

St. Joseph's Orphanage Task Force Investigation

Vermont Attorney General's Office
Office of Mayor Miro Weinberger
Chittenden County State's Attorney's Office
Vermont State Police
Burlington Police Department

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Acronyms and Abbreviations

| | |
|------------------|---|
| AGO | Attorney General’s Office |
| BPD | Burlington Police Department |
| CUSI | Chittenden Unit for Special Investigations |
| DCF | Department for Children and Families |
| the Diocese | Roman Catholic Diocese of Burlington |
| DSW | Department for Social Work (A prior name of the Department for Children and Families) |
| MLAT | Mutual Legal Assistance Treaty |
| OIA | Office of International Affairs |
| the Orphanage | St. Joseph’s Orphanage |
| Review Committee | Independent citizen panel convened by Bishop Christopher J. Coyne |
| SJRI | St. Joseph’s Orphanage Restorative Inquiry |
| SRS | Social and Rehabilitation Services (A prior name of the Department for Children and Families) |
| Task Force | St. Joseph’s Orphanage Task Force consisting of the Attorney General’s Office, the Burlington Police Department, the Mayor of Burlington, and the Chittenden County State’s Attorney’s Office |

Appendices

Appendix 1: Affidavit of Rev. Jay C. Haskin, Nov. 16, 1998.

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Appendix 7: The Chronicles of Saint Joseph's Orphanage, translated from the original French by William Goss, Diocesan Archives 1977.

Appendix 8: The Public Laws of Vermont 1933

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1. Executive Summary

In late August 2018, BuzzFeed News published an article entitled “We Saw Nuns Kill Children: The Ghosts of St. Joseph’s Catholic Orphanage.” This article contained several allegations of child abuse, sexual abuse, and murder against the nuns and priests who operated the St. Joseph’s Orphanage in Burlington, Vermont.

Allegations of murder, a crime for which there is no statute of limitations, served as a catalyst for the Vermont Attorney General’s Office to convene the St. Joseph’s Orphanage Task Force. The goals of the Task Force were to: first, investigate allegations of homicide; second, to prosecute criminal activity where possible; and third, to facilitate opportunities for accountability and healing through a restorative process.

The Task Force, which was convened in September of 2018, included the Attorney General’s Office, the Burlington Police Department, the Vermont State Police, Mayor Miro Weinberger of the City of Burlington, and the Chittenden County State’s Attorney’s Office.

1.1 Investigative Steps

During its two-year investigation, the Task Force received 66 intakes through the Burlington Police Department. The Attorney General’s Office was also directly contacted by a number of individuals who raised concerns about the Orphanage. Some individuals who contacted the Task Force to talk about their experience with the Orphanage did not want to be interviewed by law enforcement, and the Task Force respected those wishes. In total, law enforcement and victim advocates conducted 48 interviews with individuals who stayed at the Orphanage from the 1940s through the time of its closure in 1974, or a close family member. These individuals’ experiences are included in this report. They formed the basis of the Task

Force's criminal investigation, which reviewed allegations of physical abuse, sexual abuse, neglect, and murder.

To find corroborating information or evidence, the Task Force requested documents from Vermont Catholic Charities, the Roman Catholic Diocese of Burlington, the Department for Children and Families, and the Sisters of Providence. Vermont Catholic Charities and the Diocese granted members of the Task Force permission to review resident files, resident tracking index cards, and two resident ledgers that purported to document every child who had resided at the Orphanage from 1854 to the time of its closure in 1974. Some excerpts from these materials appear in *Section 5. Victim Interview Summaries and Investigative Findings*, which documents allegations of abuse recounted by the victims who contacted the Task Force and illustrates the experiences of many of the children who lived at the Orphanage throughout several decades. The Task Force also requested documents from the Sisters of Providence, and while discussions were had, as of this report's publication, no documents have been produced by the Sisters of Providence.

1.2 Findings of Investigation

The residents included in this report lived at the Orphanage between 1940 and 1974. As described in *Section 4.3 State of the Law*, the Task Force reviewed and analyzed the criminal statutes, particularly focusing on the statutes of limitation in effect at the time of the alleged abuses. A statute of limitation establishes a time period following a crime during which the State may bring criminal charges. After that time period is over, the State may not bring charges. Even if all elements of a crime can be established, the State would be barred from bringing a criminal charge if the statute of limitations has expired. Through its analysis of applicable Vermont law, the Task Force found that, while many of the allegations constitute crimes under the applicable

laws, the statutes of limitation that apply to these alleged crimes had run for each potential crime in this investigation—except for murder.

The Task Force, led by the Burlington Police Department, deployed multiple detectives and applied significant amounts of investigative work toward uncovering corroborating facts to support allegations of homicide. Members of the Task Force viewed numerous depositions in both video and transcribed format and reviewed case files and paperwork from lawsuits filed by survivors in the 1990s. They reviewed archival documents at the Fletcher Free Library, including news articles published before the 1990s, during the 1990s (particularly articles by Sam Hemingway of the *Burlington Free Press*), as well as the BuzzFeed article by Christine Kenneally. The Task Force reviewed hundreds of death certificates from the City of Burlington, looking for deaths related to the Orphanage, and sifted through hundreds of police documents, looking for any corroborating police records involving the Orphanage. They also reviewed medical records. With help from survivors, detectives plotted locations on the Orphanage property possibly associated with homicide allegations, and detectives met with the current developer of the former Orphanage property multiple times to establish timelines of current work as well as prior excavations done on the property. Detectives met with the excavation foreman who confirmed that nothing suspicious has been located, including human remains.

The Burlington Police Department did not find corroboration to support allegations of murder, nor any additional evidence that could support affidavits of probable cause. As a result, these criminal cases will be closed. The Burlington Police Department, however, reserves the right to re-open this investigation if new information is brought to their attention.

The Task Force unequivocally supports the former residents of the Orphanage. It is clear that trauma occurred.

It was the insidious type that bore no physical scar or bruise, the type that indelibly shapes the survivors' lives to this day. It was this constant emotional abuse and diminishment that forced survivors to live in constant fear and caused lifelong trauma—trauma that we seek to acknowledge and address through a restorative process, and hopefully facilitate healing.

1.3 Summaries of Allegations of Abuse

This section highlights that many survivors experienced similar forms of abuse. This overview cannot substitute for reading the accounts of the survivors in Section 5. To be clear, the presumption of innocence applies to all those accused by the victims. Under 13 V.S.A. § 6502: “[t]he presumption of innocence in criminal causes shall attend the accused until the jury renders a verdict of guilty.” An accused has a Fifth Amendment right under the United States Constitution to remain silent. Accordingly, there is no requirement to cooperate with a criminal investigation. In this investigation, accusations focused on individuals. In what the Task Force reviewed, there was no evidence to support corporate criminal liability and, additionally, if there was, any charges would be barred by the statute of limitations.

Neglect

Allegations of neglect permeate nearly all the memories reported by survivors. One of the most common is that the children were hungry or that the food was rotten and inedible.

Several people also reported children drowning or nearly drowning during swimming outings at nearby Lake Champlain. Some of these accounts involved nuns refusing to go into the water to help children, even if they could see or were told that a child needed assistance.

Other accounts alleged that children would get hurt when left outside without supervision for an extended period, or that children would be extremely cold or hot when forced to stay outside in inclement weather.

Some survivors alleged that the nuns would not take children to the doctor—or if they did it was delayed.

Physical Abuse

One of the most common allegations, reported by a large majority of the survivors interviewed, was physical abuse in the form of beatings. Survivors described a variety of situations in which the nuns would beat the children, including but not limited to children wetting the bed, not making the bed correctly, speaking out of turn or rudely, trying to console another child, trying to recoil from being hit, speaking to or seeking out siblings residing in a different part of the Orphanage, refusing to eat, getting out of bed during the night, looking out the window, moving during a lineup for prospective parents, soiling their pants, or trying to write left-handed. Survivors also reported that the nuns beat them with a variety of items. The most commonly reported items were wooden paddles, rosaries the nuns wore around their waists, and rulers.

The reported beatings also ranged significantly in severity, from repeated slaps across the face to permanent and long-term disabling injuries including broken bones and teeth. Some survivors report that nuns were aware of which children went home on the weekends, and they were less likely to abuse these children in ways that would leave physical evidence.

Emotional Abuse, Mental Abuse, and Cruelty

Emotional and psychological abuse were reported by a large percentage of the individuals who spoke to the Task Force. Upon arrival, children were often physically separated from their siblings, severing their connection. Personal belongings would be confiscated and not returned.

Several children reported that nuns referred to them as “devil child” for trying to write with their left hand, or for being born to unmarried parents.

One common, reoccurring allegation is that children at the Orphanage were forced to eat their own vomit if they vomited at mealtimes.

Many reported verbal abuse, including: threats; derogatory comments about their parents; being told their parents did not love them; and being told that if they tried to report abuse no one would believe them and their parents would go to hell.

Other allegations involve taunting, public shaming, and punishment for wetting their beds.

Many individuals recalled instances of being locked in closets, in the attic, in a footlocker, or in old trunks. Some reported being locked in closets for disobeying the nuns and for bedwetting. Several people alleged that children were locked in the attic. Some described the attic as filled with a variety of clothing and objects and toys. Some alleged that there was a chair in the attic the nuns sometimes tied children to.

Some survivors reported running away from the Orphanage, only to be found and returned by law enforcement. One survivor was part of a group of children who ran away that was located by law enforcement and returned to the Orphanage. The survivor was asked by Orphanage staff why they had run. The survivor’s resident file shows that the survivor told the staff that mental abuse was the reason for running away.

Survivors reported that there was no peace to be had at the Orphanage. Children were not nurtured or treated with kindness and love. Many reported that they did not experience any form of healthy, safe, nurturing touch, such as a hug. One cried at the memory of strangers’ hugs

during a parade through Burlington celebrating the end of World War II. After years at the Orphanage, it was the first time the survivor could remember having been held with affection.

Sexual Abuse

Survivors' allegations of sexual abuse at the Orphanage vary in location, type, and abuser.

Several children report being sexually abused by priests inside the Orphanage, in the chapel area, or on trips away from the Orphanage. Several children report that these instances of priest abuse were frequent and report that there was sometimes more than one adult present. Some allegations include younger "brothers"—members of religious orders—who were present at the Orphanage.

Some children report extensive and prolonged sexual abuse by the nuns at the Orphanage. The allegations include, but are not limited to, being touched, being penetrated by the nuns, being forced to perform sexual acts on the nuns or having the nuns perform sexual acts on children, and having the genital area cut or injured. This type of abuse took place in a variety of places, including private rooms, nuns' quarters, or closets. The allegations of sexual abuse by the nuns ranged from babies to older children and included allegations of singular nuns abusing children, or nuns assisting priests in their abuse.

Homicide

Several survivors who came forward have alleged that children were murdered at the Orphanage.

One instance involved a nun pushing a young girl down a staircase. In this circumstance, the nuns allegedly ushered the children out of the room and the girl was never seen again. Another similar instance involved a young girl who had fallen down an elevator shaft. Though no one made any clear allegation that the girl was pushed, the nuns allegedly ushered the children away and the girl was not seen again. Another instance involved a child allegedly being pushed out of a high window and falling to the ground outside.

Other instances involved residents seeing nuns and priests transporting large parcels that looked like the wrapped-up body of a child. Sometimes, these allegations were accompanied with second-hand witness testimonies from children who did not see or hear anything happen, but heard other children screaming or crying about what they had seen. There is insufficient evidence to support a murder charge.

1.4 Reflections

The State of Vermont, its laws, and its institutions did not protect all of the children of St. Joseph's Orphanage. That failure to protect was a failure of the laws, a failure of law enforcement, and a failure of the society that made those laws and oversaw their enforcement. We today are willing to acknowledge that we failed to protect these children. Our hope is, through the restorative process, some form of justice and closure can be achieved for the survivors.

Members of the Task Force reflect in this report about this societal failure to help those who most needed it, and the institutional failures and lack of understanding that led to the alleged abuses going unchecked for decades. They reflect on the roles and actions of their own institutions and the broader contexts in which they operated.

The Task Force does not describe the historical limitations in the law, in law enforcement, and society to excuse the failure to protect the children of the Orphanage, but to instead give an honest account of Vermont’s history, and to draw lessons that should teach us all to better protect the children of Vermont.

Ultimately, no historical context excuses the failure to protect these children. Even if many people were trusting and failed to appreciate dangers to the most vulnerable members of society, it was still the institutions—including member-agencies of the Task Force: the Attorney General’s Office, the Burlington Police Department, the Vermont State Police, the City of Burlington, and the Chittenden County State’s Attorney’s Office—that did not know what they needed to know and did not act when they needed to act to protect the children of the Orphanage.

The limits of the law mean that justice for the survivors will not be found in a criminal courtroom. The Task Force recognizes, however, that the limits of criminal jurisdiction do not mark the limit of the State’s obligation to those people whose lives were harmed by their time at the Orphanage.

1.5 Restorative Inquiry

The St. Joseph’s Restorative Inquiry (“SJRI”) was launched in April of 2019 to understand and document the events of the Orphanage through the voices, experiences, and stories of those most impacted: the former residents of the Orphanage. The SJRI has been facilitating inclusive processes of accountability, amends-making, and learning. The SJRI is funded by a grant from the Vermont Center for Crime Victim Services, with matching and in-kind support from the Burlington Community Justice Center. Much more information about the SJRI can be found at its website: <https://www.stjosephsrjinquiry.com/>.

The SJRI is led by an independent facilitator, Marc Wennberg, and is guided by an advisory team comprised of agency stakeholders, victim advocates, former residents of the Orphanage, and restorative justice practitioners.

At the onset of the Task Force, it was clear that an innovative approach would be needed to address the harm communicated by those who reported their experiences at the Orphanage. A group of victims services professionals and restorative justice practitioners gathered to brainstorm ideas about how to implement such a process. The process created by Mr. Wennberg and this advisory committee has taken the form of a restorative inquiry.

As described in *Section 6. Restorative Inquiry*, a restorative inquiry is focused on uncovering facts and understanding what happened both as to the parties directly responsible and as to the systems and institutions involved. While restorative inquiries investigate the past, they usually propose changes to prevent similar harm in the future. The principles employed in a restorative inquiry remain the same as those for any other restorative process: the process is driven by the victims and survivors of the harm and should seek to do no further harm.

The SJRI has facilitated inclusive processes of accountability, amends-making, and learning and has contacted more than 30 former residents of the Orphanage. In November of 2019, the SJRI began hosting regular gatherings for the participants. As a result of the COVID-19 pandemic, meetings are now online and occur weekly. Members of the Task Force, including Attorney General T.J. Donovan, Mayor Miro Weinberger, Acting Burlington Chief of Police Jon Murad, Jim Forbes of the Department for Children and Families, Adam Silverman of the Vermont State Police, and members of the UVM Child Welfare Training Partnership, among others, have met with SJRI participants and engaged in SJRI proceedings and activities.

A core group of participants meets regularly, and they have been engaging in a number of restorative initiatives. Some of these include: the creation of a writer's group, participation at a Burlington Parallel Justice Commission, the formation of a memorial committee, participation in a historical research project, and a number of informational sessions to include education about Adverse Childhood Effects (ACEs).

SJRI participants have worked collaboratively to identify their goals and values, and they have articulated these in a statement addressed to Vermont leaders and institutions. These requests, identified in *Section 6.5 The Requests of Those Who Were Harmed*, include face-to-face meetings with leaders from institutions named in this report, the release of records, and working with the Vermont Legislature to better protect vulnerable people who face abuse, among other requests. The Task Force stands with the former residents of the Orphanage and remains committed to ensuring that their voices are heard.

1.6 Conclusion

Though the Task Force's investigation did not find sufficient evidence that could support affidavits of probable cause for a charge of homicide, the Task Force remains committed to learning from our past so that history does not repeat itself, and so we can help protect the children of our state, today and in the future.

To the people who experienced harm at St. Joseph's Orphanage: We hear you. We see you. We support you.

2. Historical Background of the St. Joseph's Orphanage

The St. Joseph's Orphanage ("the Orphanage") operated in Burlington, Vermont, from 1854 to 1974.¹ During its 120 years in operation, the Orphanage housed more than 13,000 people and was run, primarily, by a Canadian order of nuns called the Sisters of Providence.² After 1939, Vermont Catholic Charities became involved in managing and licensing the Orphanage, as well as placing Vermont children at the Orphanage.³ The Vermont Department for Social Welfare ("DSW"), now the Vermont Department for Children and Families ("DCF"), also placed children at the Orphanage and was involved in the licensing of the Orphanage as a child caring agency.⁴ The State of Vermont, sometimes through courts and sometimes through DSW, placed children in the care of Vermont Catholic Charities at the Orphanage.⁵ Others were placed privately by families, at times with assistance from parish priests.⁶

2.1 Roman Catholic Diocese of Burlington

Though the nuns who ran the Orphanage came from the Sisters of Providence, the chaplains who managed the chapel and supervised the Catholic activities at the Orphanage came from the Diocese.⁷ The Diocese also sponsored other local activities, such as summer camps, that children from the Orphanage attended regularly.⁸

¹ Haskins Affidavit, page 2, Nov. 16, 1998; Sam Hemingway, *Echoes of abuse grip orphans*, Burlington Free Press, Oct. 27, 1996, at 1A.

² Hemingway, *supra* note 1, at 4A; See Betsy Beattie, *Community Building in Uncertain Times: The French Canadians of Burlington and Colchester*, 1850-1860, Spring 1989, at 90; See Contractual Agreement Between The Roman Catholic Diocese of Burlington (VT) and La Communauté Des Soeurs de Charite de la Providence Concerning the Operation and Management of St. Joseph's Child Center, 351 North Ave., Burlington, VT, 1963 (See appendices).

³ See Episcopal Directive of Edward F. Ryan, Bishop of Burlington, July 1945 (See appendices).

⁴ DCF Report to State of Vermont Office of the Attorney General regards to an information request on behalf of the St. Joseph's Orphanage Task Force, Sept. 24, 2019, Amended and Reissued Oct. 20, 2020. (See appendices).

⁵ See DCF Report to Vermont Attorney General, page 3, *supra* note 4.

⁶ *Id.*, and see Section 5: Investigative Findings.

⁷ See Contractual Agreement, *supra* note 3.

⁸ Section 5: Investigative Findings.

Five priests at the Diocese who were assigned to positions related to the Orphanage have been found by the Independent Report on Priest Sex Abuse Cases to have been credibly accused of sexual abuse.⁹ It is not known from that report whether these accusations occurred during their time working with the Orphanage.

2.2 Sisters of Providence

The Sisters of Providence is a religious order of nuns created and headquartered in Montreal, Quebec. The Order was founded in 1843 by Emilie Tavernier Gamelin and Bishop Ignace Bourget with the mission of “help[ing] the less fortunate and ‘respond[ing] to the urgent and multiple needs of the poor.’”¹⁰

According to participant-informed historical research conducted through an initiative of the SJRI, Louis de Goesbriand, the Bishop of Burlington, “had a relationship with the Sisters of Providence.” In 1854 Bishop de Goesbriand traveled to Montreal to propose opening an orphanage in Burlington, Vermont and requested the assistance of the Sisters of Providence to run it.¹¹ The Sisters of Providence sent seven members to Burlington to start the Orphanage.¹²

At its start, the Orphanage was located on land owned by Bishop de Goesbriand at what is today the corner of Pearl and Prospect Streets.¹³ It was not until several decades later that the building widely recognized as the location of the Orphanage, on North Avenue, was built. This

⁹ See generally, “Independent Report on Priest Sex Abuse Cases for the Diocese of Burlington, VT. (1950 to 2019),” Roman Catholic Diocese of Burlington, <https://www.vermontcatholic.org/wp-content/uploads/2019/08/ReportPriestSexAbuseCasesRCDB.pdf> (Lasted visited October 15, 2020).

¹⁰ Sisters of Providence Museum, retrieved at: <https://providenceintl.org/en/emilie-gamelin-centre-museum/museum-of-the-sisters-of-providence/>.

¹¹ *Id.*; The Chronicles of St. Joseph’s Orphanage, page 133; Haskins Affidavit, page 2, Nov. 16, 1998, supra note 1.

¹² Betsy Beattie, *Community Building in Uncertain Times: The French Canadians of Burlington and Colchester, 1850-1860*, Spring 1989, at 90.

¹³ See, the Chronicles of St. Joseph’s Orphanage, page 133.

building on North Avenue remained the primary location of the Orphanage until its closure in 1974.¹⁴

The Sisters of Providence operated the Orphanage for 120 years, ending with the closure of the Orphanage.

2.3 Vermont Catholic Charities

Vermont Catholic Charities formed as a nonprofit in 1929.¹⁵ As of at least 1969, the Orphanage's license as a child caring center, granted by DSW, was obtained through Vermont Catholic Charities, who retained the license in its name.¹⁶ Therefore, the Orphanage, as of at least 1969, operated under the license of Vermont Catholic Charities. Vermont Catholic Charities' social workers were involved in placing children and monitoring their wellbeing while at the Orphanage.¹⁷

According to a report produced by DCF for the Task Force's investigation, when the Orphanage closed in 1974, Vermont Catholic Charities continued to be licensed as a child caring agency (later called a child placing agency) through September 2008.¹⁸

Vermont Catholic Charities is currently in possession of any prior-resident files, as well as two large resident books that contain records of entries and exits from the Orphanage. Vermont Catholic Charities allowed the Attorney General's Office to copy the resident files of the prior residents who have come forward as a part of this investigation.

¹⁴ Hemingway, supra note 1.

¹⁵ Burlington Diocese, retrieved at: <https://vermontcatholic.org/ministries-programs/catholic-charities/>.

¹⁶ DCF Report to Vermont Attorney General, page 6, supra note 4.

¹⁷ Contractual Agreement, page 2, supra note 2; DCF Report to Vermont Attorney General; and see Section 5, Investigative Findings.

¹⁸ DCF Report to Vermont Attorney General, page 2, supra note 4.

3. Assembling the St. Joseph's Orphanage Task Force

On August 14, 2018, the Pennsylvania Attorney General's Office released the findings of a statewide investigative grand jury that spent two years uncovering abuse committed by Catholic clergy in Pennsylvania.¹⁹ The 800-page report documented the abuse of more than 1,000 children by 300 named priests and ignited related and parallel investigations across the United States. Less than two weeks after the Pennsylvania grand jury's report was released, BuzzFeed News published an article, on August 27, 2018, entitled "We Saw Nuns Kill Children: The Ghosts of St. Joseph's Catholic Orphanage,"²⁰ by journalist Christine Kenneally. The BuzzFeed article contained allegations of child abuse, sexual abuse, and murder against the nuns and priests who operated the Orphanage.

Following the release of the Pennsylvania grand jury's report and the BuzzFeed article, on September 10, 2018, Attorney General T.J. Donovan, Burlington Mayor Miro Weinberger, then-Chief of the Burlington Police Department Brandon del Pozo, Chittenden County State's Attorney Sarah George, and Vermont State Police Colonel Matt Birmingham held a press conference at the Burlington Police Department to announce the formation of the St. Joseph's Orphanage Task Force ("Task Force").²¹ The directive of the Task Force was to investigate reports of murder and any other allegations of abuse that occurred at the Orphanage. The Task Force also recognized from the onset that justice is not always found in a courtroom and that we, as a community, must listen to and learn from the former children whose lives were negatively

¹⁹ "Pennsylvania Diocese Victims Report", Office of the Attorney General, Commonwealth of Pennsylvania, <https://www.attorneygeneral.gov/report/> (last visited September 27, 2020).

²⁰ Christine Kenneally, "We Saw Nuns Kill Children: The Ghosts of St. Joseph's Catholic Orphanage" Buzzfeed (August 27, 2018), <https://www.buzzfeednews.com/article/christinekenneally/orphanage-death-catholic-abuse-nuns-st-josephs> (last visited November 2, 2020).

²¹ "Task Force to Investigate Allegations of Murder and Abuse at St. Joseph's Orphanage," (September 11, 2018), : <https://ago.vermont.gov/blog/2018/09/11/task-force-to-investigate-allegations-of-murder-and-abuse-at-st-josephs-orphanage/> (last visited December 9, 2020).

impacted by their experience at the Orphanage. To that end, the Task Force set out to do the following:

- Investigate allegations of murder that occurred at the Orphanage.
- Investigate any other allegations of harm that occurred at the Orphanage and prosecute any provable crimes within the statute of limitations.
- Assist in cultivating a restorative process for victims, family members, affected individuals, and communities.

The Burlington Police Department (“BPD”) and the Attorney General’s Office (“AGO”) served as co-chairs of the Task Force.

At the early stages of this investigation, the Task Force investigated whether it should or could convene a grand jury similar to Pennsylvania. The Pennsylvania AGO in their investigation into the Catholic Church used the Pennsylvania Investigating Grand Jury Act to issue a final report.²² The governing statutes in Pennsylvania on investigative grand juries allow for the creation and submission to the supervising judge an “Investigating Grand Jury Report” when there are “conditions relating to organized crime or public corruption or both; or proposing recommendations for legislative, executive, or administrative action in the public interest based upon stated findings.”²³

Vermont’s statute regarding grand jury is much more limited, and unlike Pennsylvania, does not allow for the creation of investigative grand juries or, more importantly, the issuance of

²² See generally, Pennsylvania’s Investigating Grand Jury Act, 42 Pa.C.S. §§4541-4553; Report and Recommendations Investigating Grand Jury Task Force,, November 2019, available at <http://www.pacourts.us/assets/files/page-255/file-8214.pdf> (last visited December 3, 2020).

²³ *Id.* at § 4542.

public investigative grand jury reports.²⁴ As such, the Task Force did not believe using the grand jury procedures in Vermont would advance the goal of giving a public account of what occurred at the Orphanage.

While not a defined objective of the Task Force, it should be noted, throughout this investigation, the AGO received allegations of priest sexual abuse in Vermont in addition to those at the Orphanage. The AGO referred these claims and individuals to local law enforcement agencies and to victim service providers.

3.1 Launching the Criminal Investigation

Following the formation of the Task Force, members set out to conduct interviews, request and review records relevant to the investigation, and meet with agencies, organizations, and persons with knowledge of abuse that occurred at the Orphanage. As part of its investigation, Task Force members reviewed many historical documents, including numerous articles published by the *Burlington Free Press* about the Orphanage, and materials provided by former residents of the Orphanage. The Task Force also collected and reviewed depositions from the litigation brought in the 1990s, including those of V51²⁵ and the available materials from a related civil case filed in the District Court of Vermont.

Additionally, members of the Task Force met with members of the press, including former *Burlington Free Press* reporter Sam Hemingway to discuss his investigative reporting on the Orphanage in the 1990s, and journalist Christine Kenneally. Task Force members also met with attorneys Philip White and Robert Widman, who represented many of the victims of the

²⁴ See generally, Vt. R. Crim. P. 6.

²⁵ See the introduction to Section 5 of this report for an explanation of victim pseudonyms. Section 5: Victim Interview Summaries and Investigative Findings.

Orphanage during the litigation that occurred in the 1990s, and attorney Jerry O’Neill, who has been involved in litigation against the Diocese. The Task Force also received materials from some of these parties, which were reviewed by the Task Force.

3.1.1 The Diocese and Vermont Catholic Charities

On September 28, 2018, Attorney General Donovan and members of the Task Force met with Bishop Christopher Coyne and members of the Diocese to discuss the investigation and to request documents for review. In the months that followed, members of the Task Force reviewed the files and records of former children who resided at the Orphanage. These documents included, for example, a ledger maintained by the Sisters of Providence that purported to record children placed at the Orphanage, Vermont Catholic Charities’ files and records of children who resided at the Orphanage and reported abuse, and the employee file of a Vermont Catholic Charities social worker.

Additionally, the Task Force, again with cooperation from the Diocese, was allowed to view the files of diocesan priests who had contact with the Orphanage. These files included, for example, chaplains assigned to the Orphanage, visiting priests, and priests who worked with the Orphanage through their role at Vermont Catholic Charities. The Task Force also spoke with representatives from the Society of Saint Edmund, and their attorney, after learning that the Edmundites had released a report titled, “List of Edmundites Against Whom We Have Received Allegations of Sexual Abuse of a Minor,” which was published on their website in August 2019.²⁶ Through these conversations, the Task Force was informed that none of the materials in the files of the ten named priests had any connection to the Orphanage.

²⁶ See generally, “List of Edmundites Against Whom We Have Received Allegations of Sexual Abuse of a Minor”, <http://www.sse.org/safe-environments.html> (last visited November 30, 2020).

A review of all materials from the Diocese and Vermont Catholic Charities occurred at the Diocese in South Burlington. Of the documents reviewed by the Task Force, some excerpts are included in *Section 5. Victim Interview Summaries and Investigative Findings* as possibly relevant to the allegations of abuse that were brought to the Task Force.

3.1.2 Sisters of Providence

On October 22, 2018, members of the AGO met with Tristram Coffin, the attorney representing the Sisters of Providence, to discuss the production of documents in connection with the Task Force's investigation. In a letter sent on November 19, 2018, the Task Force requested documents related to the Orphanage. On February 11, 2019, the Task Force received a response from the Sisters of Providence through Attorney Coffin regarding the request. Members of the Task Force, including Attorney General Donovan, met with Attorney Coffin on March 26, 2019 to again discuss the document request. A second request letter was sent on April 25, 2019 to Attorney Coffin further clarifying and narrowing the Task Force's request to the Sisters of Providence for documents. On May 6, 2019, the Task Force received a letter from Attorney Coffin acknowledging receipt of the April 25, 2019 letter and requesting time to respond to the Task Force's request. On May 24, 2019, the Task Force received a response to the April 25, 2019 letter, which requested further clarification and information. On June 4, 2019, the Task Force sent a letter to Attorney Coffin regarding the restorative inquiry being facilitated by Marc Wennberg. A third document request letter went out to the Sisters of Providence through Attorney Coffin on June 10, 2019 in response to his May 24, 2019 letter. That letter requested that the Sisters of Providence fashion an agreement that they would be comfortable with to allow for the production of documents to the Task Force. On July 18, 2019, the Task Force sent a follow-up email to Attorney Coffin, as there had been no response to the June 10, 2019 letter. No

response was received. The Task Force, on August 22, 2019, provided Attorney Coffin an update regarding the Task Force's investigation that was published on the AGO's website.

Despite continued meetings and discussions around the review of documents belonging to the Sisters of Providence, the Task Force was neither given access to nor an opportunity to review any documents in the possession of the Sisters of Providence. As of this report's publication, the Sisters of Providence, as is their right, have not produced any of the requested documents by the Task Force.

When it became clear that it would be difficult to receive records directly from the Sisters of Providence, the Task Force considered whether there was another viable way to secure documents from the Sisters of Providence. One potential option discussed with the Department of Justice was a request to the Canadian Government under the Mutual Legal Assistance Treaty ("MLAT"). A draft of the MLAT request was created by the AGO and sent to the Department of Justice's Office of International Affairs ("OIA") for review to determine whether the request would meet the required standard of proof and any other conditions.

In general, to obtain court-ordered assistance from the Canadian Government under Canada's Mutual Legal Assistance in Criminal Matters Act, "the request must establish reasonable grounds to believe that, (1) an offence has been committed; and (2) evidence of the commission of the offense, or information that may reveal the whereabouts of a suspect, will be found in Canada. This requires a clear connection between the foreign investigation and the

Canadian evidence sought.”²⁷ In addition, the offense must still be prosecutable, meaning it must be within the applicable statute of limitations.

To successfully execute an MLAT request, the application is first submitted to Justice Canada’s International Affairs Group, which is the Department of Justice’s counterpart in Canada and is Canada’s designated central authority for MLAT requests. The International Affairs Group reviews the request and may have questions before finding it sufficient to refer out to a prosecutor in the field for execution. The next step is for the prosecutor in the field to go before a judge to obtain an Evidence Gathering Order, which would then be served on the Sisters of Providence, like a subpoena. The process also provides several opportunities for extensions of time to respond.

Given the process and standards that needed to be met for court-ordered assistance, the Task Force faced significant obstacles to successfully gaining information through an MLAT request. For example, individuals must be described in the MLAT with sufficient specificity to be identified. However, many victims could not remember names of their abusers (though some could), nor did the Task Force possess sufficient additional information to satisfy the MLAT identification standards in most cases.

