also aggressive towards RYS]

ET-0004

A lot of envy + hostility. He just wants to win. He has a bit of a problem in the neighborhood at what he was.

Ernie Townsend

10/24/88

- basically agree about relationship with [redacted]

I had trouble myself. I rationalized it to myself. I also was drinking heavily

- gave up alcohol about six years ago - on my own

- [redacted] - a friendly, affectionate but not sexual.

He is in Florida. Still friends

- [redacted] - a friendly. He was in grammar

school. He was around all the time. Just hangs

I visited him in prison. He felt feelings were overwhelming -

just too much. Probably we need look back on it.

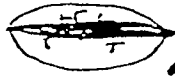
- incident: [redacted] & Helge - but really don't know what happened that one night

- All the time in Ross there has been nothing.

[I still need for residential evaluation.]

August 12th - Xmas - 150 Annies

[Ernie will see O'Hanley]



RCAB
Redacted

2/5/89



- F.T. said he had [redacted] - but will find. Had a 'had in'.
- He called you, Jan 27. He said that if his friend is Melford knew what was going on, they would take care of [redacted] and his family.
- + What will [redacted] do when he finds out I am going to sleep on the unit.
- He mentioned a boy in Rome. Told him: on friendly must be based on the Embassy.
- wonder if he is sinking.



- The phone call has prompted the visit.
- extremely manipulative

any darker?

*E. Tournig
Conf file*

June 29, 1992

Reverend Robert P. Beale
Our Lady's Hall
287 Highland Street
Milton, Massachusetts, 02185

Dear Bob:

His Eminence received your letter of May 25 informing him about the outcome of the assessment at St. Michael's and their recommendation that Father Tournigney continue there for six months' treatment.

Recently, he received copies of reports from St. Michael's and has sent them a letter asking that the reports be sent to me. He is asking that I monitor this situation. I plan to be corresponding with the director of St. Michael's within the week.

If you think it would be helpful for you and I to have a discussion before I talk with the director, would you please give me a call.

Again, Bob, many thanks for all you do.

Sincerely yours,

JEM:mo'l
4697M

Reverend John B. McCormack
Secretary for Ministerial Personnel

ET-0012

November 8, 1993

Reverend Ernest Tourigney
Our Lady's Hall
287 Highland Street
Milton, Massachusetts 02186

Dear Ernie:

I received your letter and appreciate the thoughts you expressed about the correspondence we received from Mr. MacLeish and his representation of [REDACTED]'s and [REDACTED]'s concerns.

His reading of their "rage" is not surprising to me. I have experienced the same. However, outside of the other allegation that has been handled by this office, I am not sure they are aware of any other person with whom you may have been involved. If they do, they have not shared it with me. My sense is they suspect there are others but do not know who they are. They think we should reach out to find them.

When the occasion arises, I will ask them about other persons. I am not sure when this will be since they have engaged an attorney. I will check this out with Wilson Rogers.

I know these are difficult days for you, Ernie. You are in my prayers. Take care.

Sincerely yours,

JBM:mo'l
6644M

Reverend John B. McCormack
Secretary for Ministerial Personnel

ET-0045

To: JBM.

From: CEM

Re: Memo on T. Tanguay

Date: May 15, 1994

Observations and remarks:

1. In light of the allegations which have been made and are which is pending [redacted] and in light of the belief on the part of [redacted] that there may be many more victims, it would be impossible for this address to have T. Tanguay out of the country, not supervised and not in prolonged therapy.

2. How does one go as a lay person, but suggested as a priest? If this man sought laicization and married some "stranger's" help I could see that quite differently.

3. Habitat-In Humanity - Participation by volunteers of all ages.

4. If there are successive allegations, how does one explain where this man is? I certainly would not assume that there are no more legal cases to come.

5. Reasons of R. B. B. seem clear cut, I do not think evidence that the [redacted] spirit [redacted] are intended to be functional!

6. If R. B. B. includes [redacted]

ET-0056

PERSONAL AND CONFIDENTIAL

MEMORANDUM

TO: File

FROM: Rev. Egan M. Flaherty

DATE: April 18, 1985

RE: Rev. Ernest E. Tourigny

Father Tourigny came to Chancery on April 18, 1985 at my invitation. We had scheduled this appointment earlier, but he arrived on Monday, March 27, and I had the appointment scheduled for Tuesday, March 28.

Father Tourigny arrived on time, and we greeted one another cordially. I invited him to tell his story, as he had requested. He asked just how many accusations there were against him. I answered that there were five: [REDACTED] an anonymous young man from Matignon, and [REDACTED]

Father Tourigny decided to deal with the allegation from Matignon first. He identified the young man as [REDACTED], and told the story of an evening close to the end of his time at Matignon. He had been drinking, and feeling like a failure. He heard the voices of the young people hanging out in the playground adjacent to his apartment, and went out and sat down and talked with them, sharing his feelings of failure with them. They asked if they could continue the discussion back at his apartment. About twenty of them came back, and they talked until it was late. When the others were leaving, [REDACTED] asked if he could stay and talk. [REDACTED] and the family had lived in Father Tourigny's apartment before Father Tourigny moved in. They talked until it was very late. When Father Tourigny finally said he had to go to bed, [REDACTED] left. Father Tourigny made himself another drink. When he finally went to bed, [REDACTED] stepped out of Father Tourigny's private bathroom, partially undressed. Father Tourigny does not remember what happened after that. He had a "blackout". The next morning there were a lot of [REDACTED] things around, including a beer bottle in the bathroom. He thinks [REDACTED] had been drinking when he went to the bathroom. [REDACTED] was upset at school. Father Tourigny spoke to his parents, and the principal of the school, and apologized for whatever had happened the night before.

[REDACTED] Father Tourigny went into detail about his relationship with the [REDACTED]. They were his best friends. They supported him all through his difficulties. When he went to Saint Louis, they visited their son across the state in Missouri, and Father Tourigny drove to visit them. He told them about [REDACTED] and [REDACTED] charges. He was surprised at their reaction. They were cold. He remembers a mask coming over their faces. Father Tourigny was upset to learn that as soon as they went home, they went to their children and asked them if Father Tourigny had ever touched them. Father Tourigny felt that what he had told them was in confidence. [REDACTED] said that Father Tourigny had touched him in bed. Father Tourigny was devastated by this and denied it. The [REDACTED] eventually cut off contact with him. Recently (1985) Father Tourigny remembers an evening when [REDACTED] was sleeping in his room in a sleeping bag. Early in the morning, Father Tourigny heard him whimpering. Father Tourigny asked what was wrong. [REDACTED] was having a bad dream and was frightened. Father Tourigny remembers inviting him to come into Father Tourigny's bed and holding him. He still maintains there was no sexual touching.