Additionally, as discussed in greater detail in *Section 4.3 State of the Law*, all of the potential crimes alleged by the victims of the Orphanage are barred by the statute of limitations, except for murder. In order to move forward with an MLAT, the Task Force must be able to lay out particularized information before a Canadian judge to support criminal allegations of

²⁷ See Department of Justice Canada, Mutual Legal Assistance Requests to Canada at <https://www.justice.gc.ca/eng/cj-jp/emla-eej/mlatocan-ejaucan.html> (last visited September 25, 2020).

murder, the only crime which would still be within the statute of limitations. The Task Force is unable to do this at this time.²⁸

Due to the age of the allegations and the statutes of limitations on many of the crimes alleged, as well as the level of proof required, the MLAT request did not appear to be a viable method in producing the documents the Task Force sought. Ultimately, and after further discussions with OIA, the decision was made not to pursue the MLAT request at this time. However, OIA remains available to aid the Task Force with an MLAT request should more particularized details become available regarding any actionable criminal charges.

3.2 Independent Reviews of Priest Sex Abuse

Shortly after the formation of the Task Force, in October 2018 an independent effort to review priest sex abuse allegations was commenced by the Diocese. Bishop Coyne formed an independent citizen panel (“Review Committee”) to: “comb through the diocesan personnel files to compile a list of priests with credible allegations against them.”²⁹ The Review Committee examined allegations from 1950 to 2019 and published their findings on August 22, 2019.

According to the Review Committee’s report, approximately 419 priests were assigned to the Diocese between 1950 and the time the Review Committee was formed. The report named 40 priests that the Review Committee determined to be “credibly” accused of sexually abusing children based on the Review Committee’s definition of “credible,” which they “defined as: An allegation, based on facts of the case, that meets one or more of the following thresholds: a. Natural, plausible and probable; b. Corroborated with other evidence or another source, or c.

²⁸ *See id.*

²⁹ “Independent Report on Priest Sex Abuse Cases for the Diocese of Burlington, VT. (1950 to 2019),” Roman Catholic Diocese of Burlington, <https://www.vermontcatholic.org/wp-content/uploads/2019/08/ReportPriestSexAbuseCasesRCDB.pdf> (Lasted visited October 15, 2020)

Acknowledged/admitted to by the accused.”³⁰ It should be noted that the definition of “credible” adopted by the Review Committee is different from the probable cause standard applicable to criminal cases.

In September 2019, the Society of Saint Edmund, a Catholic order at Saint Michael’s College, separately released its own list of priests after examining 75 years of records. The report named 10 priests who worked in Vermont and had been accused of sexually abusing children.³¹ Father David Cray managed the review, which “decided to publish all allegations that have been received, whether or not they have been substantiated.”³²

The inquiries and subsequent reports published by the Review Committee and the Society of Saint Edmund were and remain separate and apart from the mission of the Task Force. Members of the Task Force did, however, conduct an independent review of the more than 52 priest files reviewed by the Review Committee.

3.3 Attorney General’s Investigation of the Diocese in 2002

As part of its investigation, members of the Task Force reviewed the findings of the 2002 investigation of the Diocese conducted by the Attorney General’s Office under the authority of then-Attorney General William Sorrell. For the purpose of the Task Force’s investigation, Assistant Attorney General Cindy Maguire, who was involved in the 2002 investigation, produced a synopsis of the investigation:

“In the spring of 2002, amid allegations of sexual abuse, the AGO began a criminal investigation of the Burlington Catholic Diocese. The AGO dedicated an AAG and an investigator full time to the investigation. Several other attorneys within the

³⁰ *Id.*

³¹ “List of Edmundites Against Whom We Have Received Allegations of Sexual Abuse of a Minor,” Society of Saint Edmund, <https://www.sse.org/safe-environments.html> (Lasted visited October 15, 2020)

³² *Id.*

AGO also worked on aspects of the investigation. DCF, at the time SRS, also participated and several law enforcement agencies assisted.

In May 2002, the Diocese disclosed a list of twenty priests against whom allegations of sexual misconduct had been made. Six priests were still in active ministry and, given the concern for child safety, the investigation of these individuals was prioritized. The investigation identified an additional active priest bringing the total to seven. Upon completion of each one of these investigations the AGO provided a letter to the Diocese. Each letter detailed the allegations, identified the sources of information and specified violations of Vermont law. The purpose of this communication was to provide the Diocese, as the employer of these priests, with information to take the necessary steps to ensure the safety of children. Absent the filing of a criminal charge, the AGO had no authority or mechanism to impact the ability of these priests to have contact with children. Early on in the investigation the Diocese suspended the six priests they had identified as being active.

From the outset of the investigation and continuing until completion, the AGO requested a wide range of documents and information from the Diocese. The age of the allegations and the legal bar of the statute of limitations excluded the use of compulsory process against the Diocese. The AGO was dissatisfied with the Diocese's level of cooperation and attempts to narrow the scope of inquiry. By way of example, despite repeated requests, beginning in the spring of 2002, for information regarding the St. Joseph's Orphanage, the Diocese refused to provide any information connected to this facility. It was not until February 2003 that the Diocese agreed to "provide the State with all complaints of sexual misconduct against priests who are currently living . . ." As a result the information received from the Diocese regarding the Orphanage was limited.

. . . The criminal allegations included aggravated sexual assault, sexual assault on a minor, sexual assault, lewd and lascivious conduct with a child, and possession of child pornography. The statute of limitations prevented prosecution for most of the alleged acts and insufficient evidence, to meet the State's burden of proof beyond a reasonable doubt, barred the remainder.

The AGO also initiated and participated in the legislative process to amend the mandated reporting statute to include clergy."

The Attorney General's Office did not release a public report of its findings at the conclusion of its investigation.

4. Process and Players of Task Force Investigation

From the beginning, Task Force members knew there would be numerous investigatory and legal hurdles: the statute of limitations; the years that have passed; the ability or lack thereof to identify and locate witnesses and suspects; and the cooperation or lack thereof from the organizations responsible for running the Orphanage. Nevertheless, all the Task Force members were entities dedicated to keeping people safe, particularly the most vulnerable among us, and undertook the responsibility for this investigation with the utmost gravity and with an abiding hope that it could achieve some sense of closure for all the survivors.

In the days following the announcement of the Task Force’s formation, the City of Burlington established an Orphanage reporting link on the City’s website.

St Joseph's Orphanage Investigation Intake Form

Contact Information

Do you wish to remain anonymous? * Yes No
In order to conduct a thorough investigation we need to be able to discuss and confirm accounts of the incidents at the orphanage.

Would you be willing to speak to a detective about this incident? * Yes No

Name *

Address

Preferred Contact Number

Email address

Incident Details

Approximate Date of Incident
Please note the year or range of years when the incident occurred.

Did this incident occur at St Joseph's Orphanage in Burlington, Vermont?

BPD also created an intake process for survivors to report telephonically. Every survivor or representative thereof who wished to speak with a member of law enforcement and reported online or via phone was contacted by a BPD or Chittenden Unit for Special Investigations (“CUSI”) detective. BPD’s priority was to give everyone who contacted the Department the dignity of belief. Detectives took sworn statements and every complaint was meticulously documented and shared with other partners on the Task Force. In total, BPD received and conducted 45 interviews. VSP completed one interview and two interviews were handled by

victim service providers. Finally, one victim's allegations come from the lengthy report they made on the BDP portal. All of these came from individuals associated with the Orphanage from the 1940s through the time of its closure in 1974. Their statements formed the basis of the criminal investigation.

Additionally, any individual who reached out to the Task Force, whether they chose to report their experience to law enforcement or not, were connected to victim service providers from the AGO, BPD, the Chittenden County State's Attorney's Office, and the Vermont State Police. This team of victim service providers were available to provide support to victims as needed and to refer people to the SJRI. This group has worked extensively with victims since the formation of the Task Force.

To review the allegations brought forth by victims and others reporting abuse at the Orphanage, the Task Force requested and reviewed documents provided by the Diocese, Vermont Catholic Charities and DCF. Additionally, documents were received from other sources, including materials from prior litigation around the Orphanage. Interview summaries and a review of the allegations brought by the victims are included in this report and contained in *Section 5 Victim Interview Summaries and Investigative Findings*.

4.1 Vermont Catholic Charities

The Task Force requested the resident files for residents who the Task Force was aware had alleged abuse when they were at the Orphanage.³³ Vermont Catholic Charities was able to provide a corresponding file for a significant number of victims. All files provided were reviewed by members of the Task Force. Files were usually titled in one of two ways: (1) by the resident's full name at the time of their placement at the Orphanage, or (2) by the family's last name, which contained records for all of the siblings in the family placed at the Orphanage. While the contents of the files were not standardized, most files contained a variation of the following documents: an intake record called, "Face Sheet;" a contract between the Orphanage and the guardian; medical history forms; immunization records; baptismal, communion, and confirmation records; school report cards; school work completed by the resident; and record pages which were occasionally updated with progress notes made by a Vermont Catholic Charities social worker. Many of the progress notes discussed how a child was adapting to the Orphanage and any ongoing behavioral problems. Progress notes did not appear to be updated on a consistent or regular schedule. Some residents would have multiple record pages, while others would have none. All of the resident files reviewed aided the Task Force in understanding the daily operation of the Orphanage and the relationship between Vermont Catholic Charities social workers and the Sisters of Providence who worked directly with the residents of the Orphanage.

There were some victims for whom a file could not be located.³⁴ When those situations arose, Vermont Catholic Charities attempted to locate an index card, which contained basic

³³ The Task Force also requested and attempted to review files of residents who had reported abuse or neglect prior to this investigation.

³⁴ Victims were asked to provide their given name from when were at the Orphanage as many resident's last names or even first names changed when they left the Orphanage, often due to being adopted.

information about a resident, including their name, date of birth, and entry and exit dates from the Orphanage. When neither a file nor index card could be located, Vermont Catholic Charities and the Task Force inspected the ledger kept by the Sisters of Providence. Two resident ledgers purport to account for every child that was placed at the Orphanage. Each completed line of the resident ledgers contained a child's designated number, name, date of birth, entry date, exit date, parent' names, information about their placement and, if applicable, details about their death at the Orphanage. In some cases, not all of the information was filled in.

The specific victim information recovered from either the file, index card, or resident ledgers allowed the Task Force to track when a victim entered and exited the Orphanage, and, in certain situations, provided relevant information related to their allegations. This information can be found in *Section 5. Interview Summaries and Investigative Findings* under "Dates at St. Joseph's Orphanage; VCC Resident File Reviewed; and Corroboration." Where appropriate, relevant documentation from the resident file has been included.

The Task Force also reviewed the two ledgers purporting to document the entry and exit of children from the Orphanage over the 120 years it operated. Again, the ledger notes an entry for each child, which includes a resident number, child's name, date of birth, parent's name, the town from which they came, as well as their departure date. If children died while at the Orphanage that information was usually noted in the resident book. In some cases, not all of the information was filled in.

A review of the two ledgers by the Task Force suggests that, over the 120 years the Orphanage operated, roughly 435 children died from various causes (predominately illnesses), with nearly all dying prior to 1933. After 1933, Vermont Catholic Charities' records show that two deaths occurred at the Orphanage. One of the children who died was Marvin Willette who

died while swimming; his death was reported in the in Burlington Free Press on July 21, 1961. The Burlington Police Department was involved in that investigation.³⁵ The other death occurred in 1942. On that child's death certificate a doctor ruled that the child died of cancer. As to where children who died at the Orphanage were buried, no information was available from Vermont Catholic Charities.

4.2 Department for Children and Families

Task Force members began meeting with DCF in November of 2018 to access and review any DCF files for victims who reported abuse experienced at the Orphanage while in DSW custody at the time of the alleged abuse. These files contained basic biographical information and a history of all the foster home or residential home placements for the child. The materials received from DCF files corroborated some of the victims' recollections regarding their placements at DCF, as well as placement dates at the Orphanage provided by Vermont Catholic Charities. Relevant information from DCF has been included in the victim interview summaries in *Section 5. Interview Summaries and Investigative Findings*. Information will only appear in this section if applicable. It is important to note that not all residents of the Orphanage were placed by DCF. Many guardians worked directly with Vermont Catholic Charities when placing children at the Orphanage.

Finally, in collaboration with the Task Force's investigation, DCF reviewed licensing materials related to the Orphanage.³⁶

³⁵ "Boy Drowns While Swimming Near St. Joseph's Orphanage" July 21, 1961, Burlington Free Press, available at https://www.newspapers.com/image/?clipping_id=27037645&fcfToken=eyJhbGciOiJIUzI1NiIsInR5cCI6IkpXVCJ9.eyJmcmVILXZpZXctaWQiOiJwMDIzMTYzMSwiaWF0IjoxNjA3NTQyNjU2LCJleHAiOiJlE2MDc2MjkwNTZ9.rVRGPCpAPvBeBaK7fOYkf8RjfBVQTIzfZd05EzosTng (last visited December 9, 2020).

³⁶ DCF *Report to Vermont Attorney General*, supra note 4.

4.3 State of the Law

As part of its investigation, the Task Force reviewed and analyzed the criminal statutes in effect at the time of the alleged abuses. During and after the years when these alleged abuses took place there have been significant changes to both the legal definitions of crimes and the statutes of limitations that apply to those crimes.

The allegations reviewed in this report involved residents living at the Orphanage from 1940 to 1974. The following bodies of Vermont law apply to these allegations: the 1933 Public Laws of Vermont; Vermont Statutes, Revision of 1947; and the Vermont Statutes Annotated enacted first in 1959.

A statute of limitations establishes a time period following a crime during which the State can bring criminal charges. The State must act within this time period in order to bring a charge. If the time period has passed the State may not bring a charge. While many allegations reviewed by the Task Force constitute crimes under the applicable laws, the statutes of limitations that applied to the alleged abuses—with the exception of murder, which has no statute of limitations—effectively ended the State’s ability to bring criminal charges in those matters.

4.3.1 1933 Public Laws of Vermont

The 1933 Public Laws of Vermont were in effect between 1933 and 1947 and applied to any allegation dating from those years. The following criminal statutes from the 1933 Public Laws could have applied to allegations from this era: Sections 8374-8383: Murder, Manslaughter, Homicide and Attempts to Kill; Section 8388: Rape; Section 8396: Cruelty to children under ten by one over sixteen; Section 8397: [Cruelty to a child b]y person having custody; Section 8611: Lewdness.

Some crimes that today would have applied to alleged abuses at the Orphanage had more limited definitions in the 1933 Public Laws. For example, all assault crimes during that period required other criminal conduct to accompany the assault such as an assault during a robbery or an assault during an intended robbery. P.L. Sec. 8400-05. An assault without additional criminal conduct was not a crime. In addition, the rape statute required the victim to be female. P.L. Sec. 8388. As a result, a rape allegation by a male resident of the Orphanage, at that time, could not be considered as a potential crime in this criminal report.

Statutes of limitation for criminal offenses in the 1933 Public Laws were located under Title 9 “Courts and Judicial Procedure” and in Chapter 103 “Limitation of Criminal Prosecutions and Action on Penal Statutes.” They set forth a period of three years for misdemeanors and felonies, except for larceny, robbery, burglary, forgery, arson, and murder. P.L. Sec. 2450. Larceny, robbery, burglary, and forgery had a six-year statute of limitations. P.L. Sec. 2451. There was no statute of limitations for arson and homicide. P.L. Sec. 2452. Any prosecution brought after the assigned statutory period was considered void. P.L. Sec. 2452.

Based on the allegations brought forth by the victims during this investigation, all potential crimes that occurred prior to 1947 carried a three-year statute of limitations, other than murder.³⁷

4.3.2 Vermont Statutes, Revision of 1947

The Vermont Statutes, Revision of 1947 applied to any abuse alleged to have occurred between 1947 and 1959. The following criminal statutes from the Revision of 1947 could have applied to allegations from this era: V.S. 1947 § 8240: Murder, degrees defined; V.S. 1947 §

³⁷ To review the statutes from the 1933 Public Laws referenced in this section *see* Appendix 8.

8253: Rape by a person over sixteen; V.S. 1947 § 8256: Assault with intent to kill or maim; V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262: Cruelty to a Person – By person having custody; V.S. 1947 § 8458 Disturbances – Of the public peace; V.S. 1947 § 8479 Lewdness.

Similar to its predecessor, the crime of rape in the Revision of 1947 required the victim be female, so rape allegations from the 1947-59 era remained limited to female victims. V.S. 1947 § 8253. However, the statutes were updated at that time to recognize as crimes some assaults that were not accompanied by additional criminal conduct, as was previously required. V.S. 1947 §§ 8255-56. These assault crimes were potentially applicable to allegations in this era.

The statutes of limitation for criminal offenses in the Revision of 1947 stayed the same as the 1933 Public Laws. All crimes other than larceny, robbery, burglary, forgery, arson, and murder had a three-year statute of limitations. V.S. 1947 § 2493. Larceny, robbery, burglary, and forgery had a six-year statute of limitations, while arson and murder had no limitation. V.S. 1947 §§ 2494-95.

Based on the allegations brought forth by the victims during this investigation, all potential crimes that occurred between 1947 and 1959 carried a three-year statute of limitations, other than murder.³⁸

4.3.3 Vermont Statutes Annotated (1959)

In 1959 the Vermont legislature enacted the Vermont Statutes Annotated, a broad revision of Vermont's statutory law that remain applicable law today. For allegations of abuse that occurred after 1959, the Vermont Statutes Annotated (1959) and any subsequent updates

³⁸ To review the statutes referenced from Vermont Statutes, Revision of 1947 in this section *see* Appendix 9.

provided the framework for potential crimes. The following criminal statutes could have applied to allegations from this era: 13 V.S.A. § 2301: Murder-degrees defined; 13 V.S.A. § 602: Assault with intent to kill or maim (1959); 13 V.S.A. § 1021: Breach of the peace generally; 13 V.S.A. § 1304: Cruelty to children under ten by one over sixteen; 13 V.S.A. § 1305: Cruelty by a person having custody of another; 13 V.S.A. § 2602: Lewd and lascivious conduct with a child (1959).³⁹

The Vermont Statutes Annotated did not initially change the statutes of limitations from their 1933 and 1947 versions and they remained the same to the last allegation alleged in this investigation, in 1974. All crimes other than larceny, robbery, burglary, forgery, arson, and murder had a three-year statute of limitations, while larceny, robbery, burglary, and forgery had a six-year statute of limitations. 13 V.S.A §§ 4501-02 (1959). There was no statute of limitations for arson and murder. 13 V.S.A § 4503.

Based on the allegations brought forth by the victims during the investigation, all potential crimes from 1959 to 1974 carried a three-year statute of limitations, other than murder.

4.3.4 Extensions of Statutes of Limitation Enacted After 1974

Beginning in 1981, the legislature has significantly extended the statute of limitations for many crimes. 13 V.S.A § 4503. However, none of the relevant extensions apply to the allegations in this investigation. When determining whether an alleged crime was still within the statute of limitations, the Task Force examined whether the period had been amended by the legislature and what the legal effect of any such amendment would have been. When the legislature changes a statute of limitations, the Vermont Supreme Court has ruled that the new period applies to all offenses that were still within the prior statute of limitations period at the

³⁹ To review the statutes referenced from Vermont Statutes Annotated (1959) in this section *see* Appendix 10.

time the change took effect. But if the prior statute of limitations period had expired at the time the new limitation period takes effect, meaning a prosecution would have been barred by the old statute of limitations, prosecutions cannot be commenced under the new statute of limitations. *State v. Petrucelli*, 156 Vt. 382, 384 (1991). In *Petrucelli*, the defendant committed a crime that originally carried a three-year statute of limitations. *Id.* at 382. Two years after the commission of the crime the Legislature extended its statute of limitations to six years. *Id.* The State commenced prosecution against the defendant four years after the crime's commission. *Id.* The Court held *Petrucelli* was still prosecutable because the new statute of limitations period took effect before the original limitations period had run out on Petrucelli's offense. The Court reasoned that while liability for an offense attaches at commission, the right to be free from prosecution does not attach until the statute of limitations in effect at the time of the offense expires. *Id.* at 384-385 ("it is one thing to revive a prosecution already dead, and another to give it a longer lease of life") (quoting Judge Learned Hand in *Falter v. United States*, 23 F.2d 420, 425-26 (2d Cir. 1928)).

In other words, if the statute of limitations has not yet run out on an alleged crime, the right to be free from a prosecution never attaches. Consequently, in those cases, extensions to the statutes of limitation will apply. The Court affirmed *Petrucelli* the next year as applied to Lewd and Lascivious conduct with a child. *State v. Johnson*, 158 Vt. 344, 346 (1992) (where Lewd and Lascivious offense occurred in 1983 and was then governed by three-year statute of limitation, the statute of limitations extension to six years in 1985 applied retroactively to Johnson because his statute of limitations had not yet run at time of extension).

Because the statute of limitations had run for each potential crime in this investigation—except for murder—before the limitation period was extended, the statutes of limitation that applied at the time the alleged crimes were committed remain the applicable limitation period.

4.3.5 Accessory Liability

Finally, the Task Force considered the liability of not only the individual actors but also the organizations involved with the day to day operations Orphanage as a whole, such as the Dioceses, Sisters of Providence, Vermont Catholic Charities, and their employees. In what the Task Force reviewed, there was no evidence to support such a charge. Additionally, an accessory to a felony charge follows the same statutory time frame governing the underlying felony, not the “other felonies” category in 13 V.S.A. § 4501(e). *See In re Hyde*, 200 Vt. 103, 108 (2015) (where “an accessory is in all respects to be treated...in exactly the same manner as one charged with the principle crime”); *State v. Jamarillo*, 140 Vt. 206, 208 (1981) (where aiding in commission of felony will support conviction as principal). As such, we are similarly barred by any criminal charge under this theory of liability - except for murder.

5. Victim Interview Summaries and Investigative Findings

The following section of the report documents the allegations of abuse recounted by the victims who contacted the Task Force. All identifying information has been removed to respect the privacy of those who came forward. Throughout the investigation, where investigators identified seemingly relevant source materials these documents have been redacted and are included in the applicable summaries.

In this report, the identities of the victims who decided to share their experiences have been protected. This included protecting identifiable information as well as eliminating gendered pronouns. Each victim was assigned a numerical pseudonym. This was also done for any person who may have been named in connection with the victim's experiences at the Orphanage, including family members, friends, or other former residents. This was done in deference to the deeply personal and sensitive nature of each victim's experience as well as in accordance with the Vermont Rules of Professional Conduct and the protections of the Vermont Public Record Act.⁴⁰

In addition, the names of anyone else the victim discussed, including people who the victims said harmed them, were assigned a numerical pseudonym. This included members of the clergy and anyone connected through employment or service at the Orphanage or other agencies. (These pseudonyms are generally comprised of a descriptive word and then a number; for example: Sister1). This too was done in accordance with the Vermont Rules of Professional Conduct as well as the protection under the Vermont Public Record Act.⁴¹

Further, in the Relevant Documents sections, the names of any individuals who the Task Force found in documented material that could have been connected to, or were potentially described in, the survivor's narrative were denoted with a pseudonym. However, unlike the pseudonyms contained in the Allegation sections, these pseudonyms were assigned to a specific

⁴⁰ See V.T. Rules of Prof. Conduct, Preamble and Scope Preamble: A Lawyer's Responsibilities, I [1], [5], [9]. R.1.6 cmt. 3, R. 3.1; R. 3.8.; *see also* 1 V.S.A. § 317(c)(1)-(3), (5)(2), (5)(a)(iii).

⁴¹ *Id.*

person and remained constant through the entire report. (These pseudonyms are generally comprised of a descriptive word, a number, and then a lowercase letter; for example: Sister1a). This was also done in accordance with the Vermont Rules of Professional Conduct as well as the protection under the Vermont Public Record Act.⁴² The Task Force attempted to include exculpatory material in this section as well, however, it is possible other exculpatory material exists.

During the investigation, the Task Force learned that a Vermont clergy member, Father Michael K. Madden was prosecuted by the Orleans County State's Attorney in 1988 for Sexual Assault with a person under 16 years old; 13 V.S.A. § 3252(3); and Lewd and Lascivious Conduct; 13 V.S.A. § 2602. The Task Force also learned that Father Madden moved into the visiting priest residence at the Orphanage through an announcement in the St. Joseph's Children's Center Chronicles published in April 1972.⁴³ Father Madden pled no contest to the charges brought by the Orleans County State's Attorney on June 21, 1989.⁴⁴ He was sentenced on October 19, 1992 to 3 to 5 years, but the sentence was split so that he was required to serve 24 months and then was released on probation.⁴⁵ Father Madden served as a priest in Vermont for approximately 18 years.⁴⁶ His public priestly faculties were revoked on April 18, 1988 by

⁴² *Id.*

⁴³ See file in Criminal Report Source Material titled "St Joseph's Orphanage Chronicles 7-70 to 7-71 2nd full copy" at p. 6.

⁴⁴ See "Current Case Docket Information", Court Record 1871 for [redacted] (copy of DDR in [redacted] file); see also interview with Attorney Phillip White in Criminal Report Source Material titled "Attorney Phil White Interview -SJO Investigation."

⁴⁵ See *id.*

⁴⁶ See "Independent Report on Priest Sex Abuse Cases for the Diocese of Burlington, VT. (1950 to 2019)" at p. 10, <https://www.vermontcatholic.org/wp-content/uploads/2019/08/ReportPriestSexAbuseCasesRCDB.pdf> (last visited November 2, 2020).

Bishop John A. Marshall; he resigned as a priest on July 12, 1988.⁴⁷ Father Madden died on September 10, 2000, at age 58.⁴⁸

The following section of the report documents the allegations of abuse recounted by 51 victims. The structure for each included allegation is as follows:

Victim: (names have been redacted to protect the victim's identity, a numerical pseudonym was sequentially assigned, V1-V51)

Contacted Law Enforcement: (explanation around how survivor came to the Task Force).

Dates at St. Joseph's Orphanage: (as it was found in the materials provided by Vermont Catholic Charities and the Diocese).

VCC Resident File Reviewed: (if located by Vermont Catholic Charities and the Diocese. Please note, that resident files for children who were noted to have been adopted from the Orphanage were not provided to the Task Force by Vermont Catholic Charities due to statutory restrictions regarding that information. *See* Title 15A V.S.A. § 6-102(a)).

Allegations: (a condensed summary of the interview of the victim conducted by law enforcement).

Named Assailants: (as stated by the victim in their allegations. Similar to the victims, the named assailants have been redacted to protect the assailants' identities; a numerical pseudonym was sequentially assigned).

⁴⁷ *See id.*

⁴⁸ *See id.*

Potential Crimes: (determined by the dates that the victim resided at the Orphanage).

Relevant Documents: (information was only added to this section when a document associated with the summaries was located in the materials received and reviewed by the Task Force. *Please note, due to the limitations of the materials received by the Task Force, it was sometimes difficult to confirm whether an assailant named by a resident worked or had access to the Orphanage. This occurred for a variety of reasons, such as the victim could only recall a partial name or because possible assailants shared the same name. Even when a name seemed to be confirmed, it was then difficult to verify based on the limitations of the documents the Task Force received. The Task Force attempted to include exculpatory material in this section, however, it is possible other exculpatory material exists.)

Case Analysis & Outcome: (explanation as to whether a criminal charge could be brought).

5.1 Allegations of Abuse at the Orphanage

Victim: V1

Contacted Law Enforcement: Initial contact with the BPD Portal on September 11, 2019 and spoke with BPD on September 13, 2018. V1 also emailed Governor Phil Scott on September 15, 2018.

Dates at St. Joseph's Orphanage: Admitted May 14, 1965, and left the Orphanage on June 29, 1973.

VCC Resident File Reviewed: Yes

DCF Placement: Yes, the second time. Placed at the Orphanage in 1965 by Vermont Catholic Charities on condition that parents surrender children to the custody of DSW. Officially surrendered to DSW on July 14, 1965.

Allegations: On September 13, 2018, V1 spoke with BPD Officer Renee Young regarding V1's time at the Orphanage. V1 swore at the beginning of the interview everything V1 was about to say was the truth. V1 said that V1 could remember every day V1 was at the Orphanage clearly. V1 said V1 was brought to the Orphanage by V1's parents when V1 was around four years old. V1's parents were abusive alcoholics. V1 said V1 went from a bad situation to a worse one. V1 said V1 cried a lot when V1 first got dropped off and a nun approached V1 and said, "I'll give you something to cry about," before throwing V1 on the ground of a playground that was on a rooftop of the Orphanage. V1 remembers there being a little play pool on this rooftop as well. V1 said that V1 was there for about 10 years (1963 to 1973) and the entire time V1 was at the Orphanage V1 was a chronic bedwetter. V1 said that V1 would get V1's face pressed in V1's wet linen and then thrown in cold showers. The nuns would then parade V1 around with V1's wet linen to humiliate V1. The nuns would have the children chant, "red head wet the bed" and "shame shame you wet the bed, red head" at V1. V1 said V1 would also get locked in the attic frequently.

V1 said V1 knew the Task Force was investigating murders and V1 thinks V1 was the subject of an attempted homicide as V1 was thrown out of a boat when V1 was only five or six and had to doggy paddle out of the lake, while choking and gasping. V1 said that it was a nun and a male counselor that threw V1 in the lake. V1 said that the worst nun V1 remembered was Sister1, and V1 described her as short, having glasses and was “scary” looking. V1 also mentioned Sister2, who would “wrap knuckles” with a ruler for punishment until they bled and if you got blood on your homework, the punishment would be worse.

In 1995, V1 provided a statement as part of a settlement obtained from the Diocese for abuse suffered at the Orphanage which is summarized here:

V1 and three siblings were placed at the Orphanage by their parents in 1963. V1 was four years old. V1’s parents placed the children in the Orphanage at the request of the State. V1 was placed in the nursery at the Orphanage. V1 remained at the Orphanage from 1963-1973.

V1’s early memories of the Orphanage are of the strict code of conduct enforced by the nuns. All of the children were expected to act in a very regimented fashion, and any transgressions were punished by open-handed slaps by the nuns. In addition, the nuns would hit the children with wooden paddles on their bottoms as punishment. V1 was often punished in this way.

At the age of seven or eight, V1 was taken from the nursery and placed into another part of the Orphanage that housed the young children. At this point the abuse intensified. Sister3 was in charge of this dormitory, and she frequently administered corporal punishment to the children. If a child said a bad word or wasn’t following instructions, Sister3 was quick to slap the child, pull the child’s hair, hit the child in the head with a book, or strike the child in the body. This was typical of the abuse that most of the nuns perpetrated upon the children. Nuns would drag children down the hall by their hair. They would also lock children up in an attic for hours at a time. V1 was often

locked up in the attic for disobeying the nuns. The nuns would also sometimes bend the children's legs back over their heads in a position that made it difficult for the children to breathe. V1 also remembers that V1 was once brought out in a boat on Lake Champlain. V1 was thrown overboard because the nuns thought that V1 would learn how to swim. They then proceeded to dunk V1's head under the water. V1 was terrified that they were drowning V1. These were the many ways in which V1 was physically abused while at the Orphanage.

When the children were "bad," the nuns would keep track of this on a list by marking a check by that child's name. If the checks added up to a certain amount, then a child's privileges were taken away. For example, V1's parents were sometimes told that V1 couldn't go home with them for a weekend because V1 had been "bad" that week.

V1 developed a bedwetting problem at the Orphanage. Rather than attempt to address the problem, Sister3, as well as other nuns, would slap V1 and stick V1's face into the urine-soaked sheets. When V1 was still wetting V1's bed at the ages of eleven, twelve and thirteen, the nuns used humiliation as their punishment. V1 and other bedwetters would have to put on diapers and rubber pants. They were then paraded on to the auditorium stage at the Orphanage with all the nuns, employees of the Orphanage and the children watching them and making fun of them. V1 was deeply affected by the shame and humiliation of those experiences. V1 recalls that the "audience" mocked V1 and laughed at V1 while V1 was on stage. The nuns would also require V1 to carry V1's wet bed linen in front of the children in the morning, so that the children could laugh at V1. The nuns did not allow V1 or other children to go to the bathroom during the night. Nonetheless, they were punished severely if they couldn't hold off until the morning. The nuns would taunt V1 with the rhyme "Red head, pee the bed, wipe it up with gingerbread." The nuns' use of shame and humiliation deeply impacted V1's developing self-esteem.

The Sisters of Providence employed male counsellors to conduct gym classes with the children. V1 remembers Counselor1, Counselor2, and Counselor3 as individuals who worked in this capacity with the children. The counselors used to bad-mouth the children and slam them up against the concrete walls if they didn't mind them. V1 remembers that on one occasion, V1 was slammed so hard against the wall that V1 saw white stars and fell to the floor. To the best of V1's knowledge, the nuns never did anything to monitor or eliminate this abuse by the counsellors.

At the school at St. Joseph's, V1 witnessed a great deal of abuse to other children. V1's teachers from Grade 1 through 8 included Sister1, Sister4 or, Sister2 and Sister5. Nuns would discipline children at school by rapping on their fingers with a metal-edged ruler. It was usual for the blows to draw blood from the child's hand. V1 remembers children returning to their desks with their hands dripping blood from these blows.

The nuns administered additional punishment at mealtimes. In the dining room, the nuns would require a child to go to the front of the cafeteria and pull down their pants and underwear, showing their bare bottom to the other children in the cafeteria. The nuns would then beat the child with a long steel spoon on the bottom. V1 remembers being very sore after this type of beating. On one occasion, when V1 was playing around with another child while waiting in line to get V1's food, a nun came over and threw a bowl of hot soup on V1's face. V1 remembers the pain, V1's face burning, and another nun then putting butter on V1's face. It took a long time for V1's face to heal after this incident. V1 received medical attention for V1's burns.

While V1 was at the Orphanage V1 was sexually abused by the Catholic Priest, Father1. Father1 had his own Parish on Pearl Street but the nuns at the Orphanage permitted Father1 to take children from the Orphanage to a camp that he owned. The nuns required V1 to accompany

Father1 to his camp on four to five different occasions when V1 was eleven and twelve years old. On the first visit, V1 and V1's sibling, V1-Sibling1, went to the camp.

At night, Father1 began drinking beer, and gave beer to the children. He then told them to come up to his loft bed with him. Once in the bed, he undressed, and required the children to undress. He then began sexually abusing both children while physically restraining them from leaving the loft. V1-Sibling1 managed to escape from the loft, but V1 did not. Father1 sexually abused V1 that evening in many ways, including the following: by placing his penis in V1's mouth; by forcing V1 to place V1's mouth on Father1's penis; by attempting to penetrate V1's anus with his penis; by fondling V1's genitals with his hands; by fondling V1's whole person with his hands; by placing his mouth upon V1's mouth; by ejaculating on V1's body, and by ejaculating on V1's back and rear end.

V1 was forced to engage in sexual relations with Father1, an individual who exercised complete authority over V1 at all times. This happened on numerous occasions. Moreover, V1 stated that the nuns handed V1 over to Father1 for these weekends. Not only did they offer V1 no protection when V1 was in the Orphanage, in V1's opinion they handed V1 over to a pedophile for further abuse.

Named Assailants:

1. Father1
1. Sister3
2. Sister1
3. Sister2
4. Sister4
5. Sister5

6. Orphanage Workers: Counselor1, Counselor2, and Counselor3

Potential Crimes: 13 V.S.A. § 602 Assault with intent to kill or maim (1959); 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a child (1959); 13 V.S.A. § 3201 Rape by person over sixteen (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a minor (1971).
* 13 V.S.A. 1959 and 13 V.S.A 1971 are being included to reflect the changes in the law when V1 was a resident at the Orphanage.

Relevant Documents:

Allegations Against Father1: As an adult, V1 met with Bishop John Marshall and other members of the Diocese regarding the sexual abuse perpetrated by a Father1a.¹ The following notes were taken from that meeting:

Reasons for Believing [REDACTED]

Although [REDACTED] has a terrible background [REDACTED], [REDACTED] story seems to be credible for the following reasons:

1. [REDACTED] began to tell [REDACTED] story to [REDACTED] and especially to [REDACTED] several years ago, long before, and independent of, the present publicity concerning [REDACTED].
2. [REDACTED] was nervous about visiting with the Bishop; [REDACTED] had to be encouraged to do so; but [REDACTED] finally did so despite the fact that [REDACTED] own background would become known.
3. [REDACTED] was not condemnatory of [REDACTED]; [REDACTED] did not belabor details; [REDACTED] gave no indication of wanting anything for [REDACTED].

Additionally, there is a note dated March 31, 1993 in V1's Orphanage Resident file obtained from Vermont Catholic Charities, that notes the following:²

¹ See generally, file in Criminal Report Source Material titled [REDACTED] and [REDACTED] [REDACTED] which are documents from Father1's file with the Diocese.

² See file in Criminal Report Source Material titled [REDACTED]

Some time was spent today talking about some of the physical abuse that happened to [REDACTED] while [REDACTED] lived here at St. Joseph's. [REDACTED] talked about having to wear diapers and rubber pants on the stage because [REDACTED] was a bedwetter. [REDACTED] said that [REDACTED] older brother, [REDACTED] who was not a regular bedwetter, also remembers that happening to [REDACTED] as well. [REDACTED] also said that [REDACTED] received spankings and sometimes slaps across the face that would leave marks. [REDACTED] remembers [REDACTED] and [REDACTED] as being the ones that were most physically abusive to [REDACTED].

Additionally, the St. Joseph's Children's Center Chronicles also confirm Father 1a's arrival at the Orphanage in 1972.³

cal newspaper.

APRIL

After the fire at the Immaculate Conception Cathedral, the residing priests at the Cathedral Rectory which was also damaged by water and falling bricks, found living quarters elsewhere. Some were invited by local pastors, other went to convents for the time being, and we welcomed a young priest, Father [REDACTED], who will occupy the room usually used for visiting priests on the [REDACTED]. As Father [REDACTED] duties as priest of the [REDACTED], he is seldom here except to sleep. We are happy to have this occasion to offer hospitality to this priest during these sad days.

J.- We were happy to welcome Sister [REDACTED] whom we all know and love, and to [REDACTED] days. Sister spoke [REDACTED] the [REDACTED]

VISIT

A Father 1a's file was provided by the Diocese and reviewed in connection with this investigation. That file contained notes from a May 26, 1988 interview with V1 regarding weekends at Father 1a's camp and background notes of the same date pertaining to V1, some of which are included above.⁴

³ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED]

⁴ See generally, file in Criminal Report Source Material titled [REDACTED]

After volunteering this information about [redacted] own life, [redacted] said that [redacted] wanted to provide me with some information concerning [redacted] [redacted], who has recently been charged with lewd and lascivious conduct in [redacted]. Because of family difficulties, [redacted] lived at St. Joseph Child Center on two occasions, when [redacted] was about 4 and again, when [redacted] was about 9. The second time (as best can be determined, it was the spring of 1968) [redacted] was invited, along with [redacted] brother, to spend a weekend at the camp of [redacted] on three successive months. On these occasions, [redacted] touched [redacted] impurely after bouts of drinking. These episodes did not continue beyond three times because those in charge of St. Joseph Child Center started hearing "strange talk" among the children. They were not aware of what may have caused the "strange talk", far less did they know anything about [redacted] activity, but as a precaution they tightened discipline, including a prohibition of accepting invitations from outsiders to have the children spend time away from the Home. [redacted] was not one of those who had engaged in the "strange talk".

Allegations Against Sister1: there was a Sister1a at the Orphanage from September 1967 to June 1972 and then again from September 1973 to June 1974.⁵ In Sister1a's deposition, a Sister1a stayed at the Orphanage from September 1967 to June 1971 and again September 1973 to June 1974.⁶

| | | |
|----|--|--|
| 18 | Q. What years were you at St. Joseph's? | |
| 19 | A. I was at St. Joseph's September '67 to June | |
| 20 | '72, and then back in September '73 to June '74; I | |
| 21 | left one year to, for a year of study in Montreal. | |

a

Some of this time period overlaps with when V1 was a resident.

⁵ See Deposition of [redacted] in [redacted], file in Criminal Report Source Material titled [redacted]

⁶ See Deposition of [redacted] in [redacted], file in Criminal Report Source Material titled [redacted]

Allegations against Sister2: a Sister2a's presence at the Orphanage seems to be confirmed by records:⁷

[REDACTED] 1956-1958 - 1961-1965 - 1969-1974
([REDACTED]) ([REDACTED]) [REDACTED]

Sister2a was deposed in a case and confirmed her time at the Orphanage.⁸ She denied that any of the residents were physically abused.⁹ She denied seeing or hearing about any sexual abuse of children at the Orphanage.¹⁰ Sister1a was also deposed in a case.¹¹

However, a second sister named Sister2b was also potentially present at the Orphanage while V1 was a resident between 1935-1969:¹²

[REDACTED] (D) [REDACTED]
([REDACTED]) ([REDACTED]) Teacher grades 3-4 - Community room

Allegations Against Sisters 2, 3, 4 and 5: in her deposition, Sister1a also identified a Sister3a, a Sister 2c, a Sister 4a, a Sister 5a as present during her tenure at the Orphanage.¹³

⁷ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED]
⁸ [REDACTED] deposition of [REDACTED], file in Criminal Report [REDACTED]

⁹ *Id.* at p. 43.
¹⁰ *Id.* at p. 76.

¹¹ [REDACTED] deposition of [REDACTED] titled [REDACTED]

¹² *Id.*
¹³ *Id.* at 24, 26, 73.

3 A. Sister [REDACTED] was there. Sister
4 [REDACTED] Sister [REDACTED]
5 Q. Sister [REDACTED] Anybody else come to mind?
6 A. Sister [REDACTED], [REDACTED] And some
7 are dead; Sister [REDACTED] is dead, Sister [REDACTED] is
8 dead, [REDACTED], [REDACTED] is dead. Sister
9 [REDACTED] is at [REDACTED]. [REDACTED]

11 Q. Do you remember Sister [REDACTED]?
12 A. Yes.
13 Q. What was her, what was her station at the
14 Orphanage? What did she do?
15 A. I think she has the [REDACTED] department.

21 A. Fourth grade teacher could have been [REDACTED]
22 [REDACTED], or Sister [REDACTED]
23 Q. Sister [REDACTED], because I think there might
24 be more than one, what was her full name?
25 A. [REDACTED]; she's dead, few years ago.

In her deposition, Sister1a denied any physical abuse beyond admitting to slapping the two residents in the face and stated it was not appropriate.¹⁴ Sister1a denied any physical abuse with objects and the taunting/mocking of residents as punishment.¹⁵

Allegations Against Sister3: a Sister3a was at the Orphanage during the time frame 1961-1974.

The screenshot below is an excerpt from Sister3a's deposition in a case where she confirms her dates at the Orphanage.¹⁶

¹⁴ See *id.* at 45-46.

¹⁵ See *id.* at 44-46, 53-54, 74-75.

¹⁶ See Deposition of [REDACTED] at [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED].

4

1 A. Good afternoon.
2 Q. Please state your name?
3 A. Sister [REDACTED].
4 Q. Your age, Sister?
5 A. [REDACTED].
6 Q. Your date of birth?
7 A. [REDACTED].
8 Q. What year did you enter the Sisters of
9 Providence?
10 A. 1940.
11 Q. When did you first come to St. Joseph's
12 Orphanage in Burlington, Vermont?
13 A. 1961.
14 Q. How many years were you there, Sister?
15 A. 13 years. I left in '74.
16 Q. What were your duties at St. Joseph's when
17 you left in 1971?
18 A. The boys, boys' dormitory.
19 Q. Did you maintain that position through
20 1974?
21 A. Except for one year, I have one year of
22 rest in 1970.
23 Q. What is rest?
24 A. Rest. What is rest?
25 Q. One year of what, ma'am?

In that same deposition she admits to using the paddle herself a few times on children, and names other nuns as well.¹⁷

17 A. Yes.
18 Q. What was she using to hit him, Sister?
19 A. A paddle. Call it a paddle. I don't know
20 what you call it. They have the --
21 Q. The kind with the ball that bounces on the
22 end?
23 A. Yes.
24 Q. Were nuns permitted to hit people with
25 paddles?

¹⁷ *Id.* at 14-15, 37-38.

1 A. No. It was against the regulations.
 2 Q. Why would she have had that paddle if it
 3 was against --
 4 A. It was around.
 5 Q. Around where?
 6 A. The boys had used that to play with it. I
 7 guess that is why.
 8 Q. [REDACTED] testified that Sister [REDACTED]
 9 used a paddle and a belt. Did you see a belt?
 10 A. No.
 11 Q. Do you remember whether there was a belt
 12 there or not, one way or the other?
 13 A. No.
 14 Q. Are you saying, no, you don't remember?
 15 A. There was no belt that I know of. Never
 16 saw a belt.

IP
 1 A. I would say only a couple of years until --
 2 you see, I think [REDACTED] came in as a social
 3 worker about two years after I got at the child
 4 center. And then they came out with the
 5 regulation, no spanking, no nothing, no hitting
 6 the children. And I think that was pretty well
 7 observed after that except for --
 8 Q. But you are testifying today you never did
 9 that, is that correct?
 10 A. No.
 11 [REDACTED]: No, you are --
 12 A. No, I am not testifying that I never did.
 13 Q. I don't want to confuse you. Am I correct
 14 in stating that you never engaged in that type of
 15 activity?
 16 A. No. I did.
 17 Q. You did?
 18 A. I did.
 19 Q. You did spank with the paddle?
 20 A. I did use the paddle a couple of times the
 21 first two years, like I was telling you there.
 22 Until we were asked.
 23 Q. Where did you use the paddle?
 24 A. In the hand.
 25 Q. That would be the paddle we are talking

1 about that you bounce the ball with?
2 A. Yes.
3 Q. How would you have them hold their hands,
4 Sister?
5 A. Like (indicating).
6 Q. Flat, with the palm up?
7 A. Yes.
8 Q. Did you ever hit them on the knuckles?
9 A. No, never.
10 Q. You are sure?
11 A. I am positive.
12 Q. And then you stopped that activity in 19 --
13 well, couple of years after you got there because
14 of the new regulation?
15 A. Right.
16 Q. Do you know if any of the other nuns did it
17 up until 1963 or -4, whenever ██████ ██████ got
18 there, whatever that date might be?
19 A. No. I didn't see anybody hit, using the
20 paddle on the children after that.
21 Q. Prior to that?
22 A. Like myself.
23 Q. Yes?
24 A. Yes, I did myself.
25 Q. And any other nuns like, let me go through

Sister3a does not claim to have participated in forcing children to eat, but she claims to have heard about it happening.¹⁸ She denied knowing whether a particular nun forced a resident to eat their oatmeal after they vomited it up.¹⁹

¹⁸ *Id.* at 10.

¹⁹ *Id.* at 28.

20

1 A. I was told one morning, I didn't see it,
2 one morning she had to force a boy to eat his
3 oatmeal and to slap him if he didn't eat it. But
4 someone reported that to me. I didn't see her do
5 it.

6 Q. Who reported that to you?

7 A. One of the counselors, a seminarian.

8 Q. Did you ever hear of Sister [REDACTED]
9 forcing somebody to eat their oatmeal after they
10 had vomited it up?

11 A. No.

12 Q. Do you know that if that happened at all
13 or are you saying --

14 A. I don't know if it did happen.

15 Q. Did you feel at times Sister [REDACTED] was too
16 strict?

17 A. Yes.

18 Q. Why?

19 A. It was requiring a lot of the boy. There
20 were young ones in there and you had to -- to me
21 she was too strict. For example, the beds had to
22 be so-so. And I wasn't that strict. You know,
23 they made their bed, that was okay. To me, the
24 bed were made, and that is the way I thought she
25 was stricter.

When asked about how she handled residents who wet the bed, Sister3a acknowledged making them strip the bed, make the bed with a clean sheet, and then bring it to the laundry.²⁰ She said this practice ended after she was advised to stop because it humiliated the children.²¹ She denied ever making a child stand with the wet bed sheet over their head if they had wet the bed.²²

²⁰ *Id.* at 26-27.

²¹ *Id.* at 27.

²² *Id.* at 26.

1 A. No.
 2 Q. Do you know what a clapper is?
 3 A. Yes. Years ago they would clapper there to
 4 tell the boy to get in line?
 5 Q. Right.
 6 A. No. In Burlington we didn't have that.
 7 Q. You didn't have clappers at all?
 8 A. No.
 9 Q. Do you know if the nuns on the girls side
 10 had clappers or used clappers?
 11 A. I never saw any, no. Never heard of it.
 12 Q. Did you ever hear, start over. Did you
 13 ever see a child being forced to stand with a
 14 sheet over their head while it dried if they had
 15 wet their bed?
 16 A. No.
 17 Q. Did you ever hear of that happening?
 18 A. No.
 19 Q. Would you consider that to be a form of
 20 abuse?
 21 A. Oh, yes. Definitely.
 22 Q. How did you handle bedwetters?
 23 A. What I did in my dormitory, the first
 24 couple of years until we had orders from the
 25 social workers, the boys would strip their bed

1 and made them over with clean sheet and take the
 2 wet sheet himself to the laundry. And after a
 3 couple of years we were asked by the social
 4 worker, I guess advised by the psychiatrist, to
 5 stop doing that, because it was humiliating the
 6 children. So they asked that we put a basket by
 7 the door of the dormitory and have the boys put
 8 their sheet in there. One boy was assigned to
 9 take the basket down on his way.
 10 Q. During the period of time that you were
 11 there from 1961 to 1974 was there ever any
 12 encouragement by any of the nuns to publicly
 13 humiliate the boy who wet the bed?
 14 A. No.
 15 Q. Are you saying that didn't happen?
 16 A. It could have happened. I didn't see.
 17 Q. By public humiliation I am talking about
 18 public humiliation with the nuns instigating it?
 19 A. No.
 20 Q. Are you saying that didn't happen?

Sister3a denied knowing of sexual abuse occurring at the Orphanage beyond one incident that occurred with a lay employee.²³

²³ *Id.* at 8-13; 24.

Allegations Against Sister5: a Sister5a appears to have been present at the Orphanage from 1967 to 1974:²⁴.

(D) [REDACTED]
([REDACTED]) ([REDACTED]) High School [REDACTED]

No [REDACTED] see 27 mars 1910

Offices des sœurs [REDACTED]
Prof. temp. [REDACTED] Prof. per. [REDACTED]

[REDACTED]

[REDACTED]

BURLINGTON : Music - school library - supervises cleaning Gym & hallway
" : School library- Gymnasium- Class corridor
" " " " Assistante locale

[REDACTED]

Case Analysis & Outcome: No criminal charges to be filed as potential crimes are barred by the statute of limitations.

Victim: V2

Contacted Law Enforcement: Contacted the BPD Portal on September 15, 2018 and was interviewed by BPD on September 17, 2018.

²⁴ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED]; see also file in Criminal Report Source Material titled [REDACTED] at [REDACTED]

Dates at St. Joseph's Orphanage: Unknown.

VCC Resident File Reviewed: No.

Allegations: On September 17, 2018, Detective Elizabeth Fellicciardi interviewed V2 regarding the Orphanage. The conversation was brief as V2 did not recall any specific incidents of abuse, nor did V2 know when V2 was at the Orphanage. V2 said all V2 could recall was that V2 wore braces, was afraid of water, and had fears of being smothered. V2 said V2 was very young when V2 was at the Orphanage, and did not know how long V2 was there. V2 said V2's sibling, V2-Sibling1, had also been at the Orphanage. V2 said V2-Sibling1 would bang V2-Sibling1's head on walls when V2-Sibling1 was a child and was also afraid of water. V2 said V2 would speak to V2-Sibling1 about anything V2-Sibling1 may remember. V2 declined needing any services, as V2 said V2 seemed to have suppressed any memories V2 had of V2's time at the Orphanage. **Named Assailants:** None

Potential Crimes: None – V2 did not recall any specific incidents of abuse.

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed as V2 does not allege any criminal conduct.

Victim: V3

Contacted Law Enforcement: Initial contact with BPD on September 26, 2018, and then interviewed by Detective Michael Beliveau on September 28, 2018.

Dates at St. Joseph's Orphanage: January 13, 1949 to March 23, 1949 and then from May 4, 1951 to May 24, 1953.

VCC Resident File Reviewed: No resident file was provided by Vermont Catholic Charities because V3 was adopted. The Task Force did obtain litigation materials from V3, which were reviewed.

Allegations: On September 28, 2018, Detective Beliveau interviewed V3 regarding V3's allegations of abuse at the Orphanage in Burlington. V3 swore at the beginning of the interview everything V3 was about to say was the truth.

V3 did not report any abuse at the Orphanage until V3's partner saw the scars on V3's body and encouraged V3 to seek counseling. During the process, V3 confronted Father2 during the 1990's. V3 asked Father2 if he knew about the deaths that occurred at the Orphanage and he replied something to the effect of, "Yeah, like I know where all the dead bodies are buried." V3 perceived Father2 to be making a joke out of the confrontation and believed Father2 knew more than he was letting on. V3 wanted the church to pay for V3's counseling but was not satisfied with how the church and Father2 responded to his confrontation and pursued a larger civil lawsuit. V3 reached a settlement of six-figures but would not specify the amount due to the non-disclosure agreement. V3 went on to start a non-profit organization to help the survivors of orphanages.²⁵

V3 recalled being in the Orphanage from approximately 1951 to May of 1953. V3 recalled that whenever prospective parents came to the Orphanage, the nuns would line up all of the children in order from short to tall. If any of the children moved during this lineup, once the prospective parents left, the child who moved would get beaten. V3 remembered the day V3's

²⁵ The Task Force obtained a copy of [REDACTED] described the abuse [REDACTED] endured at the Orphanage. See file in Criminal Report Source Material titled [REDACTED].

parents adopted V3 and how it was a beautiful sunny day. Despite the threat of being beaten for moving, as soon as V3's father approached the line, V3 stepped out of the lineup and grabbed ahold of V3's father's right leg while looking up at V3's father. V3's father then pointed down to V3 and chose V3 for adoption. After V3's parents left, V3 recalled getting a light slap in the face but nothing more. V3 believed this was because the nuns did not want to leave bruises on V3. V3's parents came back later that day and they picked V3 up in a convertible with the top down. During the drive, they stopped at a hot dog stand. They ordered hot dogs, and root beer and V3 recalled loving the taste of everything and how unique the spice of mustard was which V3 was not accustomed to in the Orphanage. V3 did not know how to use a straw and V3's mother had to explain to V3 how to do so. V3 arrived home for the first time and encountered the family dog who barked at V3 initially but after being told "no" by V3's father, the dog walked up and licked V3.

V3 then went on to describe V3's time at the Orphanage. V3 recalled being forced to eat V3's own vomit and being grabbed by V3's neck. V3 tried to run away through the gymnasium exit but was caught by the "big evil nun" who grabbed V3 by V3's neck and slid V3 up the wall. The nun struck V3 so hard that V3 believed V3 went unconscious. The following morning, V3 stepped into the bathroom and onto the steps stool where V3 saw dried blood on V3's face from being struck. V3 then described an incident where the same nun brought V3 under the stairwell in the gymnasium and the nun started to molest V3 with her hand. V3 then suddenly felt an unimaginable pain on V3's genitals from what V3 perceived the nun to be "ripping my genitalia to pieces." V3 described having "Rambo scars" on V3's genitals. V3 screamed from the pain but the nun put a pillow over V3's head and V3 then couldn't remember what happened after that. V3 did not see what was used to cut V3 and did not know how V3 got back to V3's bed that night. V3

remembered the following days sitting in chairs with V3's legs tucked in because of the amount of pain V3 was in.

V3 noted that V3 reached out to BPD mainly to discuss the allegations surrounding the chicken coop. V3 believed there were bodies buried near where the chicken coop used to be. V3 described the chicken coop as being "down the hill" behind the Orphanage "to the right" indicating a general location to the northwest of the Orphanage. V3 recalled the children forcefully not being allowed near the chicken coop/shed.

V3 remembered an incident where a girl was screaming at the top of a marble staircase. V3 remembered sitting on the floor below the stairs and looked up when V3 heard screams when a nun suddenly pushed the girl down the stairs. The girl tumbled down the stairs and V3 remembered vividly seeing blood coming out of the girl's left ear. BV3 described the girl as having lighter hair in a light-colored dress. A group of nuns then quickly ushered the children away from the area and V3 never saw the girl who fell again. V3 believed this happened sometime in 1952.

V3 remembered a large canvass cloth that would be on the ground and the nuns and priests would have the children step into the middle. The nuns and priests would then lift up the corners, essentially wrapping the children up and they would strike the kids from outside. V3 advised V3 was sexually assaulted/sodomized but is unable to remember any details. V3 advised V3 has a scar on the inside of V3's anal wall that led down towards V3's genitals which indicated tearing from forced penetration.

Named Assailants: None.

Potential Crimes: V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262: V.S. 1947 § 8458 Disturbances – Of the public peace; Cruelty to a Person – By person having custody; V.S. 1947 § 8479 Lewdness.

Relevant Documents: a Father^{2a} was ordained as a Roman Catholic Priest in 1967 and served as Vicar for Administration for the Diocese from 1983 to June 1, 1998 and served as Chancellor for the Diocese from 1991 through June 1998.²⁶

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V4

Contacted Law Enforcement: Contact with the BPD Portal on September 14, 2018.

Dates at St. Joseph's Orphanage: May 11, 1954 to November 26, 1954.

VCC Resident File Reviewed: No resident file was provided by Vermont Catholic Charities because V4 was adopted.

Allegations: In filling out the questions on the BPD portal for the Orphanage, V4 wrote that V4 has a large scar on the back of V4's neck, and that the injury was sustained prior to being adopted at age six months. A formal interview was not conducted, but Detective Michael Beliveau spoke with V4 over the phone briefly. V4 was adopted out of the Orphanage at the age of six months old. V4 indicated V4 had a scar on the back of V4's head but was not sure how V4 got it. V4 believed it was from a table corner or edge. That was the extent of the information gathered from V4 in regard to the Orphanage.

Named Assailants: None.

Potential Crimes: None.

Relevant Documents:

²⁶ See file in Criminal Report Source Material titled [REDACTED]
[REDACTED]

Case Analysis & Outcome: No criminal charges to be filed as no allegations of criminal conduct.

Victim: V5

Contacted Law Enforcement: Initial contact with the BPD Portal on September 22, 2018, and met with BPD Detectives Dalla Mura and Michael Beliveau on October 12, 2018, for an interview.

Dates at St. Joseph's Orphanage: August 30, 1954 to June 14, 1957.

VCC Resident File Reviewed: Yes

Allegations: On 10/12/18 Detective Dalla Mura and Detective Michael Beliveau met with V5 at V5's residence. Also present were V5's two daughters, V5-Daughter1 and V5-Daughter2. V5 swore at the beginning of the interview everything V5 was about to say was the truth.

V5 was placed in the Orphanage at the age of 11 in 1953. V5 was there for approximately three years until V5 ran away at the age of 14. V5's siblings, V5-Sibling1, V5-Sibling2, V5-Sibling3, and V5-Sibling4, were also in the Orphanage except for one of V5's siblings, V5-Sibling5, who was in another school. V5 and V5's sibling, V5-Sibling1 (now deceased), provided depositions in the 1990s to Lawyer1.

V5 recalled wetting V5's bed at night, so the nuns embarrassed V5 by making V5 sleep in the baby room with all the young children for the duration of V5's stay. V5's parents paid to have the kids stay at the Orphanage, but V5 said other children were known as "wards of the State" and were typically treated/abused much worse.

V5 recalled V5 being punished by the nuns who made V5 babysit all of the toddlers in the nursery (approximately 30 kids). V5 said one time, while V5 was in charge of supervising the kids, one baby fell out of his crib and broke his arm. V5 did not know the child's name.

V5 recalled not being allowed to talk to the opposite sex at the Orphanage and one time V5 tried to speak with V5-Sibling3, but the nuns caught them and slapped V5-Sibling3. V5 did not remember seeing anyone getting seriously hurt or killed at the Orphanage. V5 did recall an incident where a girl was swimming and started to struggle. V5 saved the girl from drowning but remembered the girl pulling V5 under. V5 did not know how the girl ended up in the water.

V5 recalled the food being terrible at the Orphanage such as the "blood sausage." V5 remembered only getting peanut butter on Sundays and felt it was a treat. V5's parents would drop clothes and toys off for V5 and V5's siblings, but the nuns would not allow V5 to have them.

V5 recalled being locked in a closet for 3-4 days. V5 believed V5 slept on the floor and did not recall where V5 went to the bathroom. V5 could not recall specific details about this, but knew it only happened one time. V5 also remembered a dentist that used to work on the children without using pain medication. V5 never went back to a dentist after those experiences. V5 did not recall any of the nuns names but remembered other residents, Resident1 and Resident2.

Named Assailants: None

Potential Crimes: V.S. 1947 § 8262: Cruelty to a Person – By person having custody.

Relevant Documents: The screenshot below is from the St. Joseph's Children's Center Chronicles from July 1970, a document prepared and signed by the nuns from the Orphanage.²⁷

There have been many allegations that children drowned, or children were left alone whilst

²⁷ See file in Criminal Report Source Material titled [REDACTED]
at [REDACTED]

swimming in the lake. Though this does not corroborate any neglect or abuse, it does provide corroboration for the fact that the nuns took the children swimming in Lake Champlain.

| | |
|-------------------|---|
| SUMMER OUTINGS | As in the preceding years, the children have been favored with many outings sponsored by kind benefactors and generous societies of this area. Among these tours was a visit to New York State by the Lake Champlain ferry where children's parks of entertainments were enjoyed; a circus, the King Brothers, a three ring circus, on the fairgrounds in Essex Junction, Vermont; picnics taken by bus where food and cold drinks were plentiful; public movies at a local theater, free of charge; and when the weather permitted daily "Cook-outs" on the grounds with an evening dip in the near-by lake. We feel that these children who were not permitted to go home for the vacation, either because the parents work or for lack of space, etc., had a very happy vacation with seldom a dull moment. Divine Providence and good St. Joseph saw to this! |
|-------------------|---|

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V6

Contacted Law Enforcement: Initial contact with the BPD portal on September 11, 2018, and met with VSP in September 2018.

Dates at St. Joseph's Orphanage: July 6, 1963 to October 19, 1963. V6 reports being there from approximately 1960-1963.

VCC Resident File Reviewed: No file located by Vermont Catholic Charities.

Allegations: On September 17, 2018, Detective Lauren Ronan interviewed V6. V6 reported the following. V6 was diagnosed with mental health disorder by a therapist. V6 stated V6 could not recall the therapist's name now, but said that it was related to V3's case. V6 claimed V6 does not know all of the details of the disorder. V6 said V6 reached out to talk about the events that happened to V6 at the Orphanage and the things V6 saw happen there.

V6 recalls that V6 was placed in the Orphanage with two of V6's siblings, V6-Sibling1, five years old, and V6-Sibling2, three years old, after V6's mother had a nervous breakdown. One of V6's siblings, V6-Siblings3, a baby, was sent to live with their grandmother. Their father paid to board them at the Orphanage while their mother was hospitalized. V6 recalls this being when V6 had just started the first grade and estimates it was around 1960 or 1961.

V6 recalls being at the Orphanage for three years. V6 said V6 was nine years old when V6 left. V6 stated V6 left the Orphanage missing a part of V6's tailbone, due to one of the beatings. V6's first memory at the Orphanage was arriving there, having all of V6's possessions taken away, being separated from V6's youngest sibling, V6-Sibling2 (who was sent to the nursery), and being dragged upstairs to the dormitory. V6 stated that, upon arrival, they were stripped down to their t-shirts and underpants and that their clothes were taken away from them.

Next, V6 recalled being beaten for not making the bed right. V6 compared the standards to military bed-making standards and described rosaries around the nuns' waists that they used to whip the children. V6 stated they all had wooden rosaries looped around their waists. V6 recalled that they would resort to beating V6 with the rosary before it escalated to punching or kicking. V6 recalled the nuns yelling at V6 in French but not understanding what they were saying. V6 said they would tear everything off the bed and make V6 start over until V6 got it right. V6 said the same type of thing would happen when V6 did not properly roll V6's socks. V6 recalled one specific nun they called "the Bulldog" because of her dog-like appearance, but could not recall her real name. V6 also recalled another, more slender nun being present for these events but could not recall her name.

V6 stated that the only time they saw the nuns without their habits was when they were raping the children, or helping the priests rape the children.

V6 recounted that all the children had to take turns cleaning the bathrooms. V6 stated that the children were forced to use their own toothbrush to scrub the bathrooms.