ET-0096

April 13, 1993

Rev. E. Tourigny
Page 2

Father Tourigny then went into a long narrative about [redacted] and [redacted] who are [redacted]. Father Tourigny was originally friendly with [redacted] older brother. When [redacted] was having an appendectomy, he asked that Father Tourigny come to the hospital to visit. This led to Father Tourigny becoming an integral part of the family life. He went to the [redacted] home for dinner every Sunday and came there at the end of his day off on Tuesday. [redacted] was seeing another woman, and there was a lot of dysfunction in the family. Father Tourigny got [redacted] a secretarial position in the parish CCD program. [redacted] was only six years old when Father Tourigny went to Waymouth. He looked to Father Tourigny as a father figure. When he kissed his parents good night, [redacted] would always kiss Father Tourigny on the lips as well. When he got clear, [redacted] would go to bed, but always insisted that Father Tourigny come in to say good night. They would talk about whatever was going on in [redacted] life, and [redacted] would always hug and kiss him before Father Tourigny went home. [redacted] would take on [redacted] role when Father Tourigny visited their home, crawling up on his lap, etc. He was always trying to imitate [redacted]. Toward the end of the interview, I asked Father Tourigny if he had ever had sexual contact with [redacted]. He said absolutely not. He did acknowledge that he took [redacted] to his home in Pocasset, much later than [redacted] alleges. They slept in the same bed, and one morning Father Tourigny remembers brushing his hand against [redacted] erect penis. Father Tourigny immediately got out of bed, and went into the other room. After a while he returned and went back to sleep.

[redacted] Father Tourigny maintains that when he went to Hilliston he did not like [redacted] at first. [redacted] was 15 and demanded a great deal of attention. The family was in financial trouble. There were ten kids, [redacted] before Father Tourigny got there. Father Tourigny [redacted] and intervened to get the [redacted] so they were able to keep their house. He got [redacted] a job in the CCD program. He arranged for [redacted] the older brother, to get a job as "sacristan" in the Parish. One snowy weekend, [redacted] asked if he could sleep at the rectory, which he did. After that, he slept at the rectory fairly often. There was no sexual contact between [redacted] and Father Tourigny.

When [redacted] was 18 and a senior, he asked if he could sleep at the rectory. He had to get to bed early for football practice, and it was impossible to get to bed early at home. Father Tourigny agreed. One night [redacted] knocked on Father Tourigny's door, and said that he was frightened, and asked if he could come in. Father Tourigny let him come into his bed. He told Father Tourigny that he had been raped when his family was [redacted] as quite small at the time. He was frightened ever since then when he was sleeping in a strange place.

After that [redacted] slept with Father Tourigny regularly, but there was never any sexual contact. One the night of his nineteenth birthday [redacted] wanted to have dinner with Father Tourigny. They had drinks together, and afterwards went back to Father Tourigny's house at the Cace. [redacted] asked if they could sleep naked together. Father Tourigny agreed, and their sexual relationship began that night.

They became inseparable. If Father Tourigny was at a meeting, [redacted] would call to see what time he was coming home. He would often come to a place where Father Tourigny was at a meeting, and wait until the meeting was over. Father Tourigny maintains that he was flattered by the attention. When [redacted] decided to go into the seminary, he even came to St. William's Hall when Father Tourigny was on retreat, and they slept together. During the summer, he arrived at Father Tourigny's apartment and said that he was going to find a job in Cambridge and moved in. Father Tourigny was leery, but nevertheless flattered.

When [redacted] was becoming disillusioned with the seminary, he also began to be unhappy in his relationship with Father Tourigny. He became enamored of the idea of going to Florida to pick up a relationship with a woman he had liked in high school. He spent long hours talking with her on the telephone in Father Tourigny's apartment, at the expense of Mother. Eventually, he went to Florida, met another woman with children, and some time being chased by the children's father. They settled in Newburyport, contacted Father Tourigny, and went out to dinner together. [redacted] was inappropiate, wanting to talk only of the old times, to the exclusion of the woman. Father Tourigny decided they should go out together, which they do and had a wonderful time. Two weeks later [redacted] filed a claim against Father Tourigny.

At this point we had talked for two and a half hours. I could see that we were going to need another session, so I asked Father Tourigny to call and make another appointment. I feel that the session went well.

ET-0097

Rev. Ernest E. Tourigney
Summary - April 15, 1995

May, 1974 (34?)

Father Haley, pastor in Holliston, and the housekeeper, spoke to Bishop Banks about Father Tourigney and [REDACTED]

Bishop Banks called Father Tourigney in. Denied it. Bishop Banks spoke to [REDACTED]. He denied it also. Admitted later that he lied to the Bishop. Father Tourigney told him what to say. Father Tourigney was aggressive towards Bishop Banks.

October 23, 1983

[REDACTED] came to Bishop Banks. Alleged misconduct from age of 14 (1970). Says Father Tourigney abused his brother, and a [REDACTED] in Weymouth.

Bishop Banks spoke with Father Tourigney, who basically agreed about his relationship with [REDACTED]. Attributed the problem to alcohol, which he had given up 6 years earlier. [REDACTED] and he were friends, affectionate, not sexual. He is in Florida. Still friends. [REDACTED] "He felt feelings were overwhelming - probably were as I look back on it" [REDACTED] at Matignon- really don't know what happened that night." Nothing in Revere. Bishop Banks said there was a need for residential evaluation. Father Tourigney will see [Doctor] O'Hanley.

November 2, 1988

[REDACTED] called. Father Tourigney called her at 12:30 midnight. Said he felt betrayed. [REDACTED] would have become a rapist.

January 15-20, 1989

Assessment at Southdown: "Sexual repression, coupled with a strong need for affection and a growing, if naive, comfortableness with sexuality may be contributing factors" to the sexual relationship. Prominent obsessive/compulsive traits. "Ernest does not appear to be in danger of any sexual acting out or harming youth."

February 5, 1989

[REDACTED]. Father Tourigney said he had [REDACTED] in bed with him. Had a "hard on". He called on January 27 to say that if his friends in Milford knew what you were saying they would take care of [REDACTED] and his family. What will [REDACTED] do when he finds out that I got a slap on the wrist?

Father Tourigney acknowledged the call. Very upset. Toronto backlash. Did want to warn him.
: Will see Doctor O'Hanley for a year, and see Bishop Banks in May or June and December. Bishop upset that Father Tourigney is so accusing of [REDACTED]. Bishop Banks offered psychological help to [REDACTED].

July 15, 1989

Letter to Bishop Banks from Doctor O'Hanley, attesting that Father Tourigney has no proclivity for acting on impulse. "There is no evidence from my interviews nor from the testing that would suggest that his ministry be limited in any way."

May 15, 1992

Intervention in Revere, set up by the Priests' Recovery Program. Father Tourigney referred to Saint Michael's Community in Saint Louis for evaluation. Evaluation took place May 13-22. Inpatient treatment recommended. Father Tourigney remained at Saint Michael's until the end of December.

December 17, 1992

[REDACTED] called. Alleged abuse

December 22, 1992

Jim Flynn, CSS called Bishop Hughes [REDACTED] upset. Wants to make sure Father Tourigney is away from youth. Letter from Margolies and Margolies, representing [REDACTED]

ET-0098

February 4, 1993

Father McCormack and Father Tourigney met [redacted] was aggressive in forming friendship. I never forced him. Many other sexual accusations about [redacted] looked for money
[redacted] also came in to see Father McCormack. Abused as a child. (11/15)

March 12, 1993

Meeting between Father Tourigney and Father McCormack

"Bottom line: No public ministry until issues dealt with"

• Accusations and responses were specific and detailed.

[redacted] [using drinking to get me out of the Parish]

• getting along with life - let go

• major decisions were made about my life which were unjust

• need opportunity to refute before I can let them go

• I act out of a sense of hurting

• need to refute "lies and misrepresentations" before moving on

• next step is to let go; needs to address the substance to do this; not just the details

• no public ministry

• "doesn't see a future in ministry - Ernie"

• How Do I reorganize my life?

• angry - not with being turned in, but with being in limbo. He wants a resolve

Father McCormack asked Father Tourigney to meet and discuss this conversation with Dr. Curran.