V6 recalls having V6's hands and feet tied behind V6's back and being thrown on a bed to watch while V6's sibling, V6-Sibling1, was raped. V6 recalled seeing V6's sibling, V6-Sibling1 on the bed. V6 stated that two nuns held V6-Sibling1 down while the priests forced themselves on V6-Sibling1. V6 stated that one priest had his penis in V6-Sibling1's mouth while the other was having "sex" with V6-Sibling1. V6 recalls V6-Sibling1 moving around trying to get the penis out of V6-Sibling1's mouth. V6 claims this happened in one of the "teenager" bedrooms. These rooms contained two twin beds and were reserved for children who stayed at the Orphanage until they were teens. V6 recalled them both being dragged out of bed in the middle of the night.

V6 also recalled V6's father telling V6 to look after V6's siblings. V6 recalled going down to the nursery to check on V6-Sibling2 and finding a nurse performing oral sex on V6-Sibling2. V6 said V6 came down and saw the back of a nun. V6 recalled V6-Sibling2 crying and screaming. V6 stated V6-Sibling2 would have been three or four years old at the time. V6 then recounted seeing the nun open V6-Sibling2's legs and put her mouth on V6-Sibling2's genital area. V6 felt sick and ran away.

V6 recalled telling V6's parents about these events but stated that neither of them ever believed V6.

V6 recalled one event where V6 saw someone kick a little girl from one end of the dormitory to the other. V6 estimated the dormitory was about 60 feet by 20 feet. V6 stated the girl had blood coming out of her nose, her mouth, and her ears. V6 claimed this young girl was extremely intelligent before this incident. V6 claims V6 encountered this young girl as an adult

and found her to be severely mentally disabled. V6 said V6 blames this on the people at the Orphanage.

V6 recalled being locked in a footlocker smaller than a coffee table and being locked in a regular standing locker. V6 also recalled being kicked multiple times.

V6 also recalls children disappearing in the night. V6 recalled five or six different occasions where V6 saw priests and nuns carrying shovels and what looked like things wrapped in small rugs. V6 recalled that V6 would sometimes get up in the night and sit on the window ledge to “talk to the moon.” V6 described that on several occasions, V6 saw priests and nuns carrying something small and wrapped up with shovels. V6 stated that what they were carrying often did not come back. V6 stated that the next day, a child would often be gone and the children were told the child was “gone to a better place” or “gone to a forever home.”

V6 also recounted that, although their father was paying for them to be there, the nuns would try to adopt them out. V6 stated that on weekends their parents did not visit, the nuns would make them visit families who were considering adopting them.

V6 also recounts coming out of a room and seeing a teenager hanging from the railing at the top of a flight of stairs. V6 recalls there was no one around and the girl was just hanging there. She was dressed in night clothes. She had dark hair. V6 recalls a nun telling them to “not look up” as they all filed towards breakfast.

V6 recalls being sexually assaulted. It happened down near where the kitchen was, close to the pantry. A “brother” or a “priest in training” grabbed V6, pulled V6’s shorts down, and penetrated V6. V6 said V6 bled and it hurt V6. He held V6 more or less in midair, against a cabinet. He had thinning dark hair, and wore glasses. V6 states this was the first of many encounters with the same man. V6 stated he forced V6 to have oral sex with V6 a few times. V6 said that after the first few times, V6 started to block them out.

V6 said this occurred mostly when V6 had to stay behind after meals to help clean up the tables. V6 estimates a conservative guess would be that this occurred 10 to 15 times.

V6 recalls getting locked up every time V6 tried to stick up for V6's siblings. V6 stated that V6's relationship with V6-Sibling1 is complicated now because V6-Sibling1 is a Christian and V6 is a Wiccan Priest.

V6 claims V6 tried to come forward during the investigation in the 1990s, but was not considered a reliable witness because of V6's mental health condition.

V6 stated that justice would be to rid the face of the earth of the Catholic religion, and to do what Brazil did and "burn all their churches to the ground." V6 stated V6 does not entirely understand how justice will be obtained for the victims/survivors if all the perpetrators are dead. **Named Assailants:** None.

Potential Crimes: 13 V.S.A. § 602 Assault with intent to kill or maim (1959); 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a child (1959).

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V7

Contacted Law Enforcement: Initially contacted BPD. BPD conducted interview on December 10, 2018.

Dates at St. Joseph's Orphanage: December 14, 1946 to September 7, 1949

VCC Resident File Reviewed: Yes

Allegations: Detective Beliveau and Officer Kratochvil interviewed V7 on December 10, 2018.

V7 was hospitalized for drinking water out of the toilet and developing canker sores all over V7's body while living at the Orphanage. V7 remembers being in the second nursery. V7 went in with four of V7's siblings. V7 reported being at the Orphanage for about one year. V7's siblings were V7-Sibling1, V7-Sibling2 and V7-Sibling3. V7 stated V7 was at the Orphanage when V7 was four or five years old. V7 recalled being dragged out of bed in the middle of the night, brought in the bathroom, with V7's hands behind V7. Someone put V7 over the big tub with the water faucet turned on directly onto V7's face until it hurt V7. V7 recalled this happened two or three times. V7 said V7 could not recall who did this. V7 did not know if it was a nun. V7 recalled getting sick at the dinner table and being forced to eat V7's own vomit. V7 stated that V7 did not know any nuns by name. V7 recalled being moved from the second nursery to the older dorm while V7 was there. V7 recalls having a pillow fight in the dorm and the children getting disciplined. V7 could not recall exactly how they disciplined V7. V7 recalled going for boat rides with the brothers.

Named Assailants: None.

Potential Crimes: P.L. Sec. 8395 Cruelty to children under ten by one over sixteen (1933); Sec 8397 By person having custody (1933); and/or V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262: Cruelty to a Person – By person having custody; V.S. 1947 § 8458 Disturbances – Of the public peace.

*The 1933 Public Laws and 1947 criminal statutes are being included to reflect the changes in the law when V7 was a resident at the Orphanage.

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V8

Contacted Law Enforcement: Reached out to BPD on September 25, 2018, and was interviewed by Detective Beliveau over the phone that same date.

Dates at St. Joseph's Orphanage: August 14, 1956 to December 24, 1956

VCC Resident File Reviewed: Yes

DCF Placement: Yes, committed to DSW custody on August 9, 1956.

Allegations: On September 25, 2018, Detective Michael Beliveau interviewed V8 and V8 reported the following. V8 swore at the beginning of the interview everything V8 was about to say was the truth.

V8 remembered being at the Orphanage for about a year from 1955-1956. V8 recalled being four years old and also present were three siblings. V8 said V8's siblings did not want to talk about the Orphanage. V8 did not see V8's two older siblings, V8-Sibling1 and V8-Sibling2, while at the Orphanage but often saw V8's younger sibling, V8-Sibling3. V8 was also at the Orphanage with V8's cousin, V1.

V8 remembered the nuns would not put a diaper on V8's 2-year-old sibling, V8-Sibling3, and V8-Sibling3 would frequently wet the bed. V8 would wake up in the middle of the night and take V8-Sibling3 to the bathroom so that V8-Sibling3 would not wet the bed and get in trouble.

When the nuns caught V8 doing that, they locked both V8 and V8-Sibling3 in a closet described as having a lot of shoes on shelves. V8 recalled another incident where V8-Sibling3 had to go to the hospital for something involving the mouth and gums. V8 remembered that after V8-Sibling3 returned to the Orphanage, V8-Sibling3 was bandaged. A nun then attempted to force a spoon into V8-Sibling3's mouth and caused V8-Sibling3 to bleed. After the nun got blood on her hands, the nun dropped V8-Sibling3 on the floor.

V8 remembered always being scared and was called "devil's child" because V8 was born without a father. V8 recalled sitting in a classroom and having a seizure. The nun slapped V8 on the hand with a ruler but V8's seizure continued. The next thing V8 remembered, V8 was being dragged away by two nuns who brought V8 to a chapel and made V8 kneel in front of a crucifix to beg god for forgiveness.

V8 recalled the name Sister6. V8 received \$5,000 from a settlement with the church but V8 has not reported anything before now. V8 reported being in therapy all of V8's life and believed it was because of V8's time at the Orphanage.

Named Assailants: Sister6

Potential Crimes: V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262: Cruelty to a Person – By person having custody; V.S. 1947 § 8458 Disturbances – Of the public peace.

Relevant Documents:

Presence of Sister6: a Sister6a appears to have been present at the Orphanage from 1954 to 1955. Though the Vermont Catholic Charities' file indicates V8 was only at the Orphanage in 1956, V8 claims to have been there for closer to a year, starting in 1955. It is possible that V8's time and this Sister6a's time at the Orphanage overlapped:

Offices des secours
No. [redacted] 27a
Prof. temp. [redacted] Prof. per. [redacted]
[redacted]
[redacted]
BURLINGTON: Compagne chez [redacted]

[redacted] (D) [redacted]
([redacted]) ([redacted]) [redacted] Room ^{27a}

Case Analysis & Outcome: No criminal charges to be filed as potential crimes are barred by the statute of limitations.

Victim: V9

Contacted Law Enforcement: Initial contact with BPD on September 18, 2018 and met with BPD on September 24, 2018 for an interview.

Dates at St. Joseph's Orphanage: September 16, 1964 to July 6, 1965.

^{27a} See file in Criminal Report Source Material, [redacted]
t [redacted]

VCC Resident File Reviewed: Yes. On July 12, 1967, V9-parent met with Vermont Catholic Charities and questioned the care their children received at the Orphanage and that the children reported people were mean to them at the Orphanage.²⁸

Allegations: On September 24, 2018, Officer David Bowers and Detective Michael Beliveau interviewed V9 regarding V9's experience at the Orphanage. V9 swore everything V9 was reporting was the truth to the best of V9's recollection.

V9 advised V9 was in the Orphanage near the end of November in 1963 or 1964, when V9 was approximately 11 years old, and advised they stayed for approximately 10 months. V9 advised V9's stepfather broke V9's arm and V9's mother could not afford to keep all of the children. V9 stated V9's siblings, V9-Sibling1, V9-Sibling2 and V9-Sibling3 were all at the Orphanage.

V9 recalled the Orphanage was a very scary place to live. V9 advised on two occasions, V9 went to the hospital for cracked ribs and a severely strained neck. V9 advised on one occasion, V9 was protecting V9-Sibling1 who was being picked on by a boy at the Orphanage named Resident3. V9 advised that V9 stepped in to try and protect V9-Sibling1 and advised Resident3 almost broke V9's neck in the process. On another occasion, V9 believed a boy named Resident4 beat V9 up and injured V9's ribs. V9 advised V9 recalled seeing Resident4 beating up Resident3 the very first time V9 walked into the Orphanage, which made V9 immediately think V9 was in a dangerous place.

During V9's time at the Orphanage, V9 particularly remembered having blood sausage once a week for one of their meals. V9 advised V9 hated blood sausage and advised V9 would vomit every time V9 ate it. V9 advised after V9 would throw up, one of the nuns would make V9 eat V9's vomit. V9 advised V9 was often hit with a wooden paddle by the nuns and was forced to

²⁸ See file in Criminal Report Source Material titled [REDACTED]

eat it. V9 advised V9 had to stay at the table until V9 ate V9's meal, or until it was bedtime, approximately four hours later. V9 stated this happened once a week.

V9 reported V9 was molested by a nun V9 knew as Sister7 while at the Orphanage. V9 advised V9 was in the gown room changing one time when Sister7 entered the room. V9 advised Sister7 got down on her knees and performed oral sex on V9. V9 recalled a boy at the Orphanage, Resident3, opened the door while Sister7 was performing oral sex. Sister7 yelled at Resident3 and stated something to the effect of, "Don't you ever, ever, walk in this room without knocking first!" V9 stated V9 remembered covering V9's eyes while V9 cried, and advised V9 thought, "There is no god, because he would never allow someone to do this in his name."

V9 recalled other incidents with Sister7. When V9 would shower, approximately three to four times per week, Sister7 would come into the shower area and tell V9 that V9 did not wash well enough. V9 recalled Sister7 would wash between V9's legs and buttocks, and that this occurred almost every time V9 showered. V9 advised Sister7 would always say the area V9 didn't wash well enough was between V9's buttocks and between V9's legs. V9 spoke about Sister7's bedroom and recalled the exact layout of the bedroom, to include the location of the bed and the toilet but advised V9 did not recall why V9 was ever in the bedroom or for what reason.

V9 remembered that V9's younger sibling, V9-Sibling2, would frequently wet the bed and the nuns would hang V9-Sibling2's soiled bed sheet above V9-Sibling2's bed to shame V9-Sibling2.

V9 additionally recalled stories and events V9 had heard around the Orphanage. V9 advised V9 believed Resident3 or Resident4 had talked about incidents where babies had been thrown into the lake in the past. V9 recalled that V9's sibling, V9-Sibling1, had witnessed a boy

with a cast on his arm being thrown down a flight of stairs. V9 advised while V9 did not witness that, V9 witnessed the same boy receive a beating from the nuns for soiling his pants.

V9 advised at one point during V9's time at the Orphanage, V9 tried to sneak over to the other dormitories to see V9's sibling, V9-Sibling3, whom V9 missed. V9 advised V9 went over with a boy named Resident5 but advised Resident5 was caught by the nuns. V9 advised they gave V9 20 "checks." V9 clarified that the nuns would hand out "checks," and if a child at the Orphanage received more than 5 checks, they would not be allowed to go home to visit family, which was a privilege that was granted every other weekend. V9 recalled also being hit with a wooden paddle by Sister7. V9 recalled working off the checks by doing chores.

V9 advised V9 never spoke about what happened to V9 at the Orphanage or what V9 saw to anyone at home. V9 advised Sister7 would threaten V9, and say things to the effect of, "[y]ou could stay here forever," and "[w]e're nuns, they won't believe anything you say." V9 advised the events at the Orphanage left lasting effects on V9's life and advised V9 often had feelings of not wanting to do certain things. V9 recalled eating V9's own vomit feeling like torture, and V9 stated the Orphanage was a horrifying place to be as an 11-year-old child.

V9 reported that V9 had buried all of the events and memories of the Orphanage inside. V9 stated V9 was watching television one night, approximately 27 years ago, when V9 observed people on the television talking about a priest who had molested someone. V9 recalled feeling a wet spot on V9's leg and realized V9 was crying. V9 advised at that moment, V9 recollected all of the memories and emotions from V9's time at the Orphanage.

Named Assailants: Sister7

Potential Crimes: 13 V.S.A. § 602 Assault with intent to kill or maim (1959); 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one

over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a child (1959).

Relevant Documents:

Allegations Against Sister7: a Sister3a was at the Orphanage from 1961-1974, the screenshot below is an excerpt from Sister3a's deposition in a case where she confirms her dates at the Orphanage.²⁹

4

1 A. Good afternoon.
2 Q. Please state your name?
3 A. Sister [REDACTED].
4 Q. Your age, Sister?
5 A. [REDACTED].
6 Q. Your date of birth?
7 A. [REDACTED].
8 Q. What year did you enter the Sisters of
9 Providence?
10 A. 1940.
11 Q. When did you first come to St. Joseph's
12 Orphanage in Burlington, Vermont?
13 A. 1961.
14 Q. How many years were you there, Sister?
15 A. 13 years. I left in '74.
16 Q. What were your duties at St. Joseph's when
17 you left in 1971?
18 A. The boys, boys' dormitory.
19 Q. Did you maintain that position through
20 1974?
21 A. Except for one year, I have one year of
22 rest in 1970.
23 Q. What is rest?
24 A. Rest. What is rest?
25 Q. One year of what, ma'am?

In that same deposition she admits to using the paddle herself a few times on children, and names other nuns as well.³⁰

²⁹ e Deposition of [REDACTED], file in Crimina [REDACTED]

³⁰ *Id.* at 14-15, 37-38.

17 A. Yes.
18 Q. What was she using to hit him, Sister?
19 A. A paddle. Call it a paddle. I don't know
20 what you call it. They have the --
21 Q. The kind with the ball that bounces on the
22 end?
23 A. Yes.
24 Q. Were nuns permitted to hit people with
25 paddles?

15

1 A. No. It was against the regulations.
2 Q. Why would she have had that paddle if it
3 was against --
4 A. It was around.
5 Q. Around where?
6 A. The boys had used that to play with it. I
7 guess that is why.
8 Q. ██████████ testified that Sister ██████████
9 used a paddle and a belt. Did you see a belt?
10 A. No.
11 Q. Do you remember whether there was a belt
12 there or not, one way or the other?
13 A. No.
14 Q. Are you saying, no, you don't remember?
15 A. There was no belt that I know of. Never
16 saw a belt.

IP

37

1 A. I would say only a couple of years until --
 2 you see, I think [redacted] came in as a social
 3 worker about two years after I got at the child
 4 center. And then they came out with the
 5 regulation, no spanking, no nothing, no hitting
 6 the children. And I think that was pretty well
 7 observed after that except for --

8 Q. But you are testifying today you never did
 9 that, is that correct?

10 A. No.

11 [redacted]: No, you are --

12 A. No, I am not testifying that I never did.

13 Q. I don't want to confuse you. Am I correct
 14 in stating that you never engaged in that type of
 15 activity?

16 A. No. I did.

17 Q. You did?

18 A. I did.

19 Q. You did spank with the paddle?

20 A. I did use the paddle a couple of times the
 21 first two years, like I was telling you there.
 22 Until we were asked.

23 Q. Where did you use the paddle?

24 A. In the hand.

25 Q. That would be the paddle we are talking

1 about that you bounce the ball with?

2 A. Yes.

3 Q. How would you have them hold their hands,
 4 Sister?

5 A. Like (indicating).

6 Q. Flat, with the palm up?

7 A. Yes.

8 Q. Did you ever hit them on the knuckles?

9 A. No, never.

10 Q. You are sure?

11 A. I am positive.

12 Q. And then you stopped that activity in 19 --
 13 well, couple of years after you got there because
 14 of the new regulation?

15 A. Right.

16 Q. Do you know if any of the other nuns did it
 17 up until 1963 or -4, whenever [redacted] got
 18 there, whatever that date might be?

19 A. No. I didn't see anybody hit, using the
 20 paddle on the children after that.

21 Q. Prior to that?

22 A. Like myself.

23 Q. Yes?

24 A. Yes, I did myself.

25 Q. And any other nuns like, let me go through

Sister3a does not claim to have participated in forcing children to eat, but she claims to have heard about it happening.³¹ She denied knowing whether a particular nun forced a resident to eat their oatmeal after they vomited it up.³²

28

1 A. I was told one morning, I didn't see it,
2 one morning she had to force a boy to eat his
3 oatmeal and to slap him if he didn't eat it. But
4 someone reported that to me. I didn't see her do
5 it.

6 Q. Who reported that to you?

7 A. One of the counselors, a seminarian.

8 Q. Did you ever hear of Sister [REDACTED] *
9 forcing somebody to eat their oatmeal after they
10 had vomited it up?

11 A. No.

12 Q. Do you know that if that happened at all
13 or are you saying --

14 A. I don't know if it did happen.

15 Q. Did you feel at times Sister [REDACTED] was too
16 strict?

17 A. Yes.

18 Q. Why?

19 A. It was requiring a lot of the boy. There
20 were young ones in there and you had to -- to me
21 she was too strict. For example, the beds had to
22 be so-so. And I wasn't that strict. You know,
23 they made their bed, that was okay. To me, the
24 bed were made, and that is the way I thought she
25 was stricter.

When asked about how she handled residents that wet the bed, Sister3a acknowledged making them strip the bed, make the bed with a clean sheet, and then bring it the laundry.³³ She said this practice ending after she was advised to stop because it was humiliated the children.³⁴ She denied ever making a child stand with the wet bed sheet over their head if they had wet the bed.³⁵

³¹ *Id.* at 10.

³² *Id.* at 28.

³³ *Id.* at 26-27.

³⁴ *Id.* at 27.

³⁵ *Id.* at 26.

1 A. No.
 2 Q. Do you know what a clapper is?
 3 A. Yes. Years ago they would clapper there to
 4 tell the boy to get in line?
 5 Q. Right.
 6 A. No. In Burlington we didn't have that.
 7 Q. You didn't have clappers at all?
 8 A. No.
 9 Q. Do you know if the nuns on the girls side
 10 had clappers or used clappers?
 11 A. I never saw any, no. Never heard of it.
 12 Q. Did you ever hear, start over. Did you
 13 ever see a child being forced to stand with a
 14 sheet over their head while it dried if they had
 15 wet their bed?
 16 A. No.
 17 Q. Did you ever hear of that happening?
 18 A. No.
 19 Q. Would you consider that to be a form of
 20 abuse?
 21 A. Oh, yes. Definitely.
 22 Q. How did you handle bedwetters?
 23 A. What I did in my dormitory, the first
 24 couple of years until we had orders from the
 25 social workers, the boys would strip their bed

1 and made them over with clean sheet and take the
 2 wet sheet himself to the laundry. And after a
 3 couple of years we were asked by the social
 4 worker, I guess advised by the psychiatrist, to
 5 stop doing that, because it was humiliating the
 6 children. So they asked that we put a basket by
 7 the door of the dormitory and have the boys put
 8 their sheet in there. One boy was assigned to
 9 take the basket down on his way.
 10 Q. During the period of time that you were
 11 there from 1961 to 1974 was there ever any
 12 encouragement by any of the nuns to publicly
 13 humiliate the boy who wet the bed?
 14 A. No.
 15 Q. Are you saying that didn't happen?
 16 A. It could have happened. I didn't see.
 17 Q. By public humiliation I am talking about
 18 public humiliation with the nuns instigating it?
 19 A. No.
 20 Q. Are you saying that didn't happen?

Sister 3a denied knowing of sexual abuse occurring at the Orphanage beyond one incident that occurred with a lay employee.³⁶

³⁶ *Id.* at 8-13; 24.

Case Analysis & Outcome: No criminal charges to be filed as potential crimes are barred by the statute of limitations.

Victim: V10

Contacted Law Enforcement: Initial contact with BPD September 12, 2018, and met with BPD on September 17, 2018 for an interview.

Dates at St. Joseph's Orphanage: March 10, 1950 to July 1, 1951

VCC Resident File Reviewed: Yes

Allegations: On September 17, 2018, Burlington Police Detective Elizabeth Felicciardi spoke with V10 about V10's time at the Orphanage. V10 swore at the beginning of the interview everything V10 was about to say was the truth.

V10 reported V10's mother fell ill when V10 was young and sent to the sanitarium. As a result, V10 and two siblings, V10-Sibling1 and V10-Sibling2, were sent to the Orphanage as their father could not care for them. V10 was at the Orphanage from age 5 until 7. In addition to V10's two siblings who were also in the Orphanage, V10 had three older siblings.

V10 recalled a priest taking V10 and V10-Sibling1 and V10-Sibling2 to the Orphanage and described the moment as "terrifying." V10 said upon arriving at the Orphanage, V10 could remember some things immediately, such as the "cruelty at the hands of the nuns." V10 said the nuns were not affectionate; "they spanked and slapped us often to make us do what they wanted us to do." V10 stated, "They did things that were indelibly impressed in my mind." V10 recalled the

nuns bringing the children out onto a roof around 1PM every day after lunch for two to three hours. V10 said the area had playground equipment and was surrounded by a chain linked fence. V10 said the children were brought outside in all weather in every season. V10 said the nuns would put the children in their bathing suits in the rain “for fun” which induced severe hypothermia; V10 recalled crying and banging on the door of the building, trying to get back in.

V10 said when V10 was 6 years old, the nuns made V10 learn to write with V10’s right hand because V10 was lefthanded. They told V10 being lefthanded made V10 an “accomplice to the devil” and that V10 would go to hell. V10 said V10 was beaten on V10’s hand with a ruler anytime V10 picked up a pen with V10’s left hand.

V10 said V10 never came forward in the 1990’s when there was litigation and media attention, because V10 was a teacher. V10 felt it would have impacted V10’s students if they had to see V10 as a victim. V10 also did not want the parents and administration in V10’s district to see V10 that way either. V10 said V10 also denied anything happened to V10 the entire time. V10 said V10 always thought they “didn’t get” V10 ; V10 was certain they “got” one of V10’s siblings. V10 described how the life of one of V10’s siblings had been affected. V10 said neither of V10’s siblings would discuss their time at the Orphanage.

V10 said the nuns were from the Sisters of Providence and dressed in all black during the day. V10 recalled they all looked alike. V10 said the children slept in giant dormitories and estimated there were 30 or 40 people in V10’s. V10 said at night, the only visible lights were two exit signs on either end of the room. The nuns told them they needed to sleep as soon as they got to bed because if they didn’t, ghosts would come get them and take them straight to hell. V10 said, “Thinking back on it, that was their M.O.; they wanted no witnesses.” V10 said at night, the nuns wore white nightgowns, but still had their hair and faces covered. V10 said they would “come

wafting through the dormitory at night” and it was “terrifying as a young child to think they were ghosts coming to take you to hell.” V10 said V10 would take V10’s blanket and put it over V10’s head to cover V10’s face, but V10 “peeked” to see where they were and “who they were getting.” V10 said V10 often saw them bending over V10’s friends and didn’t know they were nuns; V10 really thought they were ghosts.

V10 reports sometime at night V10 would wake up “soaking wet.” V10 said the children wore a tshirt and underwear to bed, and V10 could remember waking up, looking for V10’s underwear, and finding it “bunched up” at the end of V10’s bed. V10 said when V10 got them to put them back on, they were dry, so V10 knew V10 did not urinate in V10’s bed. V10 said V10 was proud of that because many other children urinated in their beds and were severely punished for that. V10 said V10 was terrified of doing it. V10 said V10 came to realize that the times V10 woke up soaking wet, it was not urine, it was saliva. V10’s bed and underwear were never wet, and V10’s underwear had been removed. V10 said V10 did not know how many times this happened, but it happened “frequently.” V10 said V10 would wake up and find V10’s genitals, stomach, and chest soaking wet, covered in saliva. V10 said Detective Felicciardi was the first person V10 had ever told this to; V10 said V10 had never told V10’s partners, family, or friends any of this. V10 believed V10 may have been drugged because V10 was unable to remember the “actual act.”

Named Assailants: None

Potential Crimes: V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262: Cruelty to a Person – By person having custody; V.S. 1947 § 8458 Disturbances – Of the public peace; V.S. 1947 § 8479 Lewdness.

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V11

Contacted Law Enforcement: Members of BPD attempted to reach out to V11 on June 17th, 2019, and again on June 20, 2019. On June 20, 2019, Detective Krystal Wrinn met and interviewed V11.

Dates at St. Joseph's Orphanage: No materials could be produced by Vermont Catholic Charities confirming resident's dates at the Orphanage. Per a news article where V11 was interviewed, V11 reports being at the Orphanage in the mid-1940s.

VCC Resident File Reviewed: No, it could not be located.

Allegations: On June 20, 2019, Detective Wrinn spoke with V11 about V11's time at the Orphanage. V11 asked in various ways about what good would come about in V11 or others providing details about their time at the Orphanage. V11 offered suggestions around the building being dedicated to the children of the Orphanage. V11 said V11 had been aware of the investigation and was reluctant to provide a statement. V11 explained how V11 was aware that the police department was conducting these interviews and that V11's lawyer told V11 about an application about the reporting (Detective Wrinn believed V11 was referencing the online reporting) which at no time did either V11 or V11's lawyer put in via the online reporting.

V11 explained that it would be difficult for others to understand what they had gone through unless they went through it themselves.

The following information was gathered from a news article in which V11 was interviewed. V11 stated that V11 and the other children were forced to eat rotten food. V11 spoke about how V11's older sibling, V11-Sibling1, was forced by a caretaker to beat other children. V11 remembered that this caretaker, Caretaker1, was an individual with disabilities who oversaw care of children. Caretaker1 would threaten harsher punishment of the children if V11-Sibling1 did not whip those children forcefully enough. V11-Sibling1 eventually stood up to Caretaker1 and refused to participate.

Named Assailants: None

Potential Crimes: V.S. 1947 § 8458 Disturbances – Of the public peace

Relevant Documents:

Presence of Caretaker1: in a deposition in a civil case, a Father4a was asked a question regarding a Caretaker1a, who was bound to wheelchair, sexually abusing a child:³⁷

³⁷ Deposition of [REDACTED] in [REDACTED], at [REDACTED], file in Criminal Report Source Material titled [REDACTED].

I DON'T KNOW THAT FOR SURE.
Q. There was another incident that's been reported by one of the Sisters that she said she walked in on a [REDACTED], a man [REDACTED] who was doing some type of sexual act on a child. Did you know [REDACTED], a man who was a layman who was [REDACTED] at St. Joseph's?

32

A. No.

Q. Do you have any knowledge of that employee in any way sexually abusing a child at St. Joseph's?

A. No. No, I don't remember that at all, no.

Q. You don't recall that being brought to your attention?

A. No, no.

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V12

Contacted Law Enforcement: On August 8, 2019, Officer Michael Beliveau met with and interviewed V12.

Dates at St. Joseph's Orphanage: February 13, 1963 to April 3, 1963, readmitted March 16, 1964 to unknown date.

VCC Resident File Reviewed: Yes

Allegations: On August 8, 2019, Officer Beliveau spoke with V12 and at the end of the interview swore everything V12 said was the truth. V12 reported the following. V12 believed V12 was in the Orphanage three separate times but does not remember exactly when. V12 stated that V12's parents were not entirely clear on why V12 was placed at the Orphanage.

V12 was at the Orphanage with V12's siblings: V12-Sibling1, V12-Sibling2, V12-Sibling3, V12-Sibling4, and V12-Sibling5. It was unclear to V12 whether V12's siblings, V12-Sibling6 or V12-Sibling7 were at the Orphanage.

The worst experience V12 recalls is a time where V12 and V12's sibling were looking for their other siblings. They didn't know the building and were lost. They could hear two nuns yelling and screaming. They could not understand them. V12 believes they could have been speaking French. The nuns were looking down into a hole. V12 believed at the time that it was an elevator shaft. V12 and V12's sibling came up on either side of the nuns. At the bottom of the hole, they saw a little girl in a pool of blood with her legs bent. V12 described her wearing a red polka dot dress. In retrospect, V12 says they could also have been small hearts. The nuns noticed them and started slapping them and throwing them around. V12 does not remember leaving that room but remembered waking up strapped to a bed in the infirmary. V12 remembered this incident happening on the second floor, towards the middle. V12 remembers that little girl's hair being in braids. V12 guesses that little girl was between 8 or 10 years old.

V12 said that they used needles as punishment. V12 described several nuns holding V12 down to give V12 a shot.

V12 described two nuns dragging a boy down the stairs. Each nun was holding a leg, and his head was bumping as they dragged him down the stairs. V12 remembered the boy screaming and yelling. V12 claims V12 never saw the boy again. V12 could not recall the boy's name.

V12 said that they all constantly lived in fear of the next beating. V12 described another instance where a nun attempted to beat V12 for leaving V12's shoes in a place where the nun had tripped over them. When the nun realized V12 was still wearing V12's shoes, she told V12 that that attempted beating was "for something" V12 "hadn't been caught for."

V12 said they could not sleep at night and had to stay awake. V12 said they could not leave their beds and that bedwetting was severely punished. V12 said that, one time, V12 snuck out of bed because V12 really had to go to the bathroom. V12 suddenly heard a nun slapping the wall. V12 was so frightened, V12 passed out and woke up in the infirmary again.

V12 remembered a lot of physical abuse, but V12 has blocked out a lot of memories. V12 recalled taking a fieldtrip. V12 remembers there being caves and paths. They were not supposed to go into the caves. Four of them went in. V12 and one of V12's siblings left to go play volleyball and left the other two children in the cave. V12 says V12 never saw those two boys again. V12 claims V12 remembers the police and firetrucks being there. V12 states that "they" subsequently said this never happened [presumably V12 is referring to people from the Orphanage].

V12 recalled there being a short yellow bus. V12 said that whenever you went on that bus, you knew something bad was going to happen. V12 said V12 once took one of V12's sibling's spot on this bus but could not elaborate more on what happened afterwards. V12 also recalled that V12's siblings were once told to get onto this bus with several other children. V12 said they were told they would be going to see a movie. V12's sibling protested loudly and would not let V12's other sibling get on the bus. Neither of V12's siblings went. V12 says that the girls on the bus never came back to the Orphanage.

V12 also recalled being "dragged out." V12 says V12 remembers being dragged out past a set of glass doors, and then does not remember what happens. V12 stated that there was a priest present when this happened.

V12's relative was Sister8 who was a teacher at the Orphanage. At one gathering, Sister8 said she left the Orphanage because of the way the nuns treated the children. V12 then asked her how she could have left without saying anything to anyone. V12's relative, Sister8, got very upset.

V12 also reported that an uncle of V12's told V12's relative that "the secrets in this family will put us in hell." V12 also said Bishop1 was involved with the Orphanage. Monsignor1 was also related to V12. V12's grandparent, V12-Grandparent1, was also an employee at the Orphanage.

V12 stated that V12's sibling, V12-Sibling1, tried to leave the Orphanage and tell V12's parents about their treatment, but they did not believe V12-Sibling2 and sent V12-Sibling1 back there. V12 says V12-Sibling1 was the one who remembered the most about their time at the Orphanage, but that V12-Sibling1 has a substance abuse problem and refuses to discuss their time at the Orphanage.

V12 remembered being put up in the attic as a punishment. V12 recalls there being something up there that looked like an electric chair. V12 also remembers being locked in the closets. V12 remembers being in the closets long enough to need to sleep, and to become dehydrated. V12 remembers seeing someone, an adult, strapped to the chair. V12 was then dragged down the stairs before V12 could see what happened. V12 also remembers being strapped to the chair too.

V12 remembered being left-handed and dyslexic. V12 stated V12 would get hit with rulers and books. V12 says V12 remembers being hit on V12's hands and on the back of V12's head. V12 also remembers being kicked. V12 also recalled nuns tossing children out of boats into the water to teach them how to swim. V12 says V12 saw this happen, but it did not happen to V12.

V12 recalled being beaten several times a week. V12 stated V12 often saw the nuns inject the children. None of the children knew what was in the needles. V12 says V12 can't know for sure but assumed this is what happened when V12 would black out and wake up in the infirmary.

V12 remembered the food being very bad. V12 stated V12 threw up several times.

V12 also remembered priests coming and taking children during the night. He stated that V12 does not remember anything more than that, and that V12's therapist has encouraged V12 not to try to remember any further.

V12 also spoke about aResident6, who V12 knew through V12's father and o claimed someone had purchased Resident6 from the Orphanage as a child. V12 phonetically said Resident6's last name but could not recall any additional information.

Named Assailants: None

Potential Crimes: V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959).

Relevant Documents:

Presence of Sister8: a Sister8a appears to worked at the Orphanage: ³⁸~~OBJ~~

[REDACTED] [REDACTED]
([REDACTED]) ([REDACTED]) [REDACTED]
Teacher, Grade 2 - Community room

³⁸ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED]; see also file in Criminal Report Source Material titled [REDACTED] at p. [REDACTED].

AFFECTATIONS ET OBEDIENCES

CLASSEMENT: DATE (DEB)

Numéro: [REDACTED]

Nom: [REDACTED]

DATE (DEB) PREFIXE

NATURE

REM RESIDENCE
ENDROIT

DATE (FIN)

| DATE (DEB) PREFIXE | NATURE | REM RESIDENCE ENDROIT | DATE (FIN) |
|--------------------|------------------------|--|------------|
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | Enseignement: Primaire | Non Burlington, VT, St. Joseph Orphanage Burlington, VT, St. Joseph Orphanage | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |

Bishop1: a Bishop1a was ordained a priest on June 5, 1954. He later was named assistant chancellor of the Diocese and secretary and master of ceremonies to Bishop2a.³⁹ He became chancellor of the Diocese in 1961 and was raised to the rank of Papal Chamberlain by Pope John XXIII. In 1968, he became vicar general of the Burlington Diocese and a Prelate of His Holiness.⁴⁰

The St. Joseph's Child Center Chronicles details a visit to the Orphanage at Christmas in December 1970 where Bishop2a visited and was accompanied by Bishop1a.⁴¹

³⁹ [REDACTED] The Roman Catholic Diocese of Providence, (last visited December 1, 2020),

⁴⁰ *Id.*

⁴¹ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

BISHOP'S VISIT

21.- Today our [redacted], paid us the honor of a short visit. Mass was celebrated by our distinguished visitor at four-thirty at which the children, Sisters and some of the employees assisted. In his habitual kind and fatherly manner, he addressed the children and left them the thought "I must not go to heaven alone".... After Mass he met with the children in the children's parlor. As usual, the smaller ones clamored for his attention, and it was a very good picture of the Good Shepherd with His little flock. Then followed the evening meal in the Sisters' dining room, with a special menu for the occasion. The Bishop was accompanied by [redacted], Vicar General. May this visit of our beloved Bishop bring peace, joy and happiness to our home and into our lives.

CHRISTMAS JOYS

Christmas commences early at St. Joseph Child Center.

Monsignor1: a Monsignor1a was a priest within the Diocese and served at Christ the King of Burlington in 1970 and worked as the director of Vermont Catholic Charities from 1957 to 1966.⁴²

BIOGRAPHY

NAME [redacted] BORN [redacted] AT Burlington, Vt.

FATHER [redacted] MOTHER [redacted]

GRADE & HIGH SCHOOL [redacted]

SEMINARY [redacted]
(place and years)

ORDAINED [redacted] Burlington BY [redacted]
(place and date) (Bishop)

POSTGRADUATE STUDY [redacted]
(place, years, subject, degree)

ASSIGNMENTS [redacted]

⁴² See file in Criminal Report Source Material titled [redacted]; see also [redacted] at [redacted], [redacted] (last visited November 2, 2020).

A subsequent news article reported that V1 stated that Bishop1a and Monsignor1a were aware of the abuse at the Orphanage. In the article, Bishop1a could not be reached for a response, but Monsignor1a denied knowing of any abuse at the Orphanage.⁴³ The article also noted that V12 had mental problems.⁴⁴

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V13

Contacted Law Enforcement: Initial contact with the BPD Portal on September 14, 2018, and met with BPD on September 26, 2018, for an interview with V13 and V13's sibling, V14.

Dates at St. Joseph's Orphanage: August 20, 1965 to March 11, 1972.

VCC Resident File Reviewed: Yes

DCF Placement: Case referred to DSW by Vermont Catholic Charities in 1964, but unclear if DSW placed the children at the Orphanage, as Vermont Catholic Charities received another request for assistance in 1965.

Allegations: On September 26, 2018, Detective Felicciardi interviewed V13 and V14. Both swore at the beginning of the interview everything they were about to say was the truth.

V13 and V14 reported they had been at the Orphanage from 1965 to 1974. V13 began talking about some of the abuse they endured, saying the nuns tried to break them and make them

⁴³ See [REDACTED], [REDACTED], [REDACTED], [REDACTED], copy of article in Criminal Report Source Material titled [REDACTED]

⁴⁴ *Id.*

into “little robots.” V13 described having to sit in a room alone for hours, being forced to sit at a table and eat food they hated, and being beaten with a ping pong paddle.

V13 said when V13 was 11 or 12 years old, V13 organized a “break out” with a group of other children. This group ran away from the Orphanage with no plan, no money, and no clothing because they just wanted to get out. V13 recalled hiding in a cement pipe at a playground at an apartment complex when the police found them. Afterward, V13 said V13 had to speak with a counselor named Social Worker1. V13 said V13 did not talk to Social Worker1, because V13 knew Social Worker1 was on the nuns’ side and V13 didn’t want to get beaten.

V14 said the nuns called the children by their numbers and did a lot of things to “kill your spirit.” V14 said in the winter the children would have to line up and take a teaspoon of cod liver oil. V14 said on one occasion, V14 didn’t want it, and ran upstairs and spit it out in a bathroom. V14 said a nun grabbed V14 by V14’s hair and dragged V14 down the stairs. V14 said another nun got a tablespoon of cod liver oil and “crammed” it into V14’s mouth so hard it cut the side of V14’s mouth. V14 said another time, V14 was in line for food and the nuns had made tuna casserole, and V14 made a comment that it smelled like cat food. V14 said a nun dragged V14 into the kitchen and threw “nasty food” at V14 and made V14 stand there alone “staring at a chicken bone.” V14 said at Christmas, people would bring toys for the orphans and the nuns would take them away. When V14 asked a nun where the toys were, she pulled V14 by the hair and put V14 in the attic, and left V14 there for hours in the dark.

V14 said when V14 was in fourth grade a nun called on V14 to do V14’s times tables and asked V14 a question which V14 couldn’t remember the answer to. V14 said the nun continuously beat V14’s knuckles until they were bleeding and dripping blood on the floor. V14 said the nun

“kept saying what’s four times four and I couldn’t say it.” V14 said V14 still cries about how V14 was treated.

V14 recalled on one occasion, a nun brought V14 to the nun’s room and told V14 they were going to have a sleepover. V14 said the nun brought V14 into her bed and “started doing stuff I knew wasn’t right, so I curled into a ball.” V14 said V14 guessed the nun “figured she wasn’t gonna get anywhere with me, so she made me go back.” V14 said it was “very unnerving.” V14 said the nun didn’t do anything but “kinda go under my shirt but didn’t go farther than that.” V14 said there was another time when V14 was in line waiting to get into a bathtub when V14 told a nun that V14 had to go to the bathroom and that V14 “had to go poop.” V14 said V14 was seven years old and the nun made V14 stay in the line. V14 said as soon as V14 got into the bathtub of water, V14 went to the bathroom and the nuns made V14 sit in it for hours until V14 was blue. V14 said the nuns humiliated children in front of other children and used humiliation as power to show children what could happen to them if they were disobedient. V14 said the nuns would always call V14 a “mean, evil child.” V14 guessed it was because V14’s parents were divorced.

V13 said it was common for children to go into the nun’s bedroom. V13 described the “little” children’s “dorm” and at the end was a large room they would play in with a nun’s bedroom off to the left. V13 said they would take children in there regularly, but they never took V13. V13 said it occurred at night when children were sleeping, and nuns would come in and take them down a hallway. V14 said V14 could still smell the nun’s breath and could “feel it like it happened yesterday. I remember the little shirt I had on. I just curled up because I felt it wasn’t right.”

V13 described being six years old in a “dark hallway, waiting to be processed. I didn’t know where the hell I was, and then these nuns have to be so mean and abusive. So, I went from

the fryer pan to the fire.” V13 said V13 had done a lot of hard work so V13 was just trying to keep it together and move on, but that people should know “what happened in that place.”

V14 said V14 felt as though V14 had lived two lives; V14 said V14 was an orphan in one life and now V14 had their current life and that sometimes the “orphan life” didn’t even feel real. V14 said V14 tried to forget that first life but now that it was coming up again, V14 couldn’t forget it. V14 said to V14, it felt “good to be able to tell people what actually really happened.” V14 said hearing other people who had gone through it made V14 feel as though it wasn’t all in V14’s head and V14 didn’t dream it. V14 said, “You’re not a liar, you’re not making this up, because every time we would say something, people would say, ‘Oh you’re exaggerating,’ or ‘It’s not that bad. Oh, you’re lying.’” V13 said they lived with their Catholic aunt for a period of time and they were “belittled at her house for trying to tell the truth.”

Named Assailants: None.

Potential Crimes: 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959)

Relevant Documents:

SocialWorker1: a SocialWorker1a worked at Vermont Catholic Charities as a social worker at the Orphanage1963-67 and then again from 1969-1997. SocialWorker1a then became Executive Director of Vermont Catholic Charities in 1997.⁴⁵ The social worker who signed the admission to the Orphanage for V13 and their siblings was SocialWorker1.⁴⁶

⁴⁵ See generally, Affidavit of [REDACTED], [REDACTED] file in Criminal Report Source Material titled [REDACTED].

⁴⁶ See file in Criminal Report Source Material titled [REDACTED].

ADMISSION SLIP _____ 19____

TO Sister _____

Admission of _____

is planned for Sunday _____

at approximately 2:30 - 3:00 a.m.

Social Worker _____

Director or Supervisor _____

Vermont Catholic Charities, Inc.

The following papers have been submitted to Vermont Catholic Charities, Inc.:

- FACE SHEET
- SUMMARY OR BRIEF HISTORY
- BAPTISMAL RECORDS *getting*
- MEDICAL HISTORY (Yellow Form)
- PLACEMENT AGREEMENT (Financial)
- FOR SJO, STATEMENT FROM PHYSICIAN *MR. H. to being*
- CUSTODY DECREE (if pertinent) *coming*
- TRANSCRIPT OF MARKS *not needed*
- IMMUNIZATION PERMISSION CARDS

Corroboration for break-out attempt: It is documented in the St. Joseph's Child Center Chronicles from 1970 to 1971 that a group of children attempted to run away in 1971.⁴⁷

SEPTEMBER

CAUSE OF WORRY

6.- After a time of tranquility as there had been no attempts to run away among the children, we were suddenly confronted with the same problem. Several _____ ran away and only after a search and many anxious moments were they located by the police and returned here. The culprits were defiant, rude, and insolent until they realized who was BOSS and to whom they were talking. At the present typing of these chronicles, five months later no reoccurrence of this demeanor has taken place, for which we are thankful.

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

⁴⁷ See file in Criminal Report Source Material titled _____ at _____.

Victim: V14

Contacted Law Enforcement: Met with BPD on September 26, 2018, for an interview with V14 and V14's sibling, V13.

Dates at St. Joseph's Orphanage: August 20, 1965 to August 1973

VCC Resident File Reviewed: Yes

DCF Placement: See placement information for V13.

Allegations: See "Allegations" under V13.

Named Assailants: None.

Potential Crimes: 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a child (1959) and/or 13 V.S.A. § 2602 Lewd and lascivious conduct with a minor (1971).

Relevant Documents: See "Relevant Documents" for V13.

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V15

Contacted Law Enforcement: Initial contact with the BPD Portal on September 17, 2018, by Representative1 for V15 and V15 met with BPD Sgt. Nguyen and Detective Michael Beliveau on September 19, 2018, for an interview.

Dates at St. Joseph's Orphanage: September 19, 1941 to June 10, 1951

VCC Resident File Reviewed: Yes

Allegations: On September 19, 2018, Sgt. Nguyen and Detective Beliveau met with V15 who was incarcerated at the time of interview. Also present was Representative1.

V15 described the Orphanage as a hellhole and immediately recalled multiple instances of sexual abuse. V15 knew the names of the abusers as OrphanageWorker1, OrphanageWorker2, and OrphanageWorker3. V15 was in the Orphanage from the age of 1.5 to 13 years, which would have been around the time of 1940-1953. V15 was at the Orphanage with V15's three siblings, V15-Sibling1 and V15-Sibling2 (now deceased) and V15-Sibling3.

V15 said Social Worker2 "took care of" the children and "watched after us." V15 also said OrphanageWorker2 "beat the shit out of us." V15 described OrphanageWorker2 as a "sex fiend." V15 recalled other children at the Orphanage telling V15 that OrphanageWorker2 made them pull "hair off" V15's genitals. OrphanageWorker2 used to tie V15 up naked by V15's arms in the "cubby hole" which was described as a closet near the gymnasium. Once tied up, OrphanageWorker2 used to whip V15 with a stick while telling V15 that V15's father told OrphanageWorker2 to do it. OrphanageWorker2 then would perform sexual acts on V15. V15 said that this would happen all the time. V15 believed OrphanageWorker2 whipped them with a long piano key with a leather strap on it. V15 described being left hanging naked "all night." When asked if OrphanageWorker2 made V15 perform sexual acts like touching V15's genitals, V15 said something to the effect of, "Oh yeah, we had to suck 'em even. We had to do all sorts of things; he would suck you." V15 said OrphanageWorker2 was the worst out of everyone. V15 recalled that young girls would go to OrphanageWorker2's room downstairs but did not know what they did. V15 remembered that OrphanageWorker2 came to V15's house once after V15 left the Orphanage and V15's mother came out with a gun threatening OrphanageWorker2 after hearing what OrphanageWorker2 did to the kids in the Orphanage.

V15 recalled that when V15 was eight or nine, V15 was walking up to a room near the attic and saw a dead blonde girl wrapped in clear plastic, laying on a table. V15 estimated her to be six or seven years old. V15 kept mentioning digging up the floor as you go up the stairs to the attic in a side room just before the attic. V15 remembered a nun being present and two other men that V15 did not recognize. They carried the body to the cemetery attached to the Orphanage and brought her to a vault at night. V15 did not know why V15 was brought along but remembered being afraid and the nun telling V15 not to say anything or else she would tell everyone that V15 killed her. V15 remembered going through a broken portion of the fence to gain access to the cemetery. V15 wondered if V15 dreamed the incident but said V15 could “see her face clear as shit.” V15 often had nightmares about the girl coming back to get V15. V15 couldn’t remember what vault the girl was placed into and did not think V15 would recognize it if brought to the area.

V15 advised V15 used to sneak around the Orphanage a lot but remembered the girls that had their period were brought up to the attic. V15 also witnessed Resident7 having sex with Sister9. V15 described Resident7 as one of the older boys. Sister9 caught V15 peeking through her keyhole one day and brought V15 into her room and made V15 “feel her up.”

When V15 was about 7 years old, OrphanageWorker1 used to take V15 into a large bathtub and make V15 perform sexual acts on her. As a reward, she would give V15 a peanut butter sandwich. V15 did not believe that OrphanageWorker1 was a nun but recalled there being high school-aged girls that would help take care of the kids. V15 used to be happy to get the peanut butter sandwich and did not know what V15 did with OrphanageWorker1 was wrong. V15 described one incident where V15 was tied up in the attic at night when Sister10 came up behind V15, bit V15 on the neck, and said, “I’m the devil!” V15 also mentioned that V15 lit the attic on fire one time to rebel but could not remember the

punishment. V15 also recalled climbing out of the window down sheets to watch movies through the windows. V15 heard from Resident8 and Resident9 that they used to go to OrphanageWorker3's and V15 believed they had sex with him or his son. V15 mentioned that it would be difficult to prove any of the allegations because it was just one person's word versus the others. V15 saw kids get beaten and knocked down until they were bloody.

Named Assailants:

1. OrphanageWorker1
2. OrphanageWorker2
3. OrphanageWorker3
4. Sister9
5. Sister10

Potential Crimes: P.L. Sec. 8395 Cruelty to children under ten by one over sixteen (1933); Sec 8397 By person having custody (1933); Sec. 8611 Lewdness (1933); V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262: Cruelty to a Person – By person having custody; V.S. 1947 § 8458 Disturbances – Of the public peace; V.S. 1947 § 8479 Lewdness.

*The 1933 Public Law and 1947 criminal statutes are being included to reflect the changes in the law when V15 was a resident at the Orphanage.

Relevant Documents:

Presence of OrphanageWorker2: Father4a was deposed in a case and was asked the following about a OrphanageWorker2a:⁴⁸

⁴⁸ See Deposition of [REDACTED] in [REDACTED], at [REDACTED], file in Criminal Report Source Material titled [REDACTED]

1 A. No.
2 Q. Do you have any knowledge of that employee in
3 any way sexually abusing a child at St. Joseph's?
4 A. No. No, I don't remember that at all, no.
5 Q. You don't recall that being brought to your
6 attention?
7 A. No, no.
8 Q. Do you have any knowledge of a lay employee by
9 the name of [REDACTED] who was molesting some [REDACTED]
10 this might have been much before your time, in the
11 mid '40s, was actually caught in the act by a
12 [REDACTED]?
13 A. I never heard of that.
14 Q. Do you know [REDACTED]?
15 A. I know [REDACTED] very well.
16 Q. Has [REDACTED] ever told you about setting
17 up this [REDACTED] so he would be caught in the act
18 of sexually abusing a [REDACTED]?
19 A. I never heard of that at all, no.
20 Q. Have you ever seen any records of that
21 incident?
22 A. No.
23 Q. There was another incident that's been
24 reported of a -- by Sister [REDACTED], I think she
25 said about 1966 or '68 where a young boy by the name

Additionally, OrphanageWorker-SisterA1 was deposed in a case and was asked the following about a OrphanageWorker2b, which seems to confirm OrphanageWorker2a as an employee at the Orphanage in the late 1940s:⁴⁹

⁴⁹ See Deposition of [REDACTED] in [REDACTED] at [REDACTED], file in Criminal Report Source Material titled [REDACTED]

1 Q. Well, it said '47 to '48 and it's the second
2 page. It says Classes resumed on the left-hand
3 side.
4 A. Yes, that's correct.
5 Q. Do you see on the bottom, you can follow along
6 with me, that entry where it says Sister Superior
7 quite handicapped in the circumstance. Requested
8 the services of [REDACTED] and [REDACTED].
9 ~~Both were willing to substitute until Sisters could~~
10 ~~be sent to assume the task.~~
11 A. Yes.
12 Q. Do you know who [REDACTED] was?
13 A. No.
14 Q. Have you ever seen any records regarding [REDACTED]
15 [REDACTED] and claims of abuse involving [REDACTED]?
16 A. No.
17 Q. Is the Bishop required, or excuse me, if you
18 know, how often the Bishop would come to a facility
19 such as St. Joseph's?
20 A. I don't know.
21 Q. The records that we've been provided also
22 contain some appear to be financial records; have
23 you seen these?
24 A. Yee.
25 Q. I think we've got the deposition scheduled of

Presence of Sister10: a Sister10a was present at the Orphanage from 1942 to 1951 and appears to have worked with the residents.⁵⁰

⁵⁰ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

Offices des sœurs [redacted]
rof. temp. [redacted] Prof. dor. [redacted]
[redacted]
BURLINGTON: Officière chez les grands [redacted]
[redacted]

There also appears to have been a Sister10b present at the Orphanage from 1948 to 1950 who also worked with residents.⁵¹

[redacted]
([redacted]) ([redacted])

[redacted] - [redacted]
Companion [redacted] department

Case Analysis & Outcome: No criminal charges to be filed as potential crimes are barred by the statute of limitations.

Victim: V16

Contacted Law Enforcement: Initial contact with the BPD Portal on September 11, 2018 and met with BPD on September 11, 2018.

Dates at St. Joseph's Orphanage: September 2, 1962, to April 19, 1966.

⁵¹ See file in Criminal Report Source Material titled [redacted] at [redacted].

VCC Resident File Reviewed: Yes

Allegations: On September 11, 2018, Detective Krystal Wrinn spoke with V16 regarding V16's experience at the Orphanage. V16 swore at the beginning of the interview everything V16 was about to say was the truth.

V16 resided at the Orphanage from 1960-1968 or 1969. Also, at the Orphanage were V16's siblings: V16-Sibling1, V16-Sibling2, V16-Sibling3, V16-Sibling4, and V16-Sibling5. V16 advised that V16 was approximately 5 years old when V16 came to the Orphanage. V16 and V16's siblings were sent to the Orphanage because they were poor and neglected.

V16 also stated that while V16 did not witness a murder, V16's sibling, V16-Sibling1, may have witnessed a baby being smothered in the nursery, by a nun who had delivered the baby a day prior. V16 advised that V16 notified V16-Sibling1 of the intake V16 made to BPD. V16 provided V16-Sibling1's telephone number, however, V16 advised V16-Sibling1 expressed how V16-Sibling1 had already previously spoken about this in V16-Sibling1's deposition, which V16 advised had been approximately six hours long.

In V16's initial report, V16 reported that for nine years V16 was addressed as a number, and lived under the care of verbally, physically, emotionally, and sexually abusive nuns who were full of anger, hatred, and violence. V16 witnessed and lived a life of violence toward V16 and other innocent vulnerable children including V16's sibling. V16 reports that it hurt V16 more to watch V16's siblings and others be subjected to such beatings and to be forced by nuns to shame others, sing songs to children who wet their bed while they paraded around on stage in their wet underwear and wet sheet.

V16 recalled that the abusive behavior on the nuns' part included kneeling for hours on a wooden floor with V16's hands up in the air at night after everyone had gone to sleep. Even today, V16's knees never burn or tan because they are scarred.

V16 can still see V16-Sibling1's head swing back and forth from the nun slapping V16-Sibling1 hard from the right cheek to the left, over and over again until V16-Sibling1 had a catatonic look with V16-Sibling1's mouth left open and a glazed look in V16-Sibling1's eyes. Watching V16-Sibling1 be beaten, slapped many times over and over again was a form of torture to V16.

V16 remembered being paddled over the toilet with a paddle that had a long string and ball on it with a picture of bozo the clown on it. V16 thinks it was a donated toy for children to play with. The nuns would remove the ball and string, and one time a nun laid V16 across the toilet bare bottom and paddled V16 so hard V16 could not walk after. V16 got up from the toilet and fell to the floor. The nun left angry because V16 would not cry.

V16 also composed a written statement regarding V16's time at the Orphanage describing V16's experiences.⁵² In that statement, V16 alleges that after running away, V16 was beaten by Sister11 with a wooden paddle.⁵³ V16 wrote:

[Sister11] placed me over a toilet with my bare bottom up, took Bozo and slammed my bottom so hard over and over again. She told me she would continue until I cried. I never cried. She paddled and paddled and I refused to cry. She finally gave up. She was so mad I thought she was going to start on my face. I stood up and I could hardly move. I couldn't wait until she left me alone. She stood there shaking and waving her long skinny black arms and her rosary beads around her waist were

⁵² See file in Criminal Report Source Material titled [REDACTED]

⁵³ *Id.* at 7.

making lots of noise. The whole time she was screaming in French in a crazy sort of way. I wanted to look at my bottom because I couldn't feel it. My legs were shaking. She finally left the room and I fell to the floor and cried.⁵⁴

In an earlier section, V16 describes “Bozo:”

If we talked during silence, we faced “Bozo the Clown.” It was a hard wooden paddle which had an elastic with a small ball attached to it. It was originally donated to the orphanage as a toy for the children. The elastic and ball were removed and it worked very well as a reminder for anything.⁵⁵

We would put our hands out and the nun would paddle our hands so many times--it seemed to never end. I can still feel the burning and see the brilliant red color on my palms.

V16 also recalled in V16's statement seeing Sister11 repeatedly slap V16-Sibling1.⁵⁶ V16-Sibling1 was also often humiliated by Sister12 in school. V16 additionally alleged: “[q]uite often Sister12 after she would call me to her desk and she would hug me close to her and while facing the class she would look over my papers and the whole time she would have her hands under my dress, squeezing my bottom and telling me how good and smart I was.”⁵⁷

⁵⁴ *Id.*

⁵⁵ *Id.* at 6.

⁵⁶ *See generally, id.*

⁵⁷ *Id.* at 8.

On December 9, 1997, V16 was deposed in a case for approximately three hours.⁵⁸ During that deposition, V16 discussed being paddled, being beat with a paddle usually on V16's hands but sometimes on V16's bare backside. The nuns would use the paddle on her until V16 cried. V16 recalled Sister11, who V16 described as tall and skinny, using the paddle on V16. V16 also recalled being slapped on the face and being pulled by the ear as a form of discipline. V16 also discussed the actions of Sister12 discussed above. V16 also described V16-Sibling1 being tied to a chair and forced to eat V16-Sibling1's own vomit in front of the other children.

Named Assailants:

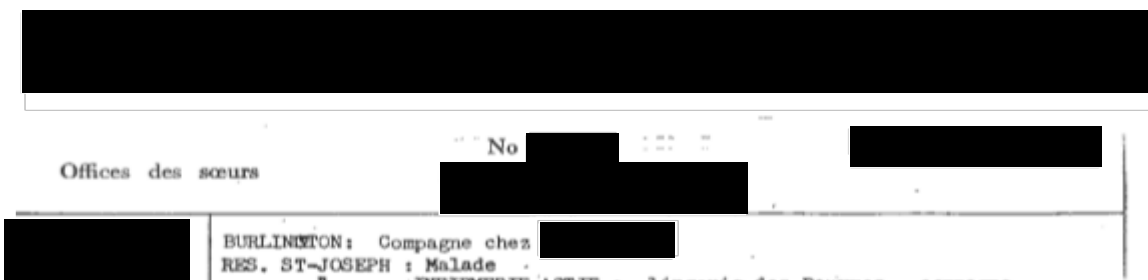
Sister11

Sister12

Potential Crimes: 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 /Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959).

Relevant Documents:

Sister11's Presence at the Orphanage: there appears to have been a Sister11a at the Orphanage from 1958 to 1967:⁵⁹



⁵⁸ See generally, video deposition of [REDACTED], in folder in Criminal Report Source Material titled [REDACTED]

⁵⁹ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

A Sister11b also appears to have been at the Orphanage sometime between 1961 and 1974 as described by Sister3a in her deposition in a case:⁶⁰

7

1 Q. At the convent?
2 A. At the convent, yes.
3 Q. Do you know the name of the convent?
4 A. [REDACTED]
5 Q. Anybody else?
6 A. I had Sister [REDACTED].
7 Q. For how long, Sister?
8 A. About two years.
9 Q. Is Sister [REDACTED] still alive?
10 A. Yes. But she is no longer a Sister. She
11 left the community many years ago.
12 Q. Do you know what happened to her?
13 A. I know she got married. That is about it.
14 Q. Do you know where she lives?
15 A. No.
16 Q. Have you assisted any lay employees?

Further, records seem to confirm a Sister11b at the Orphanage; however, length of time at the Orphanage is unclear:⁶¹

[REDACTED] (S) [REDACTED]
[REDACTED] ([REDACTED]) Companion, [REDACTED] department

Sister12 Presence at the Orphanage: a Sister12a appears to have been at the Orphanage from 1958 to 1966:⁶²

⁶⁰ See Deposition of [REDACTED] at [REDACTED] in [REDACTED] [REDACTED], file in Criminal Report Source Material titled [REDACTED].

⁶¹ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED]. There was also a [REDACTED] present at the Orphanage from [REDACTED] who also worked with the [REDACTED] residents.⁶¹

⁶² See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

Offices des sœurs
NO [REDACTED]
Prof. temp. [REDACTED] Prof. per. [REDACTED]

[REDACTED]

BURLINGTON : Classe 3e 4e années, organiste, gymnasium
[REDACTED]
BURLINGTON: 1st & 2nd Grades, annalist, music, library
" " : 3 & 4 grade, annalist, music

[REDACTED]

This period of time overlaps with the time V16 was present.

Case Analysis & Outcome: No criminal charges to be filed as potential crimes are barred by the statute of limitations.

Victim: V17

Contacted Law Enforcement: Initial contact with the BPD Portal on September 14, 2018, and V17 met with BPD on September 21, 2018 for an interview.

Dates at St. Joseph's Orphanage: February 21, 1960, to October 10, 1961

VCC Resident File Reviewed: Yes

DCF Placement: Yes. Committed to DSW custody on March 27, 1959.

Allegations: On September 21, 2018, Detective Beliveau interviewed V17 at the Chittenden Unit for Special Investigations. V17 swore at the beginning of the interview that everything V17 was about to say was the truth.

V17 advised that V17 and V17's five siblings went into the Orphanage in approximately 1960. Prior to going to the Orphanage, V17 advised V17 lived on South Champlain Street in Burlington with V17's mother, who was a prostitute, and V17's father, who was an alcoholic. V17 said V17's parents were "splitting" and V17's mother had been working for days. V17 said there was a small fishing shanty beside their house that had a stove in it. V17 said V17's sibling and friend were playing in the shanty and started a fire. V17 said when the fire department came, they checked their apartment and then brought the children to the police station. That night, V17 and V17's siblings were sent to the Orphanage.

At the Orphanage, V17 and V17's siblings were put into the same room by themselves, and every night "they'd take someone." V17's siblings, V17-Sibling1 and V17-Sibling2, were taken first, and V17's sibling, V17-Sibling3, was taken the following night. V17's sibling, V17-Sibling4, was angry and threatened to jump out of a window. V17 recalled V17-Sibling4 crying.

When recalling what type of abuse happened at the Orphanage, V17 remembered being "scrubbed so hard" that V17's body was red and raw in places. V17 recalled siblings, V17-Sibling5 and V17-Sibling4, were in a different dorm than V17 was, and V17 only saw them occasionally. V17-Sibling1 had a medical condition and was not always able to eat. V17 said V17-Sibling1 vomited what they made V17-Sibling1 eat, and a nun made V17-Sibling1 eat V17-Sibling1's vomit. V17 said on one occasion, the nuns brought them down to the beach and would tie the children to a "great big rope so we were all in a line." V17 said that V17-Sibling3 saw the nuns go into a laundry room and locked them inside. V17 said V17-Sibling3 took the children to the beach; V17 said V17 knew they would get in trouble but went anyway.

V17 said this was when V17 stood on the train tracks with the intent of committing suicide because V17 was molested by the priest, Father3, and thought V17 was betraying God.

V17 said V17's siblings saw V17 on the train tracks and got V17 away from them. V17 said V17 was around eight or nine years old when this happened. V17 said this was when V17 "totally stopped speaking." V17 said V17 felt guilty because Father3 was giving V17 Tootsie Rolls. V17 said all of the abuse occurred in Father3's office. V17 didn't think V17 was the only child being molested by him.