June 6, 1993

Meeting of Father McCormack and Father Tourigney and Dr. Curran

Father McCormack: Father Tourigney not ready to return - does not understand the impact he had on victims.

Father Tourigney said he does

Father McCormack: "I told him I would think about what has been said and will get to him by the middle of

July."

I. D. #6137

NAME **Tourigny, Rev. Ernest E.**

DATE OF BIRTH **Nov. 14, 1934**

PLACE OF BIRTH **Medford, Massachusetts**

DATE OF ORDINATION **Feb. 2, 1961**

PLACE OF ORDINATION **Cathedral of the Holy Cross, - Cardinal Cushing**

HOME ADDRESS **18 Clout Street**

P. O. Box #1491 - Pocasset, MA 02559

HOME TEL. NO. **3873-1329**

PLACE OF RESIDENCE **West Medford, Massachusetts 02156**

Tel. **[(508)563-6098]**

DATE ASSIGNED	OFFICE	ASSIGNMENTS PLACE ASSIGNED	DATE DETACHED	REMARKS
2/14/61	Asst.	Immaculate Conception, East Weymouth	6/9/70	
6/9/70	Asst.	St. Mary's, Holliston	7/5/77	
7/5/77	Resident Chaplain	Matignon H.S. Cambridge	6/14/83	
6/14/83	Pastor	Team Ministry Immaculate Conception Revere		
		As of 6/14/89 Reversal of position		
		Team Ministry - TOURIGNEY, Ernest E.	6/9/92	2T
		MODERATOR - MESSINA, Richard C	6/9/92	2T
6/9/92		Sick Leave	5/1/97	
5/1/97		Permanent Disability	8/8/2000	

ASSIGNMENT RECORD

ARCHDIOCESE OF BOSTON

WHEELER FORM 70000-0

8/8/2000

Senior Priest/Retirement Status

ET-0181

Holliston, Mass. 01146

February 25, 1974

Dear Excellency:

Fearing in some degree a repetition of the errors of Father Leonard J. Coney, and at the same time mindful of the sure place in the next life, of priests' detractors, I ask your office to examine the conduct of Father Ernest Tourigny of St. Mary's parish, Holliston.

Whether Father Tourigny's activities stem from love of God, or love of love, or whatever, I question the wisdom and possible damage to the ring of exolling from the pulpit the merits of Father Daniel Corrigan, as well as other semi-political utterances. Further, while hesitate to use the word "cult", the Tourigny is developing a following in this parish separate from conventional parish life.

Should you find my fears without foundation, then my calling Father Tourigny to your attention should be to his benefit. Recalling your words during your installation as Archbishop as to being guided by ~~the Holy Spirit~~ have the greatest confidence in

ET-0364

MEMORANDUM

To: Father John McCormack
From: Kaye Woodward *KW*
Re: Mr. [REDACTED]
Date: April 28, 1993

In response to your memo of April 27 regarding a meeting between Mr. [REDACTED] and Cardinal Law, the date of Friday, May 14, 1993 at 4:00 p.m. has been scheduled in the Cardinal's calendar.

KW/ac

*Please call
Joan*

ARCHDIOCESE OF BOSTON
RECEIVED

APR 29 1993

OFFICE OF
MINISTERIAL PERSONNEL

ET-0455

*F. Toureigny
copy file*

MEMORANDUM



TO: Cardinal Law
FROM: Father McCormack
DATE: May 14, 1993
RE: Mr. [REDACTED]

Today you are scheduled to meet with [REDACTED] at 4:00 p.m. I will be present. I am scheduled to celebrate Mass at 5:15 at St. Paul's. Therefore, I will plan to leave about 4:50. If you have a problem with this, please let me know.

JBM:mo'l
5979M

ET-0460

*this is
a memo
to law*

PERSONAL AND CONFIDENTIAL

Mr. ██████████
Newburyport, MA

Mr. ██████████, thirty-eight years old, married, two stepchildren, a former seminarian at St. John's and a recovering alcoholic.

1. Confidential Information: Fr. Tourigney reports that Mr. ██████████ was abused by a school bus driver when he was a child.
2. Mr. ██████████ and Fr. Tourigney had a sexual relationship during his adolescence and seminary years. It perdured for about five years.
3. Mr. ██████████ is angry with the Archdiocese. He reported Fr. Tourigney to Bishop Banks. After sending him for an evaluation, he was reinstated in a parish.
4. Mr. ██████████ is angry with Fr. Tourigney. He feels he manipulated him into the relationship and was held 'hostage' by Fr. Tourigney. He would tell Mr. ██████████ that the relationship was a good one, something special and one blessed by God - similar to the relationship of Jesus to John and David to Jonathan.
5. He was concerned that Fr. Tourigney manipulated him by theologizing about their relationship and portraying himself as one with spiritual wisdom (including the idea about being reincarnated). He is angry that Fr. Tourigney threatened his mother in a telephone call that he would send people from Milford (It was left vague).
6. Mr. ██████████ is looking for you and me and Bishop Banks to say: I am sorry.
 - a) Sorry that Bishop Banks reinstated him in the parish after an evaluation in light of what he learned from Mr. ██████████
 - b) Sorry that Bishop Banks didn't reach out to Mr. ██████████ further after meeting with him.
7. Mr. ██████████ wants to be assured Fr. Tourigney will never be put into a position to do such things again.
8. He is looking for compensation through a lawyer.
9. Other information:
 - a) Mr. ██████████ knows ██████████ and ██████████ of Immaculate Conception Parish, Weymouth. They made previous complaints about Fr. Tourigney.
 - b) Fr. Tourigney currently is on administrative leave, living at Our Lady's Hall under supervision, in counseling with a psychiatrist and not doing any public ministry.

KBM:mo'l
5980M
5/14/93

ET-0461

*up
File
Ernest
Tourigney*

June 14, 1993

Most Reverend Robert J. Banks, DD
Bishop of Green Bay
P. O. Box 23066
Green Bay, Wisconsin 54305-3066

Dear Bob:

Recently, ~~St. Lawrence~~ had a meeting with Cardinal Law. His understanding was that the Cardinal intended to share some of the conversation with you.

~~St. Lawrence~~ telephoned and asked whether it would be possible to meet with you. He thought that it could be possible some time when you visited the area. I told him I was not sure about this but thought that the best way to go about it was for him to write you a note.

My sense is that he wants to have an understanding why things happened the way they did in his conversations with you around Father Tourigney. He thinks you did not handle it the way that he expected. Therefore, this could be a sensitive conversation.

I have found my conversations with him to be helpful to him. He is a recovering alcoholic who is trying to come to terms with his past. At the same time, he is angry with us and I am sure that he will be looking for a financial settlement. He has a lawyer.

If you thought that you could be pastorally helpful to him in your conversation, I would encourage you to meet with him sometime. If you choose not to meet with him, my sense is that he will take it as a sign of indifference to his concerns.

I mind bringing this information to you, but I thought I ought to inform you what he has asked and what he would like to do. If you think I can be of help, let me know. Take care.

Sincerely yours,

JBM:mo'l
6101M

Reverend John B. McCormack
Secretary for Ministerial Personnel

ET-0467

Conf File

PERSONAL AND CONFIDENTIAL

M E M O R A N D U M

TO: Fr. John McCormack ✓
FROM: Fr. Kevin Deeley *KD*
DATE: May 23, 1994
RE: Fr. Tourigney

1. My concern is whether or not he has adequately begun to face the serious issues raised in the allegations.
2. Do we have a responsibility to notify any prospective employer about allegations of sexual misconduct.
3. I think this is a catch-22 situation, i.e., he needs to do something, but we still have responsibility for monitoring his activity.