V17 spoke about an incident where children were brought to a place across the street around Christmas time. V17 said certain children would be chosen to go and one time V17 was not chosen. So, V17 told another child that V17 hated Sister13, and that child told the nuns, when they were beating that child. As a result, V17 had to stay in the dorm and Sister13 came up with a "great big paddle." V17 said Sister13 tried to hit V17 in the head but V17 grabbed V17's arms and was struck in the elbows. V17 said V17 tried to run away but Sister13 picked up a bed near a heater and slammed the bed on V17 until V17 passed out. V17 said if someone were to take a scan of V17's head, V17 had indentations on V17's skull from the heater and a dent from the bed. V17 said V17's nose was also broken from this assault. V17 said Sister13 then picked up V17 and placed V17 in a bed where a doctor looked after V17 (but never actually treated V17) until the next day when the nun brought V17 to a bathroom to show V17's face. V17 advised V17's face was "black and blue from head to toe."

V17 said one time, Sister13 told V17 to stay away from Father3 because Sister13 knew what V17 "was doing with him." V17 said V17 could not recall if it was once a week or night, but all the children were made to stand in a row and pull down their underwear so it could be checked. V17 said if there were any marks in their underwear, they were slapped across the face and would have to go wash their underwear. V17 said to this day, V17 did not have any underwear that had a mark on it.

V17 recalled being at the Orphanage from 1960 to 1962. After V17 was assaulted by the nun, V17 was placed in a foster home. V17 felt this was because the nuns did not want V17 to die there. V17 reported that V17 did not receive medical care at the Orphanage.

V17 then spoke further about being molested by Father3. V17 had to go to his office every day at a certain time. V17 said that V17 remembered one time V17 did not show up when V17 was supposed to, and Father3 found V17 outside. V17 said that V17 was covered in bruises from the assault and Father3 was “horrified” by what V17 looked like and V17 didn’t think V17 ever saw him again after that. V17 said all of the abuse occurred in Father3’s office.

V17 said on one Sunday, V17 and V17’s siblings were supposed to go out on a visit with their father. V17 said V17-Sibling3 stacked mattresses close to a window, and when their father came, V17-Sibling3 set them on fire. V17 said as they left, V17’s father asked V17-Sibling3 if V17-Sibling3 had anything to do with that and brought them back to the Orphanage. V17 said “they” brought V17-Sibling3 to V17-Sibling3’s “side” and tied V17-Sibling3 to a bed and started punching and beating V17-Sibling3 up. V17 said, V17 and V17’s siblings were forced to watch.

V17 said that V17 and V17’s siblings had never talked about anything that happened once they left the Orphanage. V17 said V17 met other people who had been in the Orphanage and someone brought V17 a picture of V17-Sibling3 and Father3. V17 said Lawyer2 took the photo and never gave it back to V17. V17 explained that the nuns and priests were able to change and chose their names, so it was difficult to identify them.

V17 said V17 worked in the garden while V17 was at the Orphanage. This garden was behind the Orphanage on the left-hand side. V17 said, V17 was in a building picking the ends off of string beans and V17 saw a “flash in front of me that there’s bodies.” V17 feared the garden because V17 could sense something. In later years, when V17 was protesting at the Orphanage,

V17 would ask why no one was bringing cadaver dogs there. V17 never saw any disturbed ground, V17 could “just sense it.”

V17 spoke of another incident in the Orphanage, where there was commotion and screaming in a stairwell, and V17 remembered seeing a puddle of blood in the stairwell. V17 saw a nun “push a kid over.” V17 said V17 wouldn't see the face of the girl, just the blood. V17 also did not remember the name of the nun yelling at them. V17 was also made to stay in the attic of the Orphanage all day with some other children. V17 felt V17 was put in the attic to hide V17 in case someone was visiting because V17 was so black and blue. V17 remembered having to go up to the attic on Sundays to get V17's white clothes. V17 could only remember the names of two nuns, Sister13 and Sister14, and that they had French accents.

V17 said the food was disgusting, and the nuns didn't eat the same food they did. V17 said, “cod liver oil, I remember being fed cod liver oil.” V17 said there was also “disgusting blood sausage.” V17 said that was why everyone talked about vomiting because they were made to eat that kind of food. V17 said they tried not to vomit “because that was worse.” V17 felt that V17-Sibling3 was being drugged in the Orphanage because they “couldn't control” V17-Sibling3 and V17 believed this was when V17-Sibling3's drug use started. V17-Sibling3 eventually committed suicide.

Named Assailants:

1. Sister13
2. Sister 14
3. Father3

Potential Crimes: 13 V.S.A. § 602 Assault with intent to kill or maim (1959); 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one

over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a child (1959).

Relevant Documents:

Father3's Presence at the Orphanage: in a review of a Father3a's file with the Diocese, there was a letter from the Asst. Chancellor informing Father3a that he was being appointed to the Orphanage and a position within Vermont Catholic Charities during portions of the relevant time frame, after which he was given his next assignment.⁶³

February 14
19 61

The Reverend [REDACTED]
[REDACTED]

Dear Father:

This is to notify you that the Most Reverend Bishop is relieving you of duty at [REDACTED] and appointing you [REDACTED] at St. Joseph Orphanage and [REDACTED] Vermont Catholic Charities.

This appointment becomes effective February 22, and you are asked to keep it in the strictest confidence until it appears in this week's edition of The Vermont Catholic Tribune.

With prayerful best wishes, I remain,

Sincerely yours in Christ,

Asst. Chancellor.

It appears that a Father3a was at the Orphanage in 1961, when V17 was a resident.

⁶³ See file in Criminal Report Source Material titled [REDACTED]; see also [REDACTED] at [REDACTED], [REDACTED] (last visited November 3, 2020).

Sister13's Presence at the Orphanage: a Sister10b appears to have been present at the Orphanage from 1959 to 1960 who also worked with the residents.⁶⁴

[REDACTED]
([REDACTED]) ([REDACTED])

[REDACTED] - [REDACTED]
Companion [REDACTED] department

There was also a Sister11a who appears to have been at the Orphanage from 1958 to 1967:⁶⁵

[REDACTED]

Offices des sœurs No [REDACTED] [REDACTED]

[REDACTED] | BURLINGTON: Compagne chez [REDACTED]
RES. ST-JOSEPH : Malade

A Sister11b also appears to have been at the Orphanage sometime between 1961 and 1974 as described by Sister 3a in her deposition in a case:⁶⁶

7

1 Q. At the convent?
2 A. At the convent, yes.
3 Q. Do you know the name of the convent?
4 A. [REDACTED]
5 Q. Anybody else?
6 A. I had Sister [REDACTED].
7 Q. For how long, Sister?
8 A. About two years.
9 Q. Is Sister [REDACTED] still alive?
10 A. Yes. But she is no longer a Sister. She
11 left the community many years ago.
12 Q. Do you know what happened to her?
13 A. I know she got married. That is about it.
14 Q. Do you know where she lives?
15 A. No.
16 Q. Have you assisted any lay employees?

Further, records seem to confirm a Sister11b at the Orphanage.⁶⁷

⁶⁴ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

⁶⁵ See id.

⁶⁶ See Deposition of [REDACTED] at [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED].

⁶⁷ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

[REDACTED] (S) [REDACTED]
([REDACTED]) ([REDACTED]) Companion, [REDACTED] department

All of these sisters appear to overlap with when V17 was at the Orphanage for some period of time.

Presence of Sister14: at the time when V17 was a resident, there was a Sister14a who worked at the Orphanage from 1959 to 1966.⁶⁸ She was an officer of one of the departments.⁶⁹ In Sister14a's deposition, Sister14a admitted to using a paddle on the children infrequently and spoke about discipline at the Orphanage.⁷⁰ She denied hitting any children for wetting the bed and that she never saw a child forced to eat his/her own vomit.⁷¹

[REDACTED] - [REDACTED]
([REDACTED]) ([REDACTED]) [REDACTED] dept. - Officer

A Sister14b also appears to have worked at the Orphanage, but the time period is unclear:

[REDACTED] (D) [REDACTED]
([REDACTED]) ([REDACTED]) Officer [REDACTED] department

Case Analysis & Outcome: No criminal charges to be filed, as potential crimes are barred by the statute of limitations.

⁶⁸ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED]; Deposition of [REDACTED] at [REDACTED] in [REDACTED]; see also file in Criminal Report Source Material titled [REDACTED], [REDACTED]

⁶⁹ *Id.*

⁷⁰ *Id.* at 35-41.

⁷¹ *Id.* at 41-42.

Victim: V18

Contacted Law Enforcement: Initial contact with BPD September 13, 2018, and V18 met with BPD Detective Michael Beliveau and Officer Eric Kratochvil on November 26, 2018 for an interview.

Dates at St. Joseph's Orphanage: May 24, 1960, to September 5, 1967

VCC Resident File Reviewed: Yes

DCF Placement: Yes, committed to DSW custody on May 23, 1960.

Allegations: On November 26, 2018, Detective Beliveau and Officer Kratochvil interviewed V18 regarding V18's experience at the Orphanage. V18 was born in 1953 and lived at the Orphanage from 1959, age 6, until the summer of 1969, age 16. V18 recalls being brought to Vermont from out of state because V18's mother passed away. V18's father was in the United States Air Force, serving in an undescribed capacity. V18 recalls a woman delivering V18 to Vermont because of some loose family connections that V18's father had in the state. V18 does not recall whether the woman worked for the government or the Church.

When investigators asked V18 about who perpetrated the abuse, V18 had a difficult time recalling names and could only distinguish them by their physical attributes. When thinking of the nuns, all V18 can see facial-wise is the habit, black eyes, black open mouth, and no face. V18 only remembered two names: Sister15 and Sister16. V18 remembers Sister15 as tall and slim and Sister16 as short and heavier set. When recalling the nuns during the interview, V18 became upset and stated that "you became invisible to survive" and "you don't want to be noticed."

V18 had a sibling with V18 at the Orphanage, V18-Sibling1. V18-Sibling1 was a younger sibling that arrived at the Orphanage after V18 by rail. V18-Sibling1 was so traumatized by V18-Sibling1's experiences at the Orphanage that V18-Sibling1 did not adjust to free and civilian society, becoming a repeat offender.

V18 and V18's siblings found their way to the Orphanage because of the way things were done in the 1950's, according to V18. The elder children could remain with their father out of state, and those who were adults at the time. V18 recalls V18's father as an alcoholic who regularly had problems with law enforcement. V18 believes that the reason the State (both Vermont and the state in which their father lived) seized them (the children) springs from the father's alcoholism. And so, all the children wound up in Vermont. Once at the Orphanage, V18-Sibling1 and V18 went to different sides of the Orphanage. According to V18, the State of Vermont refused to release V18 or V18's siblings to other family members who lived in Vermont.

V18 spoke about the 1990s investigation. V18's relative, V19, suggested that V18 be a part of the Orphanage case at that time, but V18 chose not to. However, V18 recalls the litigation around the Orphanage and criticized how the Diocese handled the litigation. V18 read the BuzzFeed article and subsequent articles, but V18 wanted to remain out of the news and did not reach out. V18 spoke about V20 and another woman giving an interview to the news and how V18 became upset when the reporter referred to V20 as an "alleged victim." And so, V18 never reached out before to talk about V18's experiences.

V18 recalled many years of forced labor for the nuns at the Orphanage. V18 recalled nice and mean nuns. Throughout describing the various acts of abuse the Sister of Providence

executed against their charges, V18 continued to reiterate the importance of being invisible to the nuns.

Around 1963 when V18 was about 10, V18 was caught running through the dormitory hallways. Sister15 gave chase and put V18's hand through the door window on a spring-hinged swinging door. Sister15 beat V18 for the shattered glass. Sister15 delivered physical blows with a wooden implement. V18 remembers receiving medical attention.

V18 also remembers being served something called, "peanut butter pudding." V18 refused to eat the paste because it did not resemble food. The nuns strapped V18 to a chair during a forced feeding. V18 refused to eat it because it tasted like "dirty dishwater." V18 spit the food onto Sister15 and the nun responded with a physical battery so violent that V18's ears began to bleed. Sister15 delivered numerous blows to the head. The assisting nun closed V18's nostrils to induce consumption. The nuns then threatened to shatter V18's teeth. When V18 spit out food onto Sister15, Sister15 responded with a strike that vaulted V18. V18 struck V18's head on the hardwood floor of the mess hall. V18 recovered consciousness in an area hospital. V18 mused during the interview that there must be hospital records that reflect the accident and treatment that V18 received.

During a cleaning assignment on the third-floor sleeping room, V18 hopped from bed to bed playing. V18 was playing as Peter Pan after having watched Julie Andrews in the *Peter Pan* film. A nun caught V18 pretending that V18 could fly and as punishment, V18 had to clean the girls' lavatory with only a toothbrush. V18 also reported that when the nun caught V18 playing as Peter Pan, the nun forced V18 against a wall and the nun growled, "So, you think you can fly?" Then the nun tossed V18 into a closed window and V18 ricocheted off the windowpane. The nun then kicked V18 in the abdomen, striking V18 about the ribs and stomach. The nun

continued kicking V18 while V18 was prone and V18 drifted off during V18's abuse. After the abuse, V18 recalled crawling back to the pail and brush to continue cleaning the girls' lavatory. V18 reported that the windowsill was rather high, set off the floor and the lavatory was on either the third or fourth floor.

V18 also recalled that the Sisters would dress the children in fluffy white socks and walk them throughout the Orphanage to polish the broad hardwood floors in the hallways.

The nuns threatened V18 with trunk imprisonment. V18 saw other children sent to the attic as punishment. Many children were confined in a trunk. V18 learned later in life from V19, that V19 was confined in the trunk, to make V19-Sibling1 cry. V18 said that the nuns were always trying to make V19-Sibling1 cry. V18 reported that while V18 was never tied to the attic chair, V18 does remember the effects of isolation punishment at the Orphanage.

In describing the Orphanage property, V18 remembered the ground-floor basement. The basement would open out to a play area, and then the boys' mess hall. On the back side of the Orphanage, there was a laundry, then the kitchen, and then another stairwell. There were classrooms, four to six, where the children would study. The gymnasium was on the first floor that meets the street. V18 detailed the times that stage productions would happen in the gym. V18 fondly remembers acting and dressing up. The plays were the times that the boys and the girls could mingle.

V18 recalled the children putting on the production of *Annie Oakley*. V18-Sibling1 was also in the play, V18 recalled V18-Sibling1 playing on a hobbyhorse while wearing a tiny cowboy hat. During the play, V18-Sibling1 positioned himself on the wrong part of the stage and could be seen by the audience. After the play, V18-Sibling1 was beaten by one of the nuns for letting V18-Sibling1 be seen.

When recalling whether any other children were seriously injured, V18 remembered hearing about a child being punished and then never seeing the child again. V18 noted, however, that children were always coming and going for whatever reason, so it was hard to know what was going on. V18 did see children being punished severely. V18 recalled one girl being beat “pretty well” and never seeing that girl again. V18 does not know what happened to her.

V18 recalled that the Orphanage had its own beach access which was divided into a boy’s side and a girl’s side. V18 does not remember nuns being involved with any drowning incidents or throwing kids off a rowboat. However, V18 remembered an event where Resident10 was standing on the bulkhead on the deep end with V18. V18 returned to shore and was later told by the other children that Resident10 drowned on the swim back.

In another swimming incident, V18 recalled the Orphanage children hiking out to Lone Rock Point and another boy drowned because of “kids’ play.” Both of these drownings happened when V18 was around 12 to 14. V18 knows that they were at least 12 because V18 was working in the nursery and had permission to go to and from the beaches unsupervised.

When V18 recalled working in the nursery, V18 spoke about an infant named Resident11, who was available for adoption and on the cusp of aging out. V18 had infant duty attending to infants’ needs and first feeding, bathing, and changings. V18 was concerned that Resident11 was going to age into another dormitory. And so, V18 prayed for Resident11’s adoption by a nice family. V18 tended to Resident11 because Resident11 was bigger than the other infants, as Resident11 was approaching toddler age. One day, Resident11 tossed the linens, like in a Norman Rockwell scene, and a young couple took Resident11 home with them. V18 told this story to explain how easy it was that infants came and went from the Orphanage. V18 remembered a particular day while on nursery duty that V18 stopped V18’s routine because of a

sound. V18 checked one of the cribs and saw a whimpering infant. The noise registered as weakness, not quite a cry. The infant's color was purple, possibly deprived of oxygen. A nun stationed in the nursery approached the whimpering newborn and V18 and admonished V18 for tending to the dying newborn. The nun said, "I'll take care of that thing." V18 recalled that two nuns regularly attended to the nursery. V18 speculated that a novitiate birthed the newborn, and the nuns permitted the baby to die of exposure. V18 alleges that the baby was buried in a grotto beside the Orphanage.

Named Assailants:

1. Sister16
2. Sister15

Potential Crimes: 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959).

Relevant Documents:

Presence of Sister 15: At the time when V18 was a resident, there appears to have been a sister named Sister 14a who worked at the Orphanage from 1959 to 1966.⁷² She was the house mother in the girls department.⁷³ In her deposition on March 26, 1997, she admitted to using a paddle on the children infrequently and spoke about discipline at the Orphanage.⁷⁴ She denied hitting any children for wetting the bed and that she never saw a child forced to eat his/her own vomit.⁷⁵

⁷² See file in Criminal Report Source Material titled [REDACTED] at [REDACTED] see also Deposition of [REDACTED] at [REDACTED] in [REDACTED]

⁷³ *Id.*

⁷⁴ *Id.* at 35-41.

⁷⁵ *Id.* at 41-42.

[REDACTED] - [REDACTED]
[REDACTED] ([REDACTED]) [REDACTED] dept. - Officer

A Sister14b also appears to have worked at the Orphanage but the time period is unclear.

[REDACTED] (D) [REDACTED]
[REDACTED] ([REDACTED]) [REDACTED] Officer [REDACTED] department

Finally, there was a Sister15a and a Sister15b who, according to Sister1a in her deposition, were present at the Orphanage sometime between 1967 and 1974.⁷⁶

* [REDACTED]
5 Q. Sister [REDACTED]. Anybody else come to mind?
6 A. Sister [REDACTED], [REDACTED]. And some
7 are dead; Sister [REDACTED] is dead, Sister [REDACTED] is
8 dead, [REDACTED], [REDACTED] is dead. Sister
9 [REDACTED] is at [REDACTED]. [REDACTED].
10 Q. Where is she?
11 A. [REDACTED].
12 Q. Think of your teachers, the people you taught
13 with.
14 A. Yeah. And then some people who have left the
15 community.
16 Q. And who would those be?
17 A. Oh, [REDACTED].
18 Q. Where is she, do you know?
19 A. I think she's in [REDACTED].
20 Q. [REDACTED], [REDACTED] you're saying?
21 A. [REDACTED].

Sister16's Presence at the Orphanage: a Sister10b appears to have been present at the Orphanage from 1959 to 1960 who worked with the residents.⁷⁷

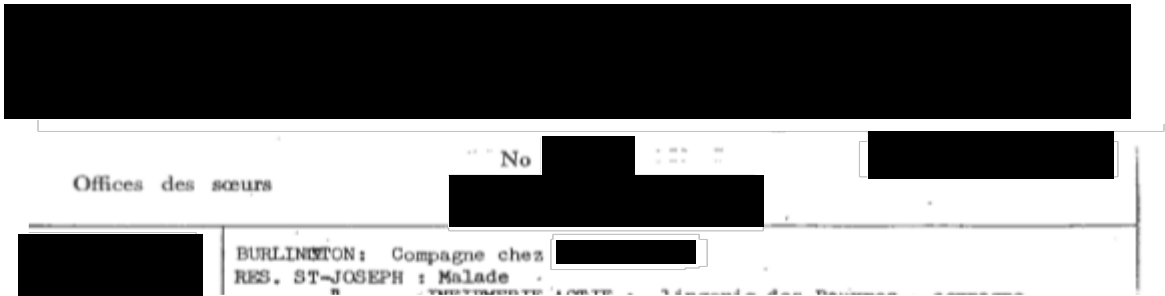
⁷⁶ See Deposition of [REDACTED] at [REDACTED] in [REDACTED]
[REDACTED], file in Criminal Report Source Material titled [REDACTED]
at [REDACTED].

⁷⁷ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

[REDACTED]
([REDACTED]) ([REDACTED])

[REDACTED] Companion [REDACTED] department

There also appears to have been a Sister11a at the Orphanage from 1958 to 1967:⁷⁸



Sister 11b appears to have been at the Orphanage sometime between 1961 and 1974, as described by Sister3a in her deposition in a case:⁷⁹

7
1 Q. At the convent?
2 A. At the convent, yes.
3 Q. Do you know the name of the convent?
4 A. Villa du Rosaire.
5 Q. Anybody else?
6 A. I had Sister [REDACTED].
7 Q. For how long, Sister?
8 A. About two years.
9 Q. Is Sister [REDACTED] still alive?
10 A. Yes. But she is no longer a Sister. She
11 left the community many years ago.
12 Q. Do you know what happened to her?
13 A. I know she got married. That is about it.
14 Q. Do you know where she lives?
15 A. No.
16 Q. Have you assisted any lay employees?

Further, records appear to confirm a Sister11b at the Orphanage:⁸⁰

[REDACTED] (S) [REDACTED]
([REDACTED]) ([REDACTED])

Companion, [REDACTED] department

⁷⁸ See id.

⁷⁹ See Deposition of [REDACTED] at [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED]

⁸⁰ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

All of these Sisters appear to overlap when V18 was at the Orphanage for some period of time. The screenshot below is from the St. Joseph's Children's Center Chronicles from 1970, a document prepared and signed by the nuns from the Orphanage.⁸¹ There have been many allegations that children drowned, or children were left alone whilst swimming in the lake. Though this does not corroborate any neglect or abuse, it does provide corroboration for the fact that the nuns took the children swimming in Lake Champlain.

```
SUMMER      :
OUTINGS     :      As in the preceding years, the children have been
              : favored with many outings sponsored by kind benefactors and
              : generous societies of this area. Among these tours was a
              : visit to New York State by the Lake Champlain ferry where
              : children's parks of entertainments were enjoyed; a circus,
              : the King Brothers, a three ring circus, on the fairgrounds in
              : Essex Junction, Vermont; picnics taken by bus where food and
              : cold drinks were plentiful; public movies at a local theater,
              : free of charge; and when the weather permitted daily "Cook-
              : outs" on the grounds with an evening dip in the near-by lake.
              : We feel that these children who were not permitted to go home
              : for the vacation, either because the parents work or for lack
              : of space, etc., had a very happy vacation with seldom a dull
              : moment. Divine Providence and good St. Joseph saw to this!
```

Case Analysis & Outcome: No criminal charges to be filed as potential crimes are barred by the statute of limitations.

Victim: V19

Contacted Law Enforcement: Initial contact with the BPD Portal on September 19, 2018 and provided the following information. V19 did not give an interview to BPD but provided the following account by way of the portal.

⁸¹ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

Dates at St. Joseph's Orphanage: September 23, 1958 to May 9, 1964

VCC Resident File Reviewed: Yes

Allegations: V19 reported that V19 was a resident at the Orphanage from approximately September of 1958 to May 1964.⁸² The following is a summary of the information V19 provided through the portal about V19's time at the Orphanage:

For the whole time V19 was in the Orphanage, V19-Sibling1 wouldn't cry in front of the nuns. V19 said that was the only control V19-Sibling1 had. The Sisters were always trying to get V19-Sibling1 to cry, so one day, Sister17 and Sister18 brought V19 and V19-Sibling1 to the attic. The Sisters locked V19 in an old trunk. The Sisters said there were snakes, and bats and spiders in the attic. V19 was very young and believed them. V19 cried and screamed hysterically. V19-Sibling1 kept trying to get away from the nun to let V19 out. Sister17 grabbed V19-Sibling1 by V19-Sibling1's hair and pulled V19-Sibling1's head back to see if V19-Sibling1 was crying. V19 said, all of a sudden, V19 went dead silent. V19-Sibling1 said years later, that's the one-time V19-Sibling1 almost cried. V19-Sibling1 thought V19 had run out of air and thought V19 may have suffocated. V19 said the nuns may have thought the same thing, because they opened the trunk and let V19 out.

V19 said when V19 was three years old, one nun was giving V19 a bath. V19 got soap in V19's eyes so V19 cried. The Sister held V19 underwater until V19-Sibling1 came into the room, then V19-Sibling1 let V19 up. V19 was choking and coughing and gasping for air. V19 feels V19-Sibling1 saved V19's life then. Another time, V19 said Sister19 brought V19 to the nun's floor bathroom. V19 had never been in there before. Sister Superior1 was there. Sister19 said to V19, "Look what [V19] did!" All of the toilets were full of backed up sewage. Sister Superior1 said to

⁸² See file in Criminal Report Source Material titled [REDACTED]

V19, "Clean that up!" V19 said they gave V19 a rag and a bucket. They made V19 put V19's hands in the toilets to try to scoop out all the stuff in there. V19 was crying. V19 said a plumber came in, and Sister Superior1 said to V19, "Go wash up, you stupid [child]."

V19 reports that many other things happened, too many to name. V19-Sibling1 got it much worse than V19. V19-Sibling2 was beaten, almost beyond recognition. V19-Sibling2 also claims V19-Sibling2 was molested there. Sister18 took V19-Sibling1 into her bedroom. She told V19-Sibling2 that V19-Sibling1 had an ugly body, and people would do bad things to V19-Sibling1. Sister18 tried to bind V19-Sibling1's genitals with hairpins and barrettes. The nuns would make all the kids in the room say things to try to make V19-Sibling1 cry. They said if they could make V19-Sibling1 cry, then the Devil would leave V19-Sibling1. They threw things at V19-Sibling1 and ridiculed V19-Sibling1. One nun ran a butter knife under extremely hot water until it was hot, then put it on V19-Sibling1's arm to burn V19-Sibling1.

Another nun would "accidentally" touch V19's scalp with a curling iron and say, "Oops!" V19 said the Sister would do this to V19-Sibling1 too. V19 said V19's dad bought V19 and V19-Sibling1 each a gift for Christmas one year. V19 said V19 and V19-Sibling1 were not allowed to touch them. The Sisters put the gifts on display in the dorm. After three days, Sister17 called V19 inside. Sister17 yelled at V19 asking why V19 touched it. V19 said that V19 didn't touch it. Sister17 took out her paddle, pulled down V19's pants and beat V19 with it quite a few times. V19 said it was V19's own gift and V19 couldn't touch it. V19 said V19 didn't know who touched it but that V19 "got hell for it!"

V19 remembered one night when everyone was getting ready for bed in the dorm. One of the older residents was hysterically running up the hallway screaming and crying, "They killed him, they killed him!" Sister17 grabbed the resident and pulled them back out of the room. V19

said Sister17 said to everyone, “Don't pay attention to them, [they're] crazy!” V19 had heard later that they dropped a little boy down the staircase and he died.

The nuns told everyone from day one, “God sees and hears everything! Anything you say or do, God knows!” V19 said they told everyone that if your parents got divorced, you would go to Hell. V19 said they said no matter what anyone did in life, it didn't matter, because those children of divorced parents would go to Hell. V19 said, that every time V19 got a beating, V19 was told not to tell V19's parents. If V19 did, God would know, and he would punish V19's parents or kill them. V19 never told, because V19 thought V19's family was in grave danger if V19 did.⁸³

V19 also reported that V19 spoke to lawyers in the 1990's regarding V19's experiences at the Orphanage. V19 and V19-Sibling1 were deposed by the Church lawyers as well.⁸⁴

Named Assailants:

1. Sister19
2. Sister17
3. Sister18

Potential Crimes: 13 V.S.A. § 602 Assault with intent to kill or maim (1959); 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a child (1959).

Relevant Documents: In the “Record Sheets” for the V19 family from Vermont Catholic Charities, there is entry from February 26, 1962 regarding a complaint from FamilyFriend1 who sometimes cared for the children of the V19 family. FamilyFriend1 reported that V19-Sibling2's

⁸³ *Id.*

⁸⁴ *Id.*

face and head were all marked up when FamilyFriend1 visited V19-Sibling2 at the Orphanage. V19 remarked that it looked like someone had hit V19-Sibling2's head against the wall. The writer of the entry commented that FamilyFriend1 was very upset. The writer investigated and learned from Sister Superior1 that V19-Sibling2 had purposely broken a lamp and that a nun slapped V19-Sibling2. FamilyFriend1 also spoke to Sister Superior1 and the writer noted that FamilyFriend1 was not satisfied by her explanation of V19-Sibling2's injuries. The writer discounted this, writing that FamilyFriend1, "May have guilty feelings of [themselves] as a [parent] and taking it out on the Sisters." The children were placed in FamilyFriend1's care when they left the Orphanage in May 1964 (see excerpt below dated 2/26/62).

Additionally, in the "Record Sheets" for V19's family from Vermont Catholic Charities, there is a closing entry dated May 11, 1964 that gives a summary of each child's time at the Orphanage.⁸⁵ In the section on V19-Sibling1, the writer, Social Worker1a, notes that it took V19-Sibling1 a long time to talk to the "workers" and that V19-Sibling1 would "never venture to talk, the only way would be a shrug of the shoulders or a 'yes' or 'no.'"⁸⁶

| DATE | <p>██████████ was a small ██████████ in stature. ██████████ reacted in a somewhat different manner to the long stay at SJCC. It took a long time for the workers to get ██████████ ██████████ would never ██████████, the only way would be a shrug of the shoulders or a "yes" and "no". ██████████ was never annoying and irritating. ██████████ was very helpful and always willing to do ██████████ chores. ██████████ conformed to rules and regulations, however, was a difficult child to help because of ██████████ introvert tendencies.</p> |
|---------|--|
| 2/26/62 | <p>Call from ██████████ She was quite upset last visiting Sunday to find ██████████ with ██████████ face and head all marked up. ██████████ told W that it looked as though someone has ██████████ head against the wall. She wanted to know what ██████████ did to deserve this punishment.</p> <p>To calm ██████████ down, W said she would call ██████████ and find out what happened. Call to ██████████ informed W that she had talked with ██████████ Sunday and had straightened everything out. ██████████ seemed to be very understanding and reasonable about the whole matter.</p> <p>Sister explained to W that ██████████ had deliberately broken a lamp and one of the Sisters had slapped ██████████ for it. ██████████ had talked to both the sister and ██████████ and also had ██████████ give ██████████ side of the story. Apparently ██████████ had also destroyed some other property for no good reason.</p> <p>Sister hadn't talked to the ██████████ but was most willing to have ██████████ come in to see her.</p> <p>Call to ██████████ to tell her that ██████████ that ██████████ would appreciate it if ██████████ would come in to see ██████████ and they could get the matter settled. W told ██████████ that ██████████ would derive more satisfaction from talking to ██████████</p> |
| 2/2/62 | <p>Call from ██████████. ██████████ talked to ██████████ the night before and apparently wasn't satisfied with ██████████ story. It is W's impression that ██████████ may have guilt feelings of ██████████ as a ██████████ and is taking it out on the Sisters.</p> |

⁸⁵ See generally, ██████████, in file in Criminal Report Source Material titled ██████████

⁸⁶ Id. at p. ██████████

Sister17 at the Orphanage: At the time when V19 was a resident, there was a sister named Sister15a who worked at the Orphanage from 1959 to 1966.⁸⁷ She was the house mother in the girls department.⁸⁸ In her deposition on March 26, 1997, she admitted to using a paddle on the children infrequently and spoke about discipline at the Orphanage.⁸⁹ Sister15a denied hitting any children for wetting the bed and that she never saw a child forced to eat his/her own vomit.⁹⁰

Presence of Sister18: a Sister10b appears to have been present at the Orphanage from 1959 to 1960 who worked with the residents.⁹¹

[REDACTED] ([REDACTED]) ([REDACTED])
Companion [REDACTED] department

There also appears to have been a Sister11a was at the Orphanage from 1958 to 1967a⁹²



A Sister11b also appears to have been at the Orphanage sometime between 1961 and 1974, as described by Sister3a in her deposition:⁹³

⁸⁷ See Deposition of Sister [REDACTED] at [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED].

⁸⁸ *Id.*

⁸⁹ *Id.* at 35-41.

⁹⁰ *Id.* at 41-42.

⁹¹ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

⁹² See *id.*

⁹³ See Deposition of [REDACTED] at [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED].

7

1 Q. At the convent?
 2 A. At the convent, yes.
 3 Q. Do you know the name of the convent?
 4 A. Villa du Rosaire.
 5 Q. Anybody else?
 6 A. I had Sister [REDACTED]
 7 Q. For how long, Sister?
 8 A. About two years.
 9 Q. Is Sister [REDACTED] still alive?
 10 A. Yes. But she is no longer a Sister. She
 11 left the community many years ago.
 12 Q. Do you know what happened to her?
 13 A. I know she got married. That is about it.
 14 Q. Do you know where she lives?
 15 A. No.
 16 Q. Have you assisted any lay employees?

Further, records seem to confirm a Sister11b at the Orphanage:⁹⁴

[REDACTED] (S) [REDACTED]
 ([REDACTED]) ([REDACTED]) Companion, [REDACTED] department

All of these Sisters appear to overlap with when V19 was at the Orphanage for some period of time.

Presence of Sister17: At the time when V19 was a resident, there appears to have been a sister named Sister15a who worked at the Orphanage from 1959 to 1966.⁹⁵ She was an officer in one of the departments.⁹⁶ In her deposition, she admitted to using a paddle on the children infrequently and spoke about discipline at the Orphanage.⁹⁷ She denied hitting any children for wetting the bed and that she never saw a child forced to eat his/her own vomit.⁹⁸

[REDACTED] - [REDACTED]
 ([REDACTED]) ([REDACTED]) [REDACTED] dept. - Officer

A Sister14b appears to have worked at the Orphanage but the time period is unclear:

⁹⁴ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].
⁹⁵ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED] see also Deposition of Sister [REDACTED] at [REDACTED] in [REDACTED].
⁹⁶ *Id.*
⁹⁷ *Id.* at 35-41.
⁹⁸ *Id.* at 41-42.

(D) [redacted]
([redacted]) ([redacted])

Officer [redacted] department

Finally, there appears to have been a Sister17a at the Orphanage in 1958 :⁹⁹

(D) [redacted]
([redacted]) ([redacted])

Teacher, 7th & 8th Grades - [redacted]

| Offices des sœurs | | No |
|---|------------|------------|
| Prof. temp. | | Prof. per. |
| [redacted] | [redacted] | [redacted] |
| BURLINGTON: Classe 7e et 8e années | | |
| " | " " " " " | " |
| " | " " " " " | " |
| " | " " " " " | " |
| " | " " " " " | " |
| BURLINGTON: Classe 7 et 8, enfants de chœur | | |
| [redacted] | [redacted] | [redacted] |

Presence of Sister19: at the time when V19 was a resident, there appears to have been a sister named Sister19a who worked at the Orphanage from 1941-1942 and again in 1964-1966. ¹⁰⁰ She worked in the kindergarten and cleaned the [redacted].¹⁰¹

[redacted]
([redacted]) ([redacted])

[redacted] - [redacted]
Kindergarden - Cleaning of [redacted] Dormitory

⁹⁹ See file in Criminal Report Source Material titled [redacted] at [redacted]; see also file in Criminal Report Source Material titled [redacted] at [redacted].

¹⁰⁰ See file in Criminal Report Source Material titled [redacted] at [redacted].

¹⁰¹ See *id.*

Case Analysis & Outcome: No criminal charges to be filed, as potential crimes are barred by the statute of limitations.

Victim: V20

Contacted Law Enforcement: Initial contact with the BPD Portal on December 7, 2018, and wrote a statement contained below in “Allegations.” On July 5, 2019, V20 was interviewed by Detective Michael Beliveau.

Dates at St. Joseph’s Orphanage: December 8, 1970 to February 14, 1972.

VCC Resident File Reviewed: Yes

DCF Placement: Yes, committed to DSW custody in 1970.

Allegations: On July 5, 2019, Detective Beliveau interviewed V20 about V20’s experiences at the Orphanage. V20 swore the information V20 provided was the truth.

V20 was a resident at the Orphanage from December 7, 1970 to around February 14, 1972. On V20’s first day at the Orphanage, V20 met with Social Worker2. V20 had to give all of V20’s belongings to the nuns, V20 specifically recalls Sister20 and Sister21. The rules of the Orphanage were explained to V20 and V20 was assigned a number, which V20 would be known by. The number would also be put on V20’s clothing. V20 recalled two dorms: first dorm for fifth and sixth graders and second dorm for seventh and eighth graders. V20 was going to be assigned to second dorm. V20 was also asked a question that V20 did not understand by Sister20, and V20 was slapped across the face. During mealtimes there were monitors to make sure everyone was eating their food and if they did not it was reported to the nuns. V20 observed some children having to eat their own vomit, but that never happened to V20.

V20 recalled one occasion where, a resident, Resident12, was cleaning the bathroom and Sister20a told Resident12 to do the floors again. Resident12 said no and Sister20 began beating Resident12 with her fists. V20 reports Resident12 “was bouncing off the walls.” V20 does not remember what happened to Resident12 after the beating, except that somehow, Resident12’s mother found out and V20 believes the police were called.

V20 noted that all outgoing mail was screened by the nuns, so that no one could say anything bad about the Orphanage. When V20 was brought to the hospital in February 1972, V20 was told not to say anything bad about the Orphanage. If anyone told the social workers about the bad things at the Orphanage, the social workers would tell SocialWorker2, the case worker, and SocialWorker2 would tell the nuns and the nuns would beat the child. V20 said in V20’s dorm after the kids would go to sleep, the nuns would come in, wake up the kids, and beat them and “god knows what they did.” V20 specifically recalls Sister21 and Sister20 doing this. Sister20 was meaner of the two and the head nun for V20’s dorm.

V20 recalled Sister22 and Sister23, one of V20’s teachers, being kinder to the children. V20 also noted that Sister24, another teacher, was stern but “okay” and smacked kids in class but did not beat them. Sister25 on the other side was the meanest but V20 cannot recall any specific incidents of abuse. V20 also recalled Sister26 working on the other side.

On one occasion, V20 was working in the nursery and was forced to lock a three-year-old boy in the closet by a nun. The boy had come from the hospital to the Orphanage after being beaten by his mother. The nuns would tell the children there were snakes and bugs in the closet to scare them.

V20 was never seriously injured at the Orphanage, because V20 did everything asked of V20 by the nuns. V20 was slapped across the face a few times and beaten once. V20 was beaten

once around age 14, because V20 lost control of a cleaning device. V20 reports V20 was never locked in the attic.

V20 ran away twice while at the Orphanage. The first time was with a group and they were brought back by SocialWorker2 and some nuns. The second time that V20 ran away, V20 and Resident13 were brought back by the police. The police threatened to bring V20 to the Week's School, which V20 had heard was better than the Orphanage and wanted to go to, which concerned the police officer.

While working in second nursery, V20 saw young children beaten and locked in the closet. The children in second nursery were ages 2 to 6. V20 did not want to work there because of the abuse against the children. V20 was eventually reassigned to work in the kitchen.

V20 never saw any children die at the Orphanage. V20 heard of one girl dying in a fire, but it was after V20 left the Orphanage.

V20 recalled Father4 doing mass on Sunday at the Orphanage. He would also do baptisms and other services.

V20 was sexually assaulted twice while at the Orphanage. The first time was by a visiting priest and SocialWorker2 soon after V20 first arrived at the Orphanage when V20 was 13 years old. On the day of the incident, V20 was told to go down to the visiting priest quarters. V20 believed that V20 was going down there to clean. While down there, V20 saw polaroid pictures of boys partially nude and found papers about a visiting priest who came with Bishop2. V20 thinks the visiting priest was Father5. V20 did not recall the first name of the priest. V20 referred to the visiting quarters as the "red room." When V20 was first sent down to the room, V20 was initially alone and that is when V20 found the pictures and papers. Later, the visiting priest and SocialWorker2 came. V20 recalled being given an injection and put in a closet. There was a girl

in the closet with long dark hair and she was out of it. V20 thinks the young girl was drugged too. V20 believes SocialWorker2 gave V20 the injection and put V20 in the closet. After being drugged, V20's memory of the incident is hazy. However, V20 remembers SocialWorker2 opening the closet door and walking. V20 then observed the visiting priest in a chair wearing an ornate hat and robe, but he was naked underneath. V20 sat on one of the priest's knees and the dark-haired girl sat on the other. Both children had their clothing off. V20 doesn't recall exactly what happened but does remember at one point the priest stuck his penis in V20's mouth. V20 can still recall the taste. The next thing V20 remembers is laying on the floor and SocialWorker2 trying to sit on V20's head. The next thing V20 remembers is finding a piece of paper on the stairs, which V20 picked up in hopes that it would help V20 remember the incident.

After this incident, V20 had to start seeing SocialWorker2 once a week. V20 explained that at some point during these meetings SocialWorker2 began to try to convince V20 that V20 was homosexual. V20 did not believe V20 was homosexual but grew concerned that the other children would get in trouble for being with V20. Consequently, V20 began staying away from the other children and that's what led V20 to trying to die by suicide. V20 had obtained razor blades earlier and V20 had begun cutting. On the day V20 tried to die by suicide, V20 was worried about two other children getting in trouble for being with V20. V20 stated that V20 only went back to the Orphanage once after V20's attempted suicide but was soon moved to another home.

The second time V20 was sexually abused occurred when V20 was 14 years old and was a year after the first incident with SocialWorker2 and the visiting priest. V20 stated that when SocialWorker2 was trying to convince V20 that V20 was a homosexual, SocialWorker2 placed SocialWorker2's hand down V20's pants. V20 was able to get away.

When V20 initially reached out to BPD on December 7, 2018 V20 wrote a lengthy statement regarding V20's experiences at the Orphanage. The written statement tracks the statement V20 made to Detective Beliveau on July 5, 2019. However, the written statement provides clarification regarding the sexual abuse that V20 alleged happened with the visiting priest and SocialWorker2 so it is being included here:

Soon after I arrived, a visiting priest was there. One of the nuns sent me down to the priest's quarters. I thought it was to help the girl who works there clean. It was a red room. Lots of red velvet. No one was there so I looked around just inside the entrance area while I waited and noticed a weird looking thing of drawers. It was tall, wooden and had small drawers in it. One of the drawers was not properly closed so I thought it was a place to start and went to push it close. It was not fully on its track so I had to pull it open to push it back in straight. When I did, I saw that there were polaroid photos in the drawer of at least partially naked boys. I quickly closed the drawer and at that time saw [SocialWorker2] and the visiting priest. It was a big guy, quite fat. I started to say I was sent there to help clean but [SocialWorker2] had grabbed my arm and pushed up my sleeve and gave me a shot of something with from a needle. Then I was guided into what seemed like a big closet. There was not a lot of light in the small room or closet. I did notice I was not alone. There was a girl in there. She was younger than me and I don't remember her name. She was quiet but moved when I came in. Sometime later, I realize I am in a larger lighted room with the girl, [SocialWorker2] and the priest. There was a bed and the priest was sitting in a big red velvet chair that looked like a king may sit in. He was wearing a very ornamented in red and gold white robe and a huge kind of pointed

hat. Neither the other girl or I had clothes on and we were sat on his lap. I was on his left knee and she was on his right. His robe was open and showed his penis. I don't remember anything except something in my mouth and a metallic taste. Then I am on the floor near the bed and [SocialWorker2] has her pants off and is sitting on my face...¹⁰²

V20 also wrote V20 had a copy somewhere of the Orphanage's December Chronicle where it noted one of Father5, either Father5a or Father5b was visiting.¹⁰³

V20 filed suit against the Diocese, Vermont Catholic Charities, the Orphanage, and the Sisters of Providence several years ago. As part of this investigation, the Task Force obtained a copy of and have reviewed materials from the litigation file related to this case.

Named Assailants:

- 1) Sister20
- 2) Sister21
- 3) SocialWorker2
- 4) Father5

Potential Crimes: 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a child (1959) and/or 13 V.S.A. § 2602 Lewd and lascivious conduct with a minor (1971); 13 V.S.A. § 2603 Fellation (1959); 13 V.S.A. § 3201 Rape by person over sixteen (1959).

Relevant Documents:

¹⁰² See file in Criminal Report Source Material titled [REDACTED]

¹⁰³ See file in Criminal Report Source Material titled [REDACTED]

Father5 at the Orphanage: a Father4a held a role involving the Orphanage at the time V27 was at the Orphanage.¹⁰⁴ The resident file provided by Vermont Catholic Charities revealed Father4a worked directly with the residents as a social worker during his employment with them.¹⁰⁵ Additionally, residents at the Orphanage report being tasked with bringing meals to priests in private rooms.¹⁰⁶ Father4a in a deposition on June 4, 1997 denied knowing about widespread abuse at the Orphanage, including sexual abuse.¹⁰⁷

Sister20 at the Orphanage: a Sister20a was at the Orphanage from May 15, 1970 to August 7, 1974, during which time she was the officer in a children's department.¹⁰⁸ Sister20a was deposed in a case.¹⁰⁹ In her deposition, Sister20a admits to working at the Orphanage but denies knowledge or involvement in any abuse reported and denies physically harming a Resident12a.¹¹⁰ She also denies being involved with any sexual abuse by a SocialWorker1a and denied knowing of any sexual abuse at the Orphanage.¹¹¹ Sister20 makes similar denials in an affidavit dated June 21, 1999.¹¹²

¹⁰⁴ See *id.*

¹⁰⁵ See [REDACTED] at [REDACTED], [REDACTED] (last visited November 2, 2020).

¹⁰⁶ See allegations of V27.

¹⁰⁷ See generally, Deposition of [REDACTED] in [REDACTED], [REDACTED], file in Criminal Report Source Material titled [REDACTED].

¹⁰⁸ See Affidavit of [REDACTED], [REDACTED], file in Criminal Report Source Material titled [REDACTED].

¹⁰⁹ See generally, Deposition of [REDACTED] at [REDACTED], [REDACTED], [REDACTED], file in Criminal Report Source Material titled [REDACTED].

¹¹⁰ See *id.* at 178-81.

¹¹¹ *Id.* at 180.

¹¹² See Affidavit of [REDACTED], [REDACTED], [REDACTED], file in Criminal Report Source Material titled [REDACTED].

SocialWorker2 Involvement with the Orphanage: a SocialWorker1a worked at Vermont Catholic Charities as a social worker at the Orphanage 1963-1967, 1969-1997 and then became Executive Director of Vermont Catholic Charities in 1997.¹¹³ A review of V20's Resident File provided by Vermont Catholic Charities showed that SocialWorker1a was V20's social worker as early as May 28, 1971.¹¹⁴ Additionally, paperwork from V20's Vermont Catholic Charities file confirmed and discussed V20's suicide attempt in February 1972.¹¹⁵

Additionally, SocialWorker1a in an affidavit dated August 28, 1999 states that she operated as V20's Vermont Catholic Charities Social Worker.¹¹⁶ SocialWorker1a confirms that V20 attempted suicide on February 14, 1972 and did not subsequently return to the Orphanage.¹¹⁷

As part of the investigation, the Task Force also reviewed SocialWorker1a's personnel file.

Presence of Bishop2 and Father5 at the Orphanage in December 1970: The St. Joseph's Child Center Chronicles details a visit to the Orphanage at Christmas where a Bishop2a visited and was accompanied by a Father5a.¹¹⁸ This visit occurred when V20 was a resident and it does appear in the Chronicle as V20 described. However, it does not corroborate the sexual assault

¹¹³ See generally, Affidavit of [REDACTED], [REDACTED] file in Criminal Report Source Material titled [REDACTED].

¹¹⁴ See file in Criminal Report Source Material titled [REDACTED].
¹¹⁵ See file in Criminal Report Source Material titled [REDACTED].

[REDACTED] file in Criminal Report Source Material titled [REDACTED].

¹¹⁶ See Affidavit of [REDACTED] at [REDACTED] file in Criminal Report Source Material titled [REDACTED].

¹¹⁷ *Id.* at 525-26

¹¹⁸ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

nor the timeline. Additionally, a Father5b was also was the pastor at Christ the King of Burlington in 1970 and worked as the director of Vermont Catholic Charities from 1957 to 1966.¹¹⁹

BISHOP'S VISIT

21.- Today our Rt. Rev. [REDACTED], paid us the honor of a short visit. Mass was celebrated by our distinguished visitor at four-thirty at which the children, Sisters and some of the employees assisted. In his habitual kind and fatherly manner, he addressed the children and left them the thought "I must not go to heaven alone"..... After Mass he met with the children in the children's parlor. As usual, the smaller ones clamored for his attention, and it was a very good picture of the Good Shepherd with His little flock. Then followed the evening meal in the Sisters' dining room, with a special menu for the occasion. The Bishop was accompanied by Monsignor [REDACTED], Vicar General. May this visit of our beloved Bishop bring peace, joy and happiness to our home and into our lives.

CHRISTMAS JOYS

Christmas commences early at St. Joseph Child Center.

Presence of Sister22 at the Orphanage: though V20 did not allege any abuse by Sister 22, a Sister22a appears to have been at the Orphanage from 1971 to 1972:¹²⁰

| | | |
|-------------------|---|------------|
| | No [REDACTED] | [REDACTED] |
| Offices des sœurs | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | BURLINGTON: réceptionniste " " -C_hildren's parlor | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | Décédée le [REDACTED] | [REDACTED] |

¹¹⁹ See [REDACTED] at [REDACTED], (last visited November 2, 2020).

¹²⁰ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

Presence of Sister24 at the Orphanage: There was a Sister1a at the Orphanage from September 1967 to June 1972 and then again from September 1973 to June 1974.¹²¹

In her deposition in a case, Sister1a testified that she stayed at the Orphanage from September 1967 to June 1972 and again September 1973 to June 1974.¹²²

| | |
|----|--|
| 18 | Q. What years were you at St. Joseph's? |
| 19 | A. I was at St. Joseph's September '67 to June |
| 20 | '72, and then back in September '73 to June '74; I |
| 21 | left one year to, for a year of study in Montreal. |

Some of this time period overlaps with when V20 was a resident.

Allegations Against Sister21: Although V20 did not allege any abuse by Sister21, a Sister2a's presence at the Orphanage seems to be confirmed by records:¹²³

[REDACTED] - [REDACTED] - [REDACTED]
([REDACTED]) ([REDACTED]) [REDACTED]

Sister2a was deposed and confirmed her time at the Orphanage.¹²⁴ She denied that any of the residents were physically abused.¹²⁵ She denied seeing or hearing about any sexual abuse of children at the Orphanage.¹²⁶ Sister2a was also deposed in a case.¹²⁷

¹²¹ See Deposition of [REDACTED] at [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

¹²² See Deposition of Sister [REDACTED] at [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

¹²³ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

¹²⁴ See generally, Deposition of [REDACTED] at [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED].

¹²⁵ *Id.* at p. 43.

¹²⁶ *Id.* at p. 76.

¹²⁷ See generally, Deposition of [REDACTED] at [REDACTED], file in Criminal Report Source Material titled [REDACTED].

Further, in her deposition dated March 24, 1997, Sister2a recalled that a Resident 12a was a child at the Orphanage who wore what she referred to as a back brace.¹²⁸ The except below is from her deposition:

1 Q. How do you remember [REDACTED]
2 A. [REDACTED] helped me in the kitchen.
3 Q. [REDACTED]
4 A. Yes.
5 Q. How do you remember [REDACTED]
6 A. Because [REDACTED] Because [REDACTED] worked
7 with me all the time and [REDACTED]
8 Q. Did [REDACTED] have any physical problems?
9 A. Yes.
10 Q. What was [REDACTED] physical problem?
11 A. I think [REDACTED] wearing a brace.
12 Q. For [REDACTED] back?
13 A. Yes.
14 Q. Do you know why [REDACTED] wore a back brace?
15 A. No.
16

Additionally, in her deposition from August 19, 1998, she similarly recalls a Resident12a¹²⁹:

¹²⁸ See Deposition of [REDACTED] at [REDACTED] in [REDACTED] [REDACTED] file in Criminal Report Source Material titled [REDACTED]

¹²⁹ See, Deposition of [REDACTED] at [REDACTED] in [REDACTED] [REDACTED], file in Criminal Report Source Material titled [REDACTED]

12 Q. Do you remember any other names? Do you
13 remember a [REDACTED] who wore a back brace?
14 A. Yes, [REDACTED]. Yes, I remember [REDACTED].
15 Q. And [REDACTED] was on the third floor.
16 A. Yes.
17 Q. Why did [REDACTED] have to wear that brace?
18 A. [REDACTED] back, [REDACTED] have a --
19 Q. Something was wrong with [REDACTED] back?
20 A. Yes.
21 Q. Did you have to take special care of [REDACTED]?
22 A. No, no. Just to make [REDACTED] wear [REDACTED] brace.
23 Q. Did [REDACTED] --
24 A. Sometimes [REDACTED] didn't want to.
25 Q. I see. Did it hurt [REDACTED] to wear it, do you

There was also a Sister3a at the Orphanage from 1961-1974, the screenshot below is an excerpt from Sister3a's deposition, where she confirms her dates at the Orphanage.¹³⁰

¹³⁰ See Deposition of [REDACTED] at [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED]

4

1 A. Good afternoon.
2 Q. Please state your name?
3 A. Sister [REDACTED]
4 Q. Your age, Sister?
5 A. [REDACTED]
6 Q. Your date of birth?
7 A. [REDACTED].
8 Q. What year did you enter the Sisters of
9 Providence?
10 A. 1940.
11 Q. When did you first come to St. Joseph's
12 Orphanage in Burlington, Vermont?
13 A. 1961.
14 Q. How many years were you there, Sister?
15 A. 13 years. I left in '74.
16 Q. What were your duties at St. Joseph's when
17 you left in 1971?
18 A. The [REDACTED] dormitory.
19 Q. Did you maintain that position through
20 1974?
21 A. Except for one year, I have one year of
22 rest in 1970.
23 Q. What is rest?
24 A. Rest. What is rest?
25 Q. One year of what, ma'am?

In that same deposition she admits to using the paddle herself a few times on children, and names other nuns as well.¹³¹

17 A. Yes.
18 Q. What was she using to hit him, Sister?
19 A. A paddle. Call it a paddle. I don't know
20 what you call it. They have the --
21 Q. The kind with the ball that bounces on the
22 end?
23 A. Yes.
24 Q. Were nuns permitted to hit people with
25 paddles?

¹³¹ *Id.* at 14-15, 37-38.

1 A. No. It was against the regulations.
 2 Q. Why would she have had that paddle if it
 3 was against --
 4 A. It was around.
 5 Q. Around where?
 6 A. The boys had used that to play with it. I
 7 guess that is why.
 8 Q. [REDACTED] testified that Sister [REDACTED]
 9 used a paddle and a belt. Did you see a belt?
 10 A. No.
 11 Q. Do you remember whether there was a belt
 12 there or not, one way or the other?
 13 A. No.
 14 Q. Are you saying, no, you don't remember?
 15 A. There was no belt that I know of. Never
 16 saw a belt.

IP
 1 A. I would say only a couple of years until --
 2 you see, I think [REDACTED] came in as a social
 3 worker about two years after I got at the child
 4 center. And then they came out with the
 5 regulation, no spanking, no nothing, no hitting
 6 the children. And I think that was pretty well
 7 observed after that except for --
 8 Q. But you are testifying today you never did
 9 that, is that correct?
 10 A. No.
 11 [REDACTED]: No, you are --
 12 A. No, I am not testifying that I never did.
 13 Q. I don't want to confuse you. Am I correct
 14 in stating that you never engaged in that type of
 15 activity?
 16 A. No. I did.
 17 Q. You did?
 18 A. I did.
 19 Q. You did spank with the paddle?
 20 A. I did use the paddle a couple of times the
 21 first two years, like I was telling you there.
 22 Until we were asked.
 23 Q. Where did you use the paddle?
 24 A. In the hand.
 25 Q. That would be the paddle we are talking

1 about that you bounce the ball with?
2 A. Yes.
3 Q. How would you have them hold their hands,
4 Sister?
5 A. Like (indicating).
6 Q. Flat, with the palm up?
7 A. Yes.
8 Q. Did you ever hit them on the knuckles?
9 A. No, never.
10 Q. You are sure?
11 A. I am positive.
12 Q. And then you stopped that activity in 19 --
13 well, couple of years after you got there because
14 of the new regulation?
15 A. Right.
16 Q. Do you know if any of the other nuns did it
17 up until 1963 or -4, whenever ██████ got
18 there, whatever that date might be?
19 A. No. I didn't see anybody hit, using the
20 paddle on the children after that.
21 Q. Prior to that?
22 A. Like myself.
23 Q. Yes?
24 A. Yes, I did myself.
25 Q. And any other nuns like, let me go through

Sister3a does not claim to have participated in forcing children to eat, but she claims to have heard about it happening.¹³² She denied knowing whether a particular nun formed a resident to eat their oatmeal after they vomited it up.¹³³

¹³² *Id.* at 10.

¹³³ *Id.* at 28.

20

1 A. I was told one morning, I didn't see it,
 2 one morning she had to force a [REDACTED] to eat his
 3 oatmeal and to slap him if he didn't eat it. But
 4 someone reported that to me. I didn't see her do
 5 it.

6 Q. Who reported that to you?

7 A. One of the counselors, a seminarian.

8 Q. Did you ever hear of Sister [REDACTED]
 9 forcing somebody to eat their oatmeal after they
 10 had vomited it up?

11 A. No.

12 Q. Do you know that if that happened at all
 13 or are you saying --

14 A. I don't know if it did happen.

15 Q. Did you feel at times Sister [REDACTED] was too
 16 strict?

17 A. Yes.

18 Q. Why?

19 A. It was requiring a lot of the [REDACTED] There
 20 were young ones in there and you had to -- to me
 21 she was too strict. For example, the beds had to
 22 be so-so. And I wasn't that strict. You know,
 23 they made their bed, that was okay. To me, the
 24 bed were made, and that is the way I thought she
 25 was stricter.

Sister3a denied knowing of sexual abuse occurring at the Orphanage beyond one incident that occurred with a lay employee.¹³⁴

Allegations Against Sister21and Sister25: In her deposition, a Sister1a also identified a Sister3a and a Sister2a as present during her tenure at the Orphanage.¹³⁵

3 A. Sister [REDACTED] was there. Sister
 4 [REDACTED] Sister [REDACTED].

5 Q. Sister [REDACTED]. Anybody else come to mind?

6 A. Sister [REDACTED] [REDACTED]. And some
 7 are dead; Sister [REDACTED] is dead, Sister [REDACTED] is
 8 dead, [REDACTED], [REDACTED] is dead. Sister
 9 [REDACTED] is at [REDACTED]. [REDACTED]

¹³⁴ *Id.* at 8-13; 24.

¹³⁵ *Id.* at 24, 26, 73.

11 Q. Do you remember Sister [REDACTED] ?
12 A. Yes.
13 Q. What was her, what was her station at the
14 Orphanage? What did she do?
15 A. I think she has the [REDACTED] department.

In her deposition, Sister1a denied any physical abuse beyond admitting to slapping the two residents in the face and stated it was not appropriate.¹³⁶ She denied any physical abuse with objects and the taunting/mocking of residents as punishment.¹³⁷

Presence of Sister26 at the Orphanage: Though V20 did not allege any abuse from Sister26, the St. Joseph's Child Center Chronicles prepared by the Sisters does corroborate a Sister26a's presence at the Orphanage.¹³⁸

ARRIVAL | 19.- Today we welcomed Sister [REDACTED] who will
: assist Sister [REDACTED] in the boys' department.
: Several of us know of this Sister's zeal and untiring efforts
: with the children, therefore, it is with pleasure that we
: greet her. Welcome, dear Sister, to our home.

Case Analysis & Outcome: No criminal charges to be filed, as potential crimes are barred by the statute of limitations.

¹³⁶ See *id.* at 45-46.

¹³⁷ See *id.* at 44-46, 53-54, 74-75.

¹³⁸ *Id.* at 1.

Victim: V21

Contacted Law Enforcement: Contacted the AGO in February 2019. Met with BPD on March 14, 2019.

Dates at St. Joseph's Orphanage: Vermont Catholic Charities could not locate a file or index card for this resident. V21 reports being at the Orphanage from 1953 to 1954.

VCC Resident File Reviewed: No file or card

DCF Placement: Yes. Committed to DSW custody on August 29, 1951.

Allegations: On March 14, 2019, Detective Michael Beliveau spoke with V21 and V21 reported the following. V21 said that V21 was at the Orphanage with V21's sibling, V21-Sibling1. V21 provided a letter that V21-Sibling1 had written about the Orphanage.¹³⁹ V21 explained that V21 went to Montpelier after V21 found V21's birth parents to obtain information from their records. V21 said V21 did not remember V21-Sibling1 until much later in life. V21 recalled that V21 was at the Orphanage from the beginning of 1953 to the middle of 1954. V21 remembered that V21 left to be adopted in the summer of 1954 and was unsure whether V21-Sibling1 left the same summer or the following summer.

V21 said was V21 very young and had blocked out a lot of memories of V21's time at the Orphanage. V21 asserted that V21 only remembered two things clearly, one of which has become a recurring nightmare for V21. V21 explained that V21 was sick with the measles (or something similar) and had to be separated from everyone else. V21 recalled that a common practice in the Orphanage was to isolate children in dark rooms without lights or windows. V21 specified that this was used for both illness and punishment. V21 recalled that V21-Sibling1 tried

¹³⁹ See generally, file in Criminal Report Source Material titled [REDACTED]

to get into the room to see V21 on multiple occasions, but V21-Sibling1 was not allowed. Eventually, V21 said, V21-Sibling1 managed to convince the nuns to let V21-Sibling1 in.

The second incident V21 recalled was when V21 and V21-Sibling1 tried to run away from the Orphanage. V21 said this was on Christmas Eve of 1953. V21 explained that they had heard their mother was now living out of state. V21 said V21-Sibling1 made V21 put food in V21's pockets, which was against the rules, and then woke V21 up late at night. V21 remembered that they put on all their clothes and went out into a snowstorm. V21 said that eventually it dawned on V21-Sibling1 that this might not be the best idea and that they knocked at the door of a house nearby. V21 recalled that the man made them hot cocoa and put them by the fire before calling the Sherriff to come get them. V21 said that the Sherriff took them back to the Orphanage and that once they got back, the nuns split the siblings up for good.

V21 claimed that V21's main complaint against the Orphanage was neglect and being split up from V21-Sibling1. V21 said the nuns separated them within the Orphanage from the very beginning. V21 does not think V21 was physically abused. V21 says there are some questionable things related to V21-Sibling1's experiences. V21 said that V21 and V21-Sibling1 both knew what punishment meant: being locked up in a dark room. V21 said V21 does not remember whether this happened to V21 often. V21 said V21 only remembers being confined once, when V21 was sick, but that V21-Sibling1 references it a few times. V21 indicated, however, that V21 must have been separated from others a lot, because when V21 was adopted, V21's biggest fear was being left alone in a room V21 couldn't get out of. V21 said that V21 blocked a lot of it out.

V21 also said that the children were not watched or supervised. V21 said things would happen and there was no one monitoring.

When prompted, V21 explained that the biggest problem with the Orphanage was a lack of “TLC.” V21 explained that the general feeling was: “You’re on your own.” V21 indicated they often went hungry. V21 said it was strange because V21-Sibling1 talked often about the kitchen and that the Orphanage had a huge kitchen. V21 indicated the nuns only housed them, they did not care for them. V21 said that V21 did not remember any of the nuns or other children specifically.

V21 indicated that even when V21 was subsequently sent to Catholic school, they never had nice priests. V21 recalled a story where a nun picked up a 7th grade boy and threw him into the blackboard, cracking his skull open. V21 indicated that the nun was subsequently retired. V21 could not recall the nun’s name. V21 indicated this occurred at St. Mary’s School in Saint Albans.

V21 indicated V21-Sibling1 learned how to work around the system, to avoid being isolated in dark rooms. V21 learned how to be useful to the nuns in order to avoid punishment. V21 talked about their time before going to the Orphanage. V21 mentioned that their mother paid a woman to look after them who subsequently abused V21-Sibling1. V21 explained that the State subsequently pulled them out of that situation and that is how they ended up going to the Orphanage.

Named Assailants: None

Potential Crimes: V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262: Cruelty to a Person – By person having custody.

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed, as potential crimes are barred by the statute of limitations.

Victim: V22

Contacted Law Enforcement: On September 21, 2018, V22 met with BPD Detective Michael Beliveau and Detective Dalla Mura for an interview.

Dates at St. Joseph's Orphanage: July 6, 1963, to October 12, 1963

VCC Resident File Reviewed: Yes

Allegations: On September 11, 2018, Detective Dalla Mura and Detective Beliveau met with V22 at V22's residence. V22 swore at the beginning of the interview that everything V22 was about to say was the truth.