KJD:tt

Memorandum

May 20, 1994 ✓

To: Fr. John B. McCormack
From: Fr. Edward M. O'Flaherty, S.J.
Re: Reverend Ernest Tourigney

I am responding to the memo you sent about Fr. Tourigney's letter sent to Cardinal Law. I shall answer from the point of view of my role in pastoral support of priests, and do not take into account any questions of liability.

1. E.T. has not been dealing successfully with his anger, the accusations against him, and his present position in the Archdiocese. At least, this is what we hear. Could his psychiatrist give some kind of evaluation of the progress he has made ? The accusations against him remain very strong statements about his unsuitability for what might be called "ministerial" or service-oriented work, because the allegations clearly suggest that he takes advantage of some young men in trusting situations. E.g. the son of close friends of his. It is not apparent to me that he has done much with this allegation other than to seem to admit it but diminish its significance. Finally, I have a question about how well he is using his time at the residence to which he is assigned. It seems he is away from there more often than he is present, and his difficulties seem to be those of the Archdiocese's handling of his case, not his case. The present opportunity seems to be an escape from problems more than a solution to them.

2. It seems to me that if E.T. is not interested in pursuing the effective handling of his problems, then he should be invited to seek laicization. Then he would be free to accept such offers as he sees fit. It is not a happy solution, because it leaves him as a potential danger to young men, but perhaps the seriousness of the invitation might get him to think of more effective ways to deal with his problem.

3. Could the above, especially number 1, be said to him ? You would have to check with his psychiatrist, monitor and with Fr. Bob Beal, and they will confirm what I proposed.

[REDACTED]

RCAB REDACTION

ET-0622

To: Most Rev. William Murphy
From: Rev. Ernest Tournigny
Date: January 28, 1997
Subject: Place of Residence

OUR LADY'S HALL AND IT'S PURPOSE

Provides home and counseling service to recovering alcoholic priests.

- A transitional living arrangement for priests who have been accused of sexual misconduct
- for those who do not have an alternative living arrangement.
- for those who have been clinically assessed to be incurable pedophiles.
- Quoting Fr. John Walsh (Boston Globe 1/23/97) "church officials can assure Milton residents the men living in the hall pose no risk".
Quoting Milton selectman John Shields (same article) "They claim that there has never been a person there who would be a predator. You have to take solace in that. You have to take them at their word."

Conditions requested of those residing at OLH: Report whereabouts so as to be able to be reached in an emergency.

PERSONAL REASONS FOR BEING AT OLH

After leaving St. Louis I was permitted to live at my family home in Pocasset. During the notoriety given the John Hannon trial, I was requested by John McCormack to live at Our Lady's Hall as a "safe house" until the publicity surrounding Hannon subsided. Our Lady's Hall considered as a "safe house" has recently been discredited and the residents placed at considerable risk. I have made the observation to Brian Flatley that no group residence would be free of public scrutiny. The information in the Globe article (1/23/97) strongly suggests was provided by an inside informer who at will could target these same residents regardless of where they are living. Parenthetically, I would like to know why only this small group of men are being targeted when, according to Cardinal Law's public statement a few years ago that there are at least 20 or more who have been accused and removed from parish assignment.

Personal reasons for leaving OLH and returning to my family home

1. It was life draining and harmful to the quality of my life as observed by:

[REDACTED]

[REDACTED]

[REDACTED]

RCAB REDACTION

ET-0729

- My Spiritual Director was concerned about the effect that a stifled lifestyle had on my spirituality.
- My AA sponsor was concerned about the long range effect that "warehousing" would have on recovery.
- My family members, especially my sister and brother-in-law with whom I meet and share meals on a daily basis and who are my strongest support system view confinement at OLH not only as "cruel and inhuman treatment" but also as "counter-productive to rehabilitation."
- My priest and lay friends have complimented me on the quality of life and upbeat attitude I exhibit since returning to my family home.

2. UNREASONABLE RESTRICTIONS AT OLH

- Forbidden to answer telephone
- Forbidden to answer door
- Forbidden to have visitor, even family members and priest friends
- Forbidden to have own telephone or T.V.
- Constantly reminded that OLH was not our home thus creating an unwelcomed atmosphere.

3. EFFECTS OF WAREHOUSING

- Socializing was rare....mainly at the noon day meal and occasionally late night in the T.V. room..
- Lack of any purposeful activity
- Symptoms of institutionalization as manifested by paranoia, anger, petty bickering etc.

THE QUALITY OF LIFE EXPERIENCE AT FAMILY HOME

- Normalized communication, socialization and support systems
- Good local recovery programs
- Healthy activities (Around the house and yard projects)
- Cultural Activities
- Educational opportunities for senior citizens
- Membership at a local adult fitness center

ATTEMPTS TO JUMP START LIFE

In May 1992 everything that was meaningful and important was suddenly taken away from me, leaving me with an unbearable emptiness. Upon completion of my treatment at St. Michael's in St. Louis I met with John McCormack who at first indicated that I was

ET-0730

reassigned to a "childless" environment within a matter of 6 weeks. Later he recanted and informed me that I would never receive an assignment and suggested I look into alternative careers. Out of obedience I pursued the following course of action

- Requested to return to graduate school to be reeducated in a field related to my expertise. The request was denied on the basis that due to my age such an effort would not benefit the Archdiocese.
- Enlisted the services of a career counseling firm (DBM). It became evident due to the limited scope of my formal education, as well as the drawback of age in an economy that was downsizing and releasing personnel over the age of 55 for early retirement that any hope of acquiring any meaningful employment was futile.
- Met with the bishop of Amarillo to whom I candidly explained my situation. After some screening (mainly the staff at St. Michael's and Dr. Curran) he was willing to welcome me in his diocese. He spoke personally with Cardinal Law who refused his request.
- Was considered for the directorship of a hospice care facility in Texas. Permission denied by Rev. James McCarthy.
- Was considered for the position of chaplain at an elderly care facility in St Petersburg, Fla. Permission denied by Rev. John McCormack.
- A final attempt was with Habitat For Humanity where I was considered for the position of field representative in Sri Lanka and India. Permission denied.

FINAL REMARKS

I have been obedient and have complied with every directive of the Archdiocese even when I could not understand or agree at times with the rationale of some requirements. Many times I have voiced my objection of not being able to stand before my accusers and defend myself. I have resented being judged unilaterally on accusations that often were overstated, if not outright false. I would have welcomed the opportunity to present a contextual picture of these individuals, their families and my involvement with troubled children from dysfunctional homes. It would have given a perspective that was sorely missing. Both my psychiatrist and lawyer were objective and had the patience to listen. As noted earlier, my psychiatrist on at least two separate occasions tried to communicate his positive findings to the Archdiocese. My lawyer, knowing a complete history, was willing to represent me in a court of law if I would agree. He was confident that he could win based on a large number of discrepancies that appeared in the depositions. He was told however, that no funds were available from the Archdiocese to pursue that course of action. I personally was unable to assume the burden of a costly trial. However I have tried to put all that behind me now and restructure a life of dignity and meaning. According to my various support systems I have done a remarkably good job.

I have a moral obligation to protect and enhance the quality of my life as a precious gift from God. Abortion is not the only sin against the right to life. I experienced confinement as a death sentence and thus I am morally bound to resist it..

I would like to come to some agreeable resolution to this dilemma. I am 62 years old and ordained 36 years. Combined with the 9 years of preparation I have been connected to the church for a total of 45 years, most of which has been in loyal and dedicated service. I appeal to you as a brother priest to exercise justice and charity in attempting to resolve this issue. It would be presumptuous on my part to remind you that the cornerstone of the church is forgiveness as Jesus prayed in the Our Father. As often experienced in the Gospel the keystone of the Church is mercy and the building blocks are love. Without these we are doomed to collapse. If no other resolution is possible, being only a few years from retirement, I would like to be considered for retirement status.

Texas

This is where I will be making my annual retreat with a half dozen priests from Texas. It is a structured program following pretty much the same format as most retreats, a week of prayer followed by a week of relaxation with brother priests. I also intend to visit a long-time friend who is seriously ill with cancer that could claim her life at any time.
I may be reached by phone at 506-353-1010

ET-0732

Confidential Memorandum

To: Cardinal Law, Most Reverend William Murphy, Msgr. Robert P. Deeley

From: Reverend William F. Murphy *WFM*

Date: October 29, 1998

Re: Rev. Ernest Tourigney

806-383-2213

I received a telephone call today from Fr. Harry Waldow, Vicar for Clergy in the Diocese of Amarillo, Texas, regarding Fr. Ernie Tourigney.

According to a couple passing through Amarillo who had spoken to Fr. Waldow, they witnessed Fr. Tourigney celebrate Sunday Mass at St. Thomas the Apostle Parish in Amarillo.

The Pastor of St. Thomas is Msgr Joseph Tash, a longtime friend of Fr. Tourigney.

The couple spoke to Fr. Waldow, curious that Fr. Tourigney was "back in ministry". This prompted the call to Boston.

I spoke to Msgr Lennon about this. Given that Fr. Tourigney's faculties have already been removed by Cardinal Law (see attached), Msgr. Lennon suggested that Fr. Tourigney be instructed to report to Chancery as soon as possible to give an account of his actions and possibly to be suspended.

As soon as Fr. Waldow prepares a report for his Bishop containing more details from the couple and a report from Msgr. Tash, he will fax me a copy. I will be back in touch with you.

What would you suggest as a course of action?

St Thos the Apostle
4100 Coulter Dr.
Amarillo Tx
79109

ET-0778

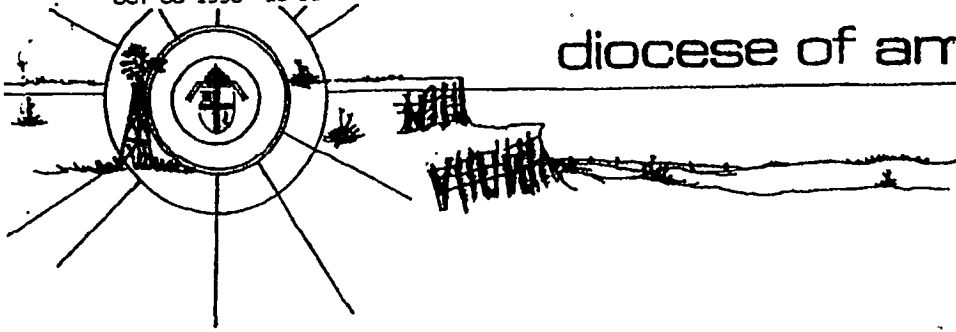
OCT-30-1998 18:51

FROM DIOCESE OF AMARILLO

TO

16177832947 P.02

diocese of amarillo



October 29, 1998

To Most Rev. Bishop John Yanta
Diocesan Bishop of Amarillo, Texas

To Rev. William Murphy
Priest Personnel Committee
Archdiocese of Boston, Massachusetts

from Msgr. Harold Waldow
Vicar of Clergy, Diocese of Amarillo

DIOCESAN PASTORAL CENTER AMARILLO, TX 79117-5644
P.O. BOX 5644 808 360-8240

ET-0782

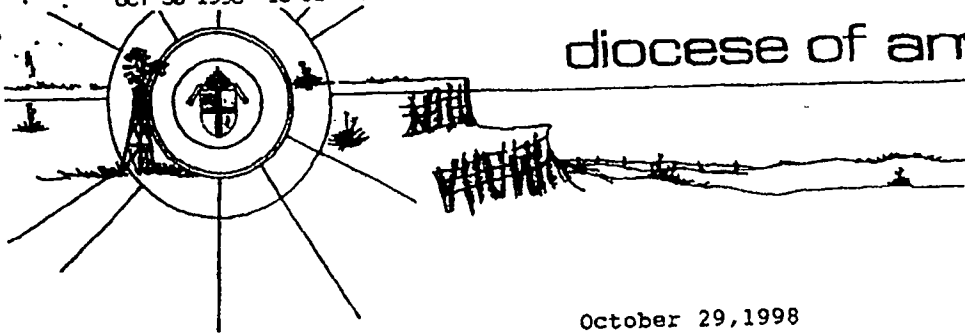
OCT-30-1998 10:51

FROM DIOCESE OF AMARILLO

TO

16177832947 P.03

diocese of amarillo



October 29, 1998

Shortly after the weekend of October third and fourth I received a telephone call at St. Joseph's Church where I reside from a gentleman who asked if there was a priest in our Diocese by the name of Ernie. I replied that to my knowledge there was not. The only priest I ever knew here in Amarillo called Ernie was a Vincentian priest : Father Francis Lynes now deceased who was called " Ernie." The conversation went no further.

Another telephone call ensued later in the week this time the gentleman and his wife spoke to the same issue . The woman had said she called St. Thomas the Apostle Church here in Amarillo and inquired about the priest who had celebrated weekend Mass...she was told his name was Father Ernie Tourigney. The couple ...in particular the woman now spoke of her real concern that they had thought that the priest celebrant they saw that weekend was Father Tourigney of Boston who was no longer in active ministry in the New England area, the call to St. Thomas confirmed their suspicions that he was one and the same person. The question was raised how could Father Ernie celebrate Mass here and not in New England. The couple identified themselves as [REDACTED] who were in Amarillo interviewing for employment. Their home is the greater Boston area and they were visiting St. Thomas the Apostle that weekend. I received the information and turned the name of the priest over to the Bishop who asked that the Vicar General follow up on this matter. The Vicar General asked me to assume responsibility for the matter and I called the Archdiocese of Boston first being directed to Father Paul Miceli and then to Father William Murphy. I explained the situation. I was told by Father Murphy that Father Tourigney was a priest of the Archdiocese who was " off the job." Father Murphy also told me that Father Tourigney has no permission to work as a priest in Boston or anywhere else. There were issues in the past that deal with sexual misconduct with minors.

Later in the afternoon Father Joe Bixenman our Vicar General told me that Father Ernie had celebrated all the weekend

DIOCESAN PASTORAL CENTER AMARILLO, TX 79117-5644
P.O. BOX 5644 806-300-2243

ET-0783

OCT-30-1998 10:52 FROM DIOCESE OF AMARILLO

TO

16177832947 P.04

liturgics at St. Thomas; both the pastor and priest in residence were out of town.

Sometime around 4:00 p.m. Father Murphy telephoned again and asked for some written statement from me concerning the allegations. We spoke briefly. I assured that I would write the situation up for both Bishop Yanta as well as for the Archdiocese of Boston.

Sincerely ;

Msgr. Harold Waldow
Rev. Msgr. Harold Waldow
Vicar of Clergy

TOTAL P.04

ET-0784

Neil to Fr. Higgins - 8/15/01

Fr. Tourginey †

His concerns:

- Nephew: was alienated from Church, now reconciled with Fr. T's help. Not doing the wedding will be traumatic. Fr. T. was supportive to him as his father abandoned family, he suffered from cancer, coma, etc. to recover and plan a wedding.
- Says he had permission from Bishop Murphy for a year and would have had the family make other arrangements if he knew he couldn't be involved.
- Traumatic to family, bride to be, etc.

Pleads for reconsideration wants me to "have the Cardinal review the facts."

My comments to him:

I was calling to let him know that "any earlier permissions had been reconsidered and rescinded". I said that I would not speak with the Cardinal but would make his concerns know to Fr. Higgins. I would be back in touch with him Thursday afternoon.

Can this be reconsidered in that it's for a single event and not an assignment like the other situations? - *NO*

If not, I'll call him Thursday afternoon to say that the situation has been reviewed and the decision stands.

08-14-01

Neil H.

These are old arguments (concerns) - the decision stands.

ET-0812



ARCHDIOCESE OF BOSTON
2121 COMMONWEALTH AVENUE
BRIGHTON, MASSACHUSETTS 02135-3193
(617) 254-0100

SECRETARY FOR MINISTERIAL PERSONNEL

August 9, 2001

Reverend Ernest Tournigney
P. O. Box 1491
Pocasset, Massachusetts 02559

Dear Father Tournigney:

As of today, August 9, 2001, all previous permissions that were granted to you for the public celebration of the Sacrament hereby are withdrawn. This includes the two most recent requests for a wedding at St. Catherine's in Norwood and an impending funeral.

Due to circumstances and situations of today, this action is being taken for your protection and that of the Archdiocese of Boston.

Sincerely in Christ,

Reverend Charles J. Higgins
Delegate to the Archbishop

CJH:mo'l
1851

ET-0813

Fr. Turginey

His concerns:

- Nephew: was alienated from Church, now reconciled with Fr. T's help. Not doing the wedding will be traumatic. Fr. T. was supportive to him as his father abandoned family, he suffered from cancer, coma, etc. to recover and plan a wedding.
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- Traumatic to family, bride to be, etc.

Pleads for reconsideration wants me to 'have the Cardinal review the facts.'

My comments to him:

I was calling to let him know that 'any earlier permissions had been reconsidered and rescinded'. I said that I would not speak with the Cardinal but would make his concerns know to Fr. Higgins. I would be back in touch with him Thursday afternoon.

Can this be reconsidered in that it's for a single event and not an assignment like the other situations?

If not, I'll call him Thursday afternoon to say that the situation has been reviewed and the decision stands.

08-14-01

Neil H.

ET-0814

COPY

727 U -

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CIVIL ACTION NO.:

02-1451

JOHN DOE and JANE DOE,

Plaintiffs,

v.

BERNARD CARDINAL LAW, a.k.a.,
CARDINAL BERNARD F. LAW, ROMAN
CATHOLIC ARCHBISHOP OF BOSTON, a
Corporation Sole, and ERNEST
TOURIGNEY,

Defendants.

FILED
IN THE OFFICE OF THE
CLERK OF THE COURTS
FOR THE
APR 05 2002
Charles J. Sullivan
CLERK

COMPLAINT AND JURY DEMAND

1. This action is brought by plaintiffs JOHN DOE ("John") and his mother JANE DOE ("Mrs. Doe") (separately, "Plaintiff" and collectively, "Plaintiffs") against defendants Bernard Cardinal Law, a.k.a., Cardinal Bernard F. Law ("Cardinal Law"), the ROMAN CATHOLIC ARCHBISHOP OF BOSTON, a Corporation Sole ("RCAB") and Ernest Tourigney ("Father Tourigney"), arising from Cardinal Law's intentional, reckless, and/or negligent acts or omissions in allowing Reverend Ernest Tourigney ("Father Tourigney") to repeatedly sexually molest John for many years while John was a minor. Specifically, John brings this action against Cardinal Law and the RCAB for negligent hiring/supervision, intentional/reckless infliction of emotional distress, and violation of the Massachusetts Civil Rights Act, MASS. GEN. LAWS, Ch. 12, §§11H and 11I; and against Father Tourigney for assault, battery, intentional infliction of emotional distress and a claim under MASS. GEN. L. ch. 12, §§ 11H and 11I. In addition, Mrs.

Doe joins with John, her son, and brings this action against Cardinal Law and RCAB for negligent hiring/supervision, loss of consortium, and intentional/reckless infliction of emotional distress. Concomitantly, Plaintiffs seek damages resulting from the wrongful and unlawful conduct of Cardinal Law, the RCAB and Father Tourigney.

THE PARTIES

2. Plaintiff John is an adult residing in Malden, Middlesex County, Commonwealth of Massachusetts.

3. Plaintiff Mrs. Doe is an adult residing in Malden, Middlesex County, Commonwealth of Massachusetts. Mrs. Doe is John's mother.

4. Defendant Bernard Cardinal Law, a.k.a., Cardinal Bernard F. Law, is an adult residing in Suffolk County in the Commonwealth of Massachusetts. Cardinal Law is the head of the Roman Catholic Archbishop of Boston (the "RCAB"), which operates parishes, schools, and programs for children in the Commonwealth of Massachusetts. Cardinal Law was elevated from Archbishop to Cardinal in 1985.

5. The defendant, the RCAB, is a corporation sole, with its principal place of business at 2121 Commonwealth Avenue, Boston, Suffolk County, Commonwealth of Massachusetts. The RCAB operates parishes, schools and programs for children.

6. Defendant Father Tourigney is an individual who resides in Pocasset, Barnstable County, Commonwealth of Massachusetts.

STATEMENT OF FACTS

A. *Father Tourigney, Immaculate Conception, and Accusations of Sexual Molestation of Children.*

7. Upon information and belief, Father Tourigney has been a priest within the RCAB since the 1960's. In or about the 1960's, Father Tourigney was assigned to the

Immaculate Conception Church in Weymouth, Massachusetts.

6. Upon information and belief, Father Tourigney molested at least two young boys, before and apart from the plaintiff John while he was Immaculate Conception Church in Weymouth.

7. Later, Father Tourigney was transferred to the St. Mary's Church in Holliston, Massachusetts. Upon information and belief, Father Tourigney molested at least one minor parishioner while he was a Pastor at St. Mary's Church.

8. Thereafter, Father Tourigney was transferred to Matignon High School in Cambridge, Massachusetts. Upon information and belief, while at Matignon High School, Father Tourigney would take members of the high school football team out on the field late at night and consume alcoholic beverage with them.

9. After leaving Matignon High School, Father Tourigney was assigned to the Immaculate Conception Church in Revere, Massachusetts.

10. While at the Immaculate Conception Church in Revere, Sister Katherine O'Brien, S.N.D. ("Sister Katherine"), Sister Winifred Miller ("Sister Winifred"), and Reverend Richard Messina ("Father Messina") each had concerns regarding Father Tourigney's abuse of alcohol and behavior with small children. Upon information and belief, Father Messina observed Father Tourigney with young boys in his room at the rectory, on some occasions with the door closed and on some occasions with the door open. Upon information and belief, Father Messina discussed these concerns with Sister Katherine and Sister Winifred. Upon information and belief, Sister Katherine, Sister Winifred and Father Messina consulted Cardinal Law on various occasions regarding their concerns about Father Tourigney's involvement with small children as well as Father Tourigney's abuse of alcohol.

11. At some point in 1991, Father Tourigney was sent to St. Louis, Missouri for treatment for alcoholism and pedophilia.

12. Upon information and belief, in 1992, when Father Tourigney returned from St. Louis, he was sent to a half-way-house in Milton, Massachusetts. Also upon information and belief, Father Tourigney had additional meetings with Cardinal Law at that time regarding returning to a parish. Upon information and belief, Father Tourigney was prevented from serving at any parish.

B. Cardinal Law's Actual Knowledge of Sexual Molestation Charges Against Father Tourigney.

13. During the early 1990's, at least two parishioners at the Immaculate Conception Church in Weymouth, Massachusetts reported to Cardinal Law that they had been molested by Father Tourigney when they were children. After the RCAB failed to satisfactorily address the problem, in or about 1995, these two parishioners brought suit against Father Tourigney.

14. Moreover, upon information and belief, Cardinal Law became aware of other allegations of sexual molestation of children by various RCAB priests during the period from 1984 (when he arrived as Archbishop) to 1989, separate and apart from Father Tourigney. In an effort to conceal the actions of pedophiles, some of those priests were transferred from parish to parish or returned to active ministry despite substantiated allegations of pedophilia. Cardinal Law's decision to ignore the complaints of various parishioners concerning Father Tourigney and others was consistent with Cardinal Law's inaction and ostensible acquiescence to pedophilia within the RCAB.

C. Father Tourigney's Sexual Molestation of John.

15. John was born in 1970. While John was between the ages of thirteen (13) and sixteen (16), Father Tourigney repeatedly sexually molested him (approximately between 1984

through 1987).

16. John has just began counseling regarding the sexual abuse he has suffered at the hands of Father Tourigney. John has remembered that Father Tourigney had sexually abused him when he was a child and is in the process of making the causal connection between these acts and his psychological injury. John is still in the process of treatment and is continuing to remember more instances of the abuse.

17. On at least two occasions, John stayed overnight at the Rectory at the Immaculate Conception Church in Revere, Massachusetts, when Mrs. Doe was out of town. On each of those two events, after John came out of the shower, Father Tourigney dried John off with a towel. While Father Tourigney dried John off, he fondled John's penis and testicles.

18. On another occasions, John stayed with Father Tourigney at Father Tourigney's house on the Cape. While the two were on the beach, Father Tourigney wrestled with John during which time he touched John's penis and testicles. When they returned from the beach to the house, Father Tourigney commented that John was covered in sand and that he should remove his swim suit so it could be washed. When John removed his swim suit, Father Tourigney again dried John off with a towel and fondled John's penis and/or testicles.

19. Father Tourigney was close to the Doe family and would often visit John and Mrs. Doe at their home and would also invite John And Mrs. Doe to his home on the Cape. On various occasions while at the Doe home, his home on the Cape or at the Rectory, Father Tourigney asked John to sit on his lap. John would sit on Father Tourigney's lap and find that Father Tourigney's penis was erect.

20. Also, on numerous occasions, at the Does' home, Father Tourigney's home on the Cape and at the Immaculate Conception Church in Revere, Father Tourigney would hug John

very tightly and closely.

21. On a different occasion, Father Tourigney took John to house in New Hampshire. At night, John was sleeping on the floor next to another child. Father Tourigney woke up the child who was sleeping next to John and instructed him to sleep in another location. Father Tourigney then laid down next to John and was facing him. John felt uncomfortable and turned his back to Father Tourigney. Father Tourigney then held John close and pressed his body close to John's. Father Tourigney also placed John's hand on his leg. John felt Father Tourigney's skin and hair and realized that Father Tourigney had removed his pants. Father Tourigney then proceeded to masturbate on John. John started to cry and asked Father Tourigney to stop. Father Tourigney stated that he loved John and continued to rub John's chest, legs and penis.

22. During the time Father Tourigney began molesting John, John began developing various behavior problems. In junior high and high school, John had problems controlling his bowel movements would have accidents at school. Since then, John has suffered various other maladies, including, without limitation, sleeping problems, depressions, sexual problems, and problems controlling anger and frustration.

D. Breach of Duty and Failure to Act Responsibly by Cardinal Law and the RCAB.

23. Put simply, between 1984 and 1990, Cardinal Law and the RCAB completely failed to notify, let alone warn, Plaintiffs of the danger and foreseeable problems with Father Tourigney, despite the fact that Cardinal Law and the RCAB was aware of the complaints made by the other priest and nuns in Father Tourigney's parish. Moreover, Cardinal Law and the RCAB were aware, or reasonably should have been aware, of Father Tourigney's deviant behavior toward children and the complaints that had been made against him before his arrival at Immaculate Conception in Revere. Moreover, Cardinal Law and the RCAB breached his duty to

John when they failed to notify parishioners of the Immaculate Conception Parish that there were serious allegations of pedophilia against Father Tourigney in 1991. Had Cardinal Law and/or the RCAB notified parishioners of the abuse allegations made in 1991, then it is more likely than not that John would have received treatment more than 11 years ago and would have made substantial progress in his recovery.

24. Despite the fact that (a) Cardinal Law headed the RCAB, which operated numerous programs; (b) a reasonable person in Cardinal Law's position would know, or should have known, that pedophiles, like Father Tourigney, would be attracted to situations where they could gain access to children; (c) Cardinal Law had a duty to ensure that reasonable steps were taken to make certain that innocent and unknowing children were not exposed to pedophilia or unsafe situations where they could be abused; and (d) at least two complaints were made by other parishioners as well as complaints by nuns and at least one priest in Father Tourigney's parish itself directly to Cardinal Law about Father Tourigney's deviant behavior, Cardinal Law allowed Father Tourigney to continue as Pastor at Immaculate Conception, where he eventually sexually molested John continuously for many years. In addition, during the years that John was being abused by Father Tourigney, the RCAB was a haven for priests who engaged in pedophilia.

25. During the time that Father Tourigney was sexually molesting John, the RCAB, under the supervision and direction of Cardinal Law, knowingly permitted pedophiles such as Father Tourigney to remain in situations within the RCAB where they could gain access to children. In addition, the RCAB failed to adopt proper procedures to prevent children attending parishes and schools within the Archdiocese from being abused by priests and others associated with the RCAB.

26. Despite Cardinal Law's actual knowledge of credible allegations of child molestation against Father Tourigney, Cardinal Law allowed, condoned, and provided Father Tourigney with free access to children within the Immaculate Conception Parish, including John. With this access to children, Father Tourigney did assault, batter, intentionally inflict emotional distress and violate MASS. GEN. L. ch. 12, §§ 11H and 11I. In addition, the RCAB is vicariously liable for these actions of Cardinal Law. Moreover, the protection of pedophiles is not an activity protected by the limitation of liability set forth in MASS. GEN. L. ch. 231, §85K.

STATEMENT OF CLAIMS

COUNT I

(Negligent Hiring/Supervision – All Plaintiffs Against Cardinal Law and the RCAB)

27. Plaintiffs reallege and incorporate by reference herein in their entirety the allegations contained in above paragraphs.

28. Cardinal Law and the RCAB had a duty to hire and supervise competent, fit, and otherwise qualified priests for the RCAB and to make sure that children involved in RCAB programs were safe and not exposed to known or suspected pedophiles.

29. As early as 1985, when Cardinal Law became Cardinal for the RCAB, Cardinal Law knew or should have known that Father Tourigney had sexually molested children at the parishes where he had worked prior to arriving at Immaculate Conception in Revere. Cardinal Law also should have taken action to thoroughly investigate the reports made to him by the parishioners concerning Father Tourigney's deviant behavior toward children.

30. As early as 1985, the RCAB knew or should have known that Father Tourigney had sexually molested children at the parishes where he had worked prior to arriving at Immaculate Conception in Revere. The RCAB should have taken action to thoroughly

investigate the reports made to him by the parishioners concerning Father Tourigney's deviant behavior toward children.

31. Cardinal Law and the RCAB breached their duty by, among other things, the following acts or omissions: (a) not protecting John from Father Tourigney's foreseeable and probable sexual molestation; (b) not taking prompt remedial action; (c) not taking any effort whatsoever to inform parishioners at Immaculate Conception that their children had been exposed to a known or suspected pedophile; and (d) not taking appropriate actions to investigate the two complaints from other parishioners.

32. As a direct and proximate result of the wrongful acts or omissions of Cardinal Law and the RCAB, Plaintiffs have suffered damages.

WHEREFORE, Plaintiffs respectfully request that this Court enter judgment for Plaintiffs and order Cardinal Law and the RCAB, jointly and severally, to pay forthwith to Plaintiffs their damages in an amount to be determined by this Court, plus interests, costs, attorneys' fees, and all such further relief as this Court deems appropriate.

COUNT II

(Intentional/Reckless Infliction of Emotional Distress – All Plaintiffs Against Cardinal Law and the RCAB)

33. Plaintiffs reallege and incorporate by reference herein in their entirety the allegations contained in above paragraphs.

34. The RCAB and Cardinal Law recklessly and/or intentionally assigned Father Tourigney to, and allowed Father Tourigney to remain at Immaculate Conception.

35. The Conduct of the RCAB and Cardinal Law was extreme and outrageous, beyond all possible bounds of decency, and utterly intolerable in a civilized community.

36. The Conduct of Cardinal Law and the RCAB conduct directly and proximately

caused Plaintiffs extreme emotional distress of a nature that no reasonable man could be expected to endure.

37. The unlawful conduct of the RCAB and Cardinal Law was not privileged.

38. As a direct and proximate result of the conduct of Cardinal Law and the RCAB, Plaintiffs have been damaged.

WHEREFORE, Plaintiffs respectfully request that this Court enter judgment for Plaintiffs and order Cardinal Law and the RCAB, jointly and severally, to pay forthwith to Plaintiffs their damages in an amount to be determined by this Court, plus interests, costs, attorneys' fees and all such further relief as this Court deems appropriate.

COUNT III

(Intentional/Reckless Infliction of Emotional Distress – All Plaintiffs Against Father Tourigney)

39. Plaintiffs reallege and incorporate by reference herein in their entirety the allegations contained in above paragraphs.

40. Father Tourigney intentionally sexually abused John when he was between the ages of thirteen and sixteen.

41. Father Tourigney's conduct was extreme and outrageous.

42. Father Tourigney's conduct caused Plaintiffs extreme emotional distress.

43. Father Tourigney was not privileged to cause Plaintiffs emotional distress.

WHEREFORE, Plaintiffs respectfully request that this Court enter judgment for Plaintiffs and order Father Tourigney to pay forthwith to Plaintiffs their damages in an amount to be determined by this Court, plus interests, costs, attorneys' fees and all such further relief as this Court deems appropriate.

COUNT IV

**(Violation of the Massachusetts Civil Rights Act, MASS. GEN. LAWS
Ch. 12, §§ 11H and 11I – John Against All Defendants)**

44. Plaintiffs reallege and incorporate by reference herein in their entirety the allegations contained in above paragraphs.

45. Father Tourigney, and through him the RCAB and Cardinal Law, interfered with or attempted to interfere with John's rights secured by the laws of the Commonwealth through threats, intimidation, or coercion, including the creation, perpetuation, and tolerance of Father Tourigney's sexually predatory acts against children.

46. As a direct and proximate result of the conduct of Father Tourigney, Cardinal Law and the RCAB, John has been damaged.

WHEREFORE, Plaintiffs respectfully request that this Court enter judgment for John Doe and order Father Tourigney, Cardinal Law and the RCAB, jointly and severally, to pay forthwith to John Doe his damages in an amount to be determined by this Court, plus interests, costs, attorneys' fees and all such further relief as this Court deems appropriate.

COUNT V

(Assault – John Doe Against Father Tourigney)

47. Plaintiffs reallege and incorporate by reference herein in their entirety the allegations contained in above paragraphs.

48. When John was between the ages of thirteen and sixteen, on several occasions, defendant Father Tourigney sexually abused John, including but not limited to masturbating on John, and fondling John's penis and testicles.

49. Father Tourigney intentionally created an apprehension of immediate physical harm on the part of John by these and other overt acts.

50. John's apprehension was reasonable.

51. As a direct and proximate result of Father Tourigney's actions, John has been injured.

WHEREFORE, Plaintiff John Doe respectfully request that this Court enter judgment for him and order Father Tourigney to pay forthwith to John Doe his damages in an amount to be determined by this Court, plus interests, costs, attorneys' fees, and all such further relief as this Court deems appropriate.

COUNT VI

(Battery – John Doe Against Father Tourigney)

52. Plaintiffs reallege and incorporate by reference herein in their entirety the allegations contained in above paragraphs.

53. When John was between the ages of thirteen and sixteen, on several occasions, defendant Father Tourigney sexually abused John, including but not limited to masturbating on John, and fondling John's penis and testicles.

54. Father Tourigney intentionally used force against John on several occasions.

55. Father Tourigney's use of force against John was unjustified.

WHEREFORE, Plaintiff John Doe respectfully request that this Court enter judgment for him and order Father Tourigney to pay forthwith to John Doe his damages in an amount to be determined by this Court, plus interests, costs, attorneys' fees, and all such further relief as this Court deems appropriate.

COUNT VII

(Loss of Consortium – Mrs. Doe against All Defendants)

56. Plaintiffs reallege and incorporate by reference herein in their entirety the allegations contained in above paragraphs.

57. MASS. GEN. LAWS, Ch. 231, § 85X provides that the parents of a minor shall have a cause of action for loss of consortium of a child who has been seriously injured against any person who is legally responsible for causing such injury.

58. Mrs. Doe is John's mother and is the person entitled by law to the consortium provided by John.

59. Father Tourigney, the RCAB and Cardinal Law are legally responsible for causing John's serious injuries.

60. As a direct and proximate result of the conduct of Father Tourigney, Cardinal Law and the RCAB, Mrs. Doe has been deprived of John's consortium for many years.

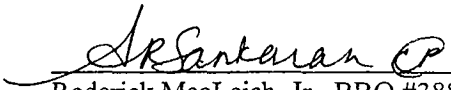
61. Consequently, Father Tourigney, the RCAB and Cardinal Law are liable for damages in accordance MASS. GEN. LAWS, Ch. 231, § 85X.

WHEREFORE, Plaintiff Mrs. Doe respectfully request that this Court enter judgment for her and order Father Tourigney, Cardinal Law and the RCAB, jointly and severally, to pay forthwith to Mrs. Doe her damages in an amount to be determined by this Court, plus interests, costs, attorneys' fees, and all such further relief as this Court deems appropriate.

JURY DEMAND

PLAINTIFFS DEMAND A JURY TRIAL ON ALL ISSUES SO TRIABLE.

JOHN DOE AND JANE DOE,
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