V22 couldn't remember exactly when V22 was in the Orphanage but believed it was when V22 was about seven years old and was at the Orphanage in during the 1960's. V22's mother needed medical care following a head injury and that was why V22 and V22's two siblings, V22-Sibling1 and V22-Sibling2, were placed at the Orphanage. V22 was unsure of the exact length of time V22 was in the Orphanage, but believed it was more than a couple of years.

V22 recalled two nuns that V22 perceived to be in charge at the time; one as "big and fat" and the other as "tall and skinny." V22 described a third female that would sit with the girls during the night. V22 said that female was only there during the summer months.

V22 remembered hearing girls screaming in the night and remembered being thrown onto V22's bed but could not provide further details. V22 recalled being kicked once by the "fat nun" because V22 brought crackers upstairs out of the normal routine. After V22 was kicked, V22 remembered having a significant bruise on V22's left hip. The third female that was present

during the summer months took V22 to the doctor at the Orphanage because of the bruising. V22 believed this person was trying to help V22.

V22 would frequently sneak over to V22's little sibling, V22-Sibling2, but would get into "a lot of trouble" when V22 was caught. V22 said V22 would get "smacked" by whatever the nuns had in their hands, to include a leather strap and a broom. V22 felt like V22 was always in trouble.

Once a week, V22 had to dust a large room as well as a hallway and then V22 would have to mop the floors. Some of the other chores V22 was tasked with were to serve milk to girls and scrub and clean large kitchen pots. V22 started to wet V22's bed while at the Orphanage and the nuns made V22 hand scrub V22's linens on a washboard.

V22 recalled the nuns telling V22 stories about another nun that had lied and when the nun took a drink of water she burnt to death. The nuns would also say their parents were never coming back for them. V22 did not recall being sexually abused but explained that the smell of women was revolting to V22.

V22 heard from other residents about a box that they would lock kids in if they misbehaved. V22 described being at the dining room table and the nuns would grab a misbehaving child and shake them while yelling at them. V22 would keep V22's head down in an attempt to avoid attention.

V22 mentioned there being a rowboat at the shore in front of the Orphanage. V22 heard that a kid was taken out in the boat, thrown into the water and never returned. V22 was told by the nuns that they could make you disappear but was primarily told by other children about the boy being taken out in the boat and never returning.

The nuns made children lay in bed at night facing to the left and if they did not or if they moved, the nuns would hit them. V22 said the nuns would sit there all night and watch them. V22 advised V22 “stopped hearing” at some point while V22 was at the Orphanage and believed it was because of the trauma.

V22 attempted to report the abuse to the Bellows Falls Police Department in 1999.

Named Assailants: None.

Potential Crimes: 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959).

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V23

Contacted Law Enforcement: Initial contact with BPD Portal on September 12, 2018, by V23-Niece1 who was interviewed by Detective Felicciardi that same day.

Dates at St. Joseph’s Orphanage: February 19, 1943 to August 2, 1948. V23 reports being there until approximately 1953.

VCC Resident File Reviewed: Yes

Allegations: On September 12, 2018, Detective Felicciardi met with V23-Niece1 about the abuse that occurred at the Orphanage. V23-Niece1 submitted a report on behalf of V23, with V23’s permission. V23-Niece1 advised V23 had early onset Alzheimer’s and the family had

concerns about V23 being triggered if interviewed about what happened. Detective Felicciardi explained to V23-Niece1 that V23 would only have to speak with Detective Felicciardi if V23 wanted to. During the interview, V23-Niece1 advised V23 told V23-Niece1 a few years prior, after learning what V23-Niece1 did for work, that V23 had been sexually abused at the Orphanage. V23-Niece1 said V23 was born in 1934 and was in the Orphanage from approximately 1943 through 1947, when V23's older sibling, V23-Sibling1, took V23 to live with V23-Sibling1.

V23-Niece1 said throughout V23's life, V23 did not speak of the abuse, but repeatedly told family members how V23-Sibling1 saved V23's life. V23-Niece1 advised that when the news story came out, V23 offered to share what happened to V23. V23-Niece1 said V23 told V23-Niece1 that all the children (V23 was around eight years old) slept in one large room in the Orphanage separated by gender. There was a caretaker who had a room attached to the large room. V23-Niece1 said V23 told V23-Niece1 that every night, the caretaker would bring a different boy into the caretaker's room, where they were subsequently sexually abused. V23-Niece1 said V23 told V23-Niece1 that V23 was sexually abused more than once, if not often. V23 also told V23-Niece1 that V23 had been whipped with a whip, as well as had "other things" done to V23. V23-Niece1 did not ask any further detail about any of this abuse, nor did V23 go into any.

Named Assailants: None

Potential Crimes: V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262: Cruelty to a Person – By person having custody; V.S. 1947 § 8458 Disturbances – Of the public peace; V.S. 1947 § 8479 Lewdness.

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V24

Contacted Law Enforcement: Initial contact with the BPD Portal on September 17, 2018 by Friend1, who is a friend of V24, a former resident of the Orphanage. V24, along with V24-Friend1, met with BPD Detective Michael Beliveau and Officer David Bowers on September 18, 2018, for an interview.

VCC Resident File Reviewed: No materials could be produced by Vermont Catholic Charities confirming resident's dates at the Orphanage. V24 reports being there from approximately 1952 to 1956.

Allegations: On September 18, 2018, Officer Bowers and Detective Beliveau interviewed V24 at the Essex Police Department. V24 swore at the beginning of the interview everything V24 was about to say was the truth. Also present was V24-Friend1.

V24 resided at the Orphanage between the age of 5 and 10 years old, approximately between 1952-1957. V24 is unsure of exact dates. While at the Orphanage, V24 reported being hit by the nuns with rulers on V24's knuckles. V24 said the nuns would slap and push the kids around and make kids sit in the corners of a room for hours. V24 said V24 was not sexually abused at the Orphanage but V24 was while at a foster home after V24 left the Orphanage. V24 did not recall hearing stories of kids dying at the Orphanage.

Named Assailants: None

Potential Crimes: V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8458 Disturbances – Of the public peace; V.S. 1947 § 8262: Cruelty to a Person – By person having custody.

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V25

Contacted Law Enforcement: Initial contact with BPD on September 12, 2019 and on September 14, 2019 V25 was interviewed by Detective Elizabeth Felicciardi.

Dates at St. Joseph’s Orphanage: September 27, 1962 to March 22, 1963

VCC Resident File Reviewed: Yes

Allegations: On September 14, 2018, Detective Felicciardi met with V25 and interviewed V25 regarding V25’s experiences at the Orphanage.

V25 advised that V25 was at the Orphanage from June through December of 1961, when V25 was 3.5 years old. V25 said V25 and V25’s siblings were taken from their mother when V25’s father suffered a “mental breakdown.” V25 advised that V25 and V25’s siblings were at the Orphanage during the week and returned home to their mother on weekends, until V25’s mother was financially stable enough to care for the children.

V25 said that during V25’s first day at the Orphanage, V25 was “ripped” by V25’s hair from off of a bouncing rocking horse. V25 said V25 witnessed V25-Sibling1 being thrown, kicked, and beaten; V25 said V25 also witnessed the nuns dunking V25-Sibling1’s head in a

bathhtub of hot water. V25 described a play area surrounded by a chain-link fence where V25 witnessed a boy, who V25 repeatedly referred to as Resident14, throw his shoe on the roof and was subsequently beaten by a nun. V25 said on another occasion, Resident14 was playing on a statue in the chapel. V25 said the statue was very high up and Resident14 fell, and one of the nuns blamed it on V25. V25 advised V25 never saw Resident14 again. V25 said on one occasion, two nuns took V25 out in a rowboat at night and had a bag with them. V25 said the nuns threw the bag into the lake and told V25 that's what would happen to V25. V25 said V25 never saw Resident14 again and began crying and said V25 still wondered what happened to Resident14.

V25 said at one point, V25 and V25's mother went back to the Orphanage to ask about V25's records and initially they were unable to produce V25's records but had the records of V25's three siblings. Eventually, V25 obtained V25's records.

Named Assailants: None

Potential Crimes: 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959).

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V26

Contacted Law Enforcement: On September 11, 2018 V26 met with Detective Krystal Wrinn for an interview on September 12, 2018.

Dates at St. Joseph's Orphanage: November 1945 to January 19, 1951, again August 1952 to December 11, 1952

VCC Resident File Reviewed: No

Allegations: On September 14, 2018, Detective Krystal Wrinn interviewed V26 about V26's experience at the Orphanage. V26 swore everything V26 was reporting was the truth.

V26 advised V26 was approximately two years old when V26 first came to the Orphanage. V26 was placed there in approximately 1945 because V26 mother was unable to take care of V26. V26 advised V26 left the Orphanage when V26 was approximately 8½ years old, when V26 went to a foster family. V26 did not have any other siblings at the Orphanage; however, V26 had best friends, Resident15, Resident16, and Resident17. V26 also knew twin boys there but could not recall their names.

When V26 was told to do something at the Orphanage, V26 obeyed. V26 also explained you could not have anything, as other children would take your items or other children would tell on you if you did something you should not have been doing. V26 provided an example: one day V26 was using the slide while playing and a pin V26 was wearing kept falling off. V26 stated V26 thought V26 put the pin in V26's mouth and when V26 got to the end of the slide V26 could no longer find the pin. One of the children told on V26 and a nun took V26 to the lay lady at the Orphanage, where V26 was placed in a room alone. In the room, V26 could see the other children were swimming that day. While in the room, three older children came in and tried to put V26 in a food elevator, which V26 resisted, so they put V26 in a closet with a mouse trap.

The older children told V26 that V26's friend, Resident16, had been put in a gunny sack and had drowned. V26 stated V26 did not know how long V26 had been in the closet but V26 had been released for dinner. V26 eventually saw Resident16, who advised Resident16 had been in the infirmary.

One time, the lay lady took V26 to the bathroom, where she told V26 she was going to flush her down the toilet and V26 responded by asking how V26's head was going to fit in the toilet. V26 advised the lay lady did not put V26 in the toilet. V26 also described a time where V26 was in class, where they were lining up to leave and V26 saw something shiny on the nun's desk and took it, as V26 was curious as to what it was. V26 took it back to V26's bedroom and someone reported it to a nun. V26 was then taken by a nun to the basement where they washed the sheets and the nun told V26 that V26 was going to hell and was going to be ripped apart. V26 advised the shiny object that V26 took was staples.

V26 advised sometime, when V26 was approximately five or six years old, after Thanksgiving, V26 became sick and V26 remembered a week later V26 woke up in a bed, with a nun in the doorway. V26 advised V26 had a cross on V26's chest and the nun told V26 she did not think V26 was going to make it. However, V26 questions what had happened to V26 during that week and why V26 had not been sent to the hospital. V26 advised V26 had bad memories of someone who eventually became a nun known as Sister27. One time, as an adult, V26 saw Sister27 in Iowa and it brought up a lot of bad memories.

V26 advised V26 never witnessed a murder. However, if V26 had never seen Resident16 after what V26 had been told, V26 would have assumed Resident16 had been killed.

On September 15, 2018, V26 left a voicemail for Detective Wrinn with Sister27's name and spelling. V26 also sent an email clarifying information on the names V26 had provided. In V26's email V26 advised the following:

I did find the correct spelling for [Sister27]. She became a carmelite nun & took the name [Sister27]. [Resident16] is the friend who I was told was put in a gunny sack & was thrown into the lake & drowned. I believe [Resident16] may have been put into the gunny sack. I'm not certain for sure. I vaguely remember [Resident16] telling me after I asked [Resident16]. [Resident16] did say [Resident16] was in the infirmary the day I had my ordeal with the older women & teenagers. [Resident16] came to dinner the very next evening. The teenagers first tried to put me in a dumbwaiter but couldn't get me into it so they put me in the closet which was located in the same room. I believe these teenagers were told to do this by the older women because it was soon after she left that these kids came into the room where I was staying. (I wanted to clear up the name of what the girls tried to put me in which was a dumbwaiter) I believe [Resident18]. I worked with a [person] by the same name & I always had trouble trying to keep from calling [that person] Resident18. I could still have the names mixed up. I do have a picture of everyone I told you about. This picture was taken before the boys were separated from the girls. I hadn't looked at this picture in years. We were all so cute. It would be so sad if any of these kids suffered abuse of any kind.¹⁴⁰

Named Assailants: None.

¹⁴⁰ See file in Criminal Report Source Material titled [REDACTED]

Potential Crimes: V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262: Cruelty to a Person – By person having custody.

Relevant Documents:

The screenshot below is from the St. Joseph’s Children’s Center Chronicles, a document prepared and signed by the nuns from the Orphanage.¹⁴¹ There have been many allegations that children drowned, or children were left alone whilst swimming in the lake. Though this does not corroborate any neglect or abuse, it does provide corroboration for the fact that the nuns took the children swimming in Lake Champlain.

```
SUMMER      :
OUTINGS     :
            :
            :   As in the preceding years, the children have been
            :   favored with many outings sponsored by kind benefactors and
            :   generous societies of this area. Among these tours was a
            :   visit to New York State by the Lake Champlain ferry where
            :   children's parks of entertainments were enjoyed; a circus,
            :   the King Brothers, a three ring circus, on the fairgrounds in
            :   Essex Junction, Vermont; picnics taken by bus where food and
            :   cold drinks were plentiful; public movies at a local theater,
            :   free of charge; and when the weather permitted daily "Cook-
            :   outs" on the grounds with an evening dip in the near-by lake.
            :   We feel that these children who were not permitted to go home
            :   for the vacation, either because the parents work or for lack
            :   of space, etc., had a very happy vacation with seldom a dull
            :   moment. Divine Providence and good St. Joseph saw to this!
            :
```

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V27

Contacted Law Enforcement: Contacted by BPD Detective Michael Beliveau on June 5, 2019.

Dates at St. Joseph’s Orphanage: June 20, 1961 to September 10, 1962

¹⁴¹ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

VCC Resident File Reviewed: Yes

Allegations: On June 5, 2019, V27 spoke with Detective Beliveau about V27's experiences at the Orphanage and reported the following. V27 and V27's sibling, V27-Sibling1, were at the Orphanage for approximately two years. V27 indicated V27 left the Orphanage in the summer after V27 completed the fifth grade. V27 did not recall being there when V27 was in the first grade, and thought it was most likely during the third, fourth, and fifth grade.

V27 recalls two siblings, Resident19 and Resident20, and Resident 19 was in a full body cast. V27 recalls an instance where Resident19 was involved in an altercation with a nun that resulted in the Resident being thrown down a staircase. V27 remembers them fighting on the landing between the first and second floor. V27 thought their mother was present and wanted to take them out of the Orphanage but was not certain. The nun and the Resident19 were slapping each other and pulling each other's hair. The unidentified nun then threw Resident19 down the staircase. V27 said the nun's name could have been Sister28, though V27 was not certain. V27 described Sister28 as tall and skinny. V27 stated Sister28 once slapped V27 in the face. V27 stated Sister28 had told everyone to be quiet, but V27 had not heard. When V27 did not quiet down, Sister28 struck V27 in the face.

V27 also described systemic and repeated abuse from the teacher. Any time the children were not paying attention, the nun would grab them by the arm and pull them out of the chair. She would also hit them with a wooden ruler. V27, who suffers from attention deficit disorder, said this happened to V27 frequently.

V27 stated that V27 was one of the people who helped in the chapel. V27 described a nun V27 thought might have been named Sister29 who had strawberry blonde hair, or maybe a little darker. Sister29 brought V27 down to Father6's quarters to serve his dinner. V27 would get the

dinner cart, set the table, put the food down, clear off the table afterwards and clean any crumbs that fell on the floor. Father6 did not pay any attention to V27 while he ate. V27 indicated V27 only did this three times because V27 refused after the third time.

That evening, V27 stated V27 was in Father6's quarters later than usual for some reason. When V27 was returning the cart from Father6's, V27 was approached by a nun V27 had never seen before. V27 stated V27 did not know who the woman was. The nun took V27 into a storage room on the first floor, past the dining room on the right-hand side. The nun had a key to the storage closet in question. V27 stated that the woman sexually assaulted V27. V27 said that the woman reached under V27's shirt and pulled down V27's pants. The woman made it seem like V27 needed to check V27 for something. V27 stated the nun did not force V27 to touch her. The nun pinched V27's genitals repeatedly, or so V27 thought. V27 expressed that V27 did not look down to see what the nun was doing because V27 was embarrassed, but that it felt like the nun was pinching V27. V27 also said the nun sexually assaulted V27 with her fingers. V27 said that the nun told V27 not to tell anyone and that it would only be worse next time if V27 did. V27 remembers a burning sensation when V27 urinated following the assault.

V27 stated that V27 did not know who this nun was and did not think V27 had seen her before. V27 said V27 thought this nun might have worked with the younger children, and V27 might have crossed paths with V27 when they interacted with the younger children but was not certain. V27 said V27 might remember seeing her with a young girl with blonde hair who was partially bald, but that they did everything with their own age group and V27 did not see the younger kids much.

V27 said V27 heard that something was happening to other children. V27 said V27's older sibling, V27-Sibling1, told V27 this. V27 stated that V27 had several half-siblings. V27-

Sibling1 had the same last name as V27. V27-Sibling1's birthday was in January 1957, but V27 could not recall the exact date. V27 said that, much later in life, V27-Sibling1 told V27 stories about being sexually abused. V27-Sibling1 said a nun would regularly take V27-Sibling1 to a closet where they stored linens. V27 reported that V27-Sibling1 said the nun assaulted V27-Sibling1 and that she would treat V27-Sibling1 "like" V27-Sibling1 was "grown." V27 said V27 did not want to know more. V27 also stated that V27-Sibling1 still lives in Vermont and that V27-Sibling1 suffers from mental illness. V27 said V27-Sibling1 had already spoken to multiple people about V27-Sibling1's experience at the Orphanage.

V27 stated that the mother of one of V27's half-brothers lived at the Orphanage many years prior to V27 and told V27 that she liked it and that nothing bad happened to V27 there.

V27 reported another incident where V27 was made to change V27's clothing in front of several people. V27 said the nuns made V27 go out in front of everybody in undergarments. V27 said the first time V27 changed into the undergarments, V27 was allowed to use the bathroom. However, when the clothing did not fit V27 properly, the nuns made V27 change in the room in front of everyone. V27 stated there were at least two or three sisters in the room when this occurred.

V27 reported that V27's sibling, V27-Sibling2, said nothing ever happened to V27-Sibling2. V27 also said V27's eldest half-brother did not go to the Orphanage because he stayed with their grandmother. V27 said another one of V27's half-brothers stayed with his mother's family. V27 also reported having a sibling, V27-Sibling3. V27 said V27-Sibling3 does not speak to any of them and that V27 does not know if V27-Sibling27 went to the Orphanage, but that V27 could ask V27-Sibling1 and report back to Detective Beliveau. V27 reported that they were not allowed to see their siblings at the Orphanage. V27 also said that boys were confined to one

side of the Orphanage and girls to the other. V27 only left the Orphanage when V27's mother remarried.

V27 reported another incident when they went to the lake to go swimming. V27 did not hear the sisters call them back to shore and V27 was out in the lake alone. V27 could not swim and there was no one around to yell to for help. V27 stated V27 does not know how V27 got out so far into the lake, but that V27 was out there alone for a long time. V27 stated that V27 nearly drowned but eventually made it back to shore. When V27 made V27's way back to the picnic area and found V27's group, V27 was punished for being late. V27 was denied lunch. V27 also said the nun pulled V27 by the ear and made V27 sit under a picnic table alone. V27 said V27's ear was bleeding because the nun had pulled on it so hard. V27 remembers that no one was allowed to speak to V27, and that V27 cried loudly but no one acknowledged V27.

V27 also remembered asking when V27 could go home to V27's family and being told that V27 could go home if V27's mother wanted V27 home or wanted to see V27, and that V27's mother did not have the money to bring V27 home. V27 also recalled that there were no organized activities or supervision, and the children were left outside to play. A dirt road separated the boys and girls play areas and they were not allowed to cross the road.

V27 recalled that all the food was something like a casserole. There was no "separate" food. V27 said they would occasionally get oranges, apples or bananas. They were not allowed to take food out of the dining room, get second helpings, speak during meals, or leave anything on their plates. V27 recalled some of the food being raw or uncooked, and said they were expected to eat it all regardless. V27 spoke of one instance where a nun force-fed V27 by shoving a forkful of food into V27's mouth, leaving V27's lip bruised.

V27 described an event where someone beat V27 for sleeping on top of V27's sheets. V27 said they would do rounds during the night and found V27 sleeping on top of the sheets. The person dragged V27 out of bed and threw V27 to the ground. V27 said the person then kicked V27 under the bed, accusing V27 of trying to avoid making V27's bed in the morning. V27 never knew who did this because it was dark and V27 could not see them.

V27 recalled not being allowed to talk amongst themselves or with anyone else about things that occurred inside the Orphanage. V27 said the nuns would tell them that things could get worse.

V27 talked about Resident21 specifically who was "picked on" by the sisters nearly every night when they did their bed checks because Resident21 would pull the covers over Resident21's head. V27 said the beds were lined up around the room and there was a dresser between each bed. Each child had either the top two drawers or the bottom two drawers. V27 said Resident21 was across from V27 and down to the right. One particular night, the child who slept beside V27 tried to help Resident21. The nuns dragged the child out of bed as well. V27 said V27 was not certain what they did to Resident21, but that they twisted Resident21's arm. V27 remembers Resident21 crying all night. The next day, no one was supposed to speak to Resident21.

V27 recalled a final event that occurred at Battery Park. V27 said they all had ice cream and one girl dropped her ice cream down her shirt and on the ground. V27 described that someone punished the girl, but stood very close to the girl so no one could see what was happening. V27 said it looked like someone was jabbing the girl in the chest.

V27 stated that V27 had never spoken to law enforcement or received a settlement for anything that happened at the Orphanage. V27 said that no one has ever contacted V27, and that

V27 has been out of Vermont since the age of fifteen. V27 said V27 found out about the investigation on the news and subsequently called to say they had lived at the Orphanage.

Named Assailants:

- 1) Sister28
- 2) Sister29

Potential Crimes: 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a child (1959).

Relevant Documents:

Presence of Father6 at the Orphanage: a Father4a was the Assistant Director at Vermont Catholic Charities from 1959 to 1966 and therefore would have been involved at the Orphanage at the time V27 was at the Orphanage.¹⁴² The resident file provided by Vermont Catholic Charities revealed he worked directly with the residents as a social worker during his employment with them.¹⁴³ Additionally, residents at the Orphanage report being tasked with bringing priests meals in their private rooms.¹⁴⁴ Father4a in a deposition denied knowing about widespread abuse at the Orphanage, including sexual abuse.¹⁴⁵

The screenshot below is from the St. Joseph’s Children’s Center Chronicles, a document prepared and signed by the nuns from the Orphanage.¹⁴⁶ There have been many allegations that

¹⁴² See *id.*

¹⁴³ See [REDACTED] at [REDACTED], [REDACTED] (last visited November 2, 2020).

¹⁴⁴ See allegations in V20.

¹⁴⁵ See generally, Deposition of [REDACTED] in [REDACTED], [REDACTED], file in Criminal Report Source Material titled [REDACTED].

¹⁴⁶ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

children drowned, or children were left alone whilst swimming in the lake. Though this does not corroborate any neglect or abuse, it does provide corroboration for the fact that the nuns took the children swimming in Lake Champlain.

SUMMER
OUTINGS

As in the preceding years, the children have been favored with many outings sponsored by kind benefactors and generous societies of this area. Among these tours was a visit to New York State by the Lake Champlain ferry where children's parks of entertainments were enjoyed; a circus, the King Brothers, a three ring circus, on the fairgrounds in Essex Junction, Vermont; picnics taken by bus where food and cold drinks were plentiful; public movies at a local theater, free of charge; and when the weather permitted daily "Cook-outs" on the grounds with an evening dip in the near-by lake. We feel that these children who were not permitted to go home for the vacation, either because the parents work or for lack of space, etc., had a very happy vacation with seldom a dull moment. Divine Providence and good St. Joseph saw to this!

Presence of Resident19 at the Orphanage: in her deposition dated March 24, 1997, Sister2a recalled that a Resident12a was a child at the orphanage who wore what she referred to as a back brace.¹⁴⁷ The except below is from her deposition:

1 Q. How do you remember [REDACTED]
2 A. [REDACTED] helped me in the kitchen.
3 Q. [REDACTED]
4 A. Yes.
5 Q. How do you remember [REDACTED]
6 A. Because [REDACTED] Because [REDACTED] worked
7 with me all the time and [REDACTED]
8 Q. Did [REDACTED] have any physical problems?
9 A. Yes.
10 Q. What was [REDACTED] physical problem?
11 A. I think [REDACTED] wearing a brace.
12 Q. For [REDACTED] back?
13 A. Yes.
14 Q. Do you know why [REDACTED] wore a back brace?
15 A. No.

¹⁴⁷ See Deposition of [REDACTED] at [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED]

Additionally, in her deposition, she similarly recalls a Resident12a¹⁴⁸:

12 Q. Do you remember any other names? Do you
13 remember a [REDACTED] who wore a back brace?
14 A. Yes, [REDACTED]. Yes, I remember [REDACTED]
15 Q. And [REDACTED] was on the third floor.
16 A. Yes.
17 Q. Why did [REDACTED] have to wear that brace?
18 A. [REDACTED] back, [REDACTED] have a --
19 Q. Something was wrong with [REDACTED] back?
20 A. Yes.
21 Q. Did you have to take special care of [REDACTED]?
22 A. No, no. Just to make [REDACTED] wear [REDACTED] brace.
23 Q. Did [REDACTED] --
24 A. Sometimes [REDACTED] didn't want to.
25 Q. I see. Did it hurt [REDACTED] to wear it, do you

Case Analysis & Outcome: No criminal charges to be filed as potential crimes are barred by the statute of limitations.

Victim: V28

Contacted Law Enforcement: Originally reported allegations to the AGO during the investigation conducted in the 2000's and spoke with former AGO Criminal Investigator Peter Bottino.

Dates at St. Joseph's Orphanage: September 2, 1969 to November 27, 1972

VCC Resident File Reviewed: Yes, resident # not listed in Vermont Catholic Charities' file.

DCF Placement: DSW referred V28 to the Orphanage in 1969.

¹⁴⁸ See, Deposition of [REDACTED] at [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED]

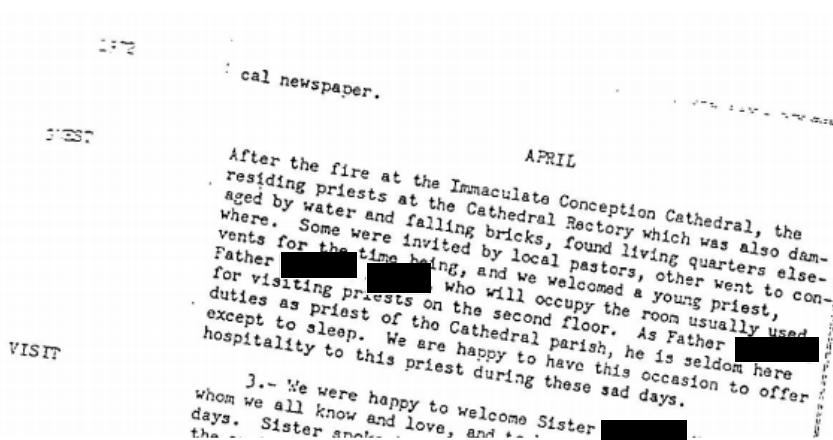
Allegations: V28 told Investigator Bottino V28 was at the Orphanage in 1968. V28 explained there was a priest at the Orphanage named Father7. Father7 would take kids from the Orphanage to a camp in Waitsfield, VT. V28 had gone to this camp in Waitsfield with Father7 when V28 was about 11 years old. V28 said V28 was molested by Father7 numerous times (touching of genitals) for the period of one year. V28 added Father7 had brought other children to the camp as well. V28 said there was another camp in Mallets Bay, Camp Terra, where other children were brought to by Father7.

Named Assailants: Father7

Potential Crimes: 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a child (1959).

Relevant Documents:

Allegations Against Father7: St. Joseph's Children's Center Chronicles confirms a Father1a's arrival at the Orphanage in 1972.¹⁴⁹



Case Analysis & Outcome: No criminal charges to be filed as potential crimes are barred by the statute of limitations.

¹⁴⁹ See file in Criminal Report Source Material titled [redacted] at [redacted].

Victim: V29 by V29-Daughter1

Contacted Law Enforcement: Initial contact with the BPD Portal on September 10, 2019 by V29-Daughter1, daughter of V29. V29-Daughter1 spoke with Detective Rene Young on September 12, 2018 about V29's experiences at the Orphanage. V29 died in 2012 but spoke about V29 time at the Orphanage with V29's family.

Dates at St. Joseph's Orphanage: January 12, 1942 to August 5, 1944

VCC Resident File Reviewed: Yes

Allegations: On September 12, 2018, Detective Young spoke with V29-Daughter1, who was reporting on behalf of V29-Daughter's late parent, V29. V29-Daughter1 promised, at the beginning of the interview, to tell the truth and the whole truth through the pains and penalties of perjury.

V29-Daughter1 said that V29's mother died in the late 30's and V29 was left to live with V29's alcoholic father and V29's four siblings. V29's father was unable to handle the children between his job at VT Railway and his drinking, so they were brought to St Joseph's. V29-Daughter1 said V29 never spoke of V29's time at the Orphanage until way later in V29's life. V29-Daughter1 said that in 1977 V29-Daughter1 attended UVM for college and V29 would come visit her. V29-Daughter1 said that V29 would want to drive by the Orphanage and stare at it, one time going to the door and being refused when V29 asked to come in. V29-Daughter1 said that this was when V29 began to talk about the abusive nuns and how they had thrown V29 in the lake as a little child, making V29 swim or V29 would have drowned.

V29-Daughter1 said that one of the times V29-Daughter1 drove by with V29, V29 pointed up to where they would sleep and told her that if they got out of bed during the night, they were beaten. Another time, V29 recalled looking out the window at night and saw someone parked in the street when a man got out of the car, took something out of the trunk and buried it. V29-Daughter1 said that V29 told V29-Daughter1 that V29 reported this, and it helped solve a case, and V29 was so proud of this. V29-Daughter1 said she had no clue if this had any merit or any other details on this story.

V29-Daughter1 said in 2009-2010, V29 made a comment about killing V29 if V29 were ever to get a terminal illness. This caused them to refer V29 to a psychiatrist, where V29 began to speak more about what had happened while V29 was at the Orphanage. V29-Daughter1 said that V29 would speak to V29-Daughter1, her husband and V29's partner about how mean the nuns were, how abusive they were and talk about having marks left behind on V29. V29-Daughter1 said V29 would also say the nuns would beat them with rosaries.

V29-Daughter1 said V29 would tell a story about a young boy who spilled something at dinner time and he was made to scrub the floors on his hands and knees. The boy apparently had raw infected knees from this, as he had to scrub all night. V29 said the boy died.

One of the stories V29 told made V29 cry. It was about OrphanageWorker4. V29 and others were made to help OrphanageWorker4 with his hygiene and would have to help wash him in the tub. OrphanageWorker4 sexually assaulted them according to V29, but V29 never gave further details.

V29-Daughter1 said V29 talked about a Father8 who was good to V29 and helped V29. V29-Daughter1 said when V29 was 17 years old and while V29 was on a scholarship at a Catholic high school, V29 ran away from the Orphanage. V29 found a local family to live with,

but another priest (name unknown) reported to the school that V29 had run away. As a result, they pulled V29's scholarship.

Named Assailants: None

Potential Crimes: V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262: Cruelty to a Person – By person having custody; V.S. 1947 § 8458 Disturbances – Of the public peace; V.S. 1947 § 8479 Lewdness.

Relevant Documents:

Presence of Father8: the Task Force learned that a Father8a a was priest with the Diocese from around 1950 until his death 2011.¹⁵⁰ As part of the investigation, the Task Force requested and reviewed Father8a's file from the Diocese.¹⁵¹

¹⁵⁰ See file in Criminal Report Source Material titled [REDACTED]; see also file in Criminal Report Source Material titled [REDACTED]

¹⁵¹ See generally, file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

OBITUARY
Reverend [REDACTED]

Reverend [REDACTED] died Wednesday, [REDACTED], in [REDACTED], Vermont. He was born on [REDACTED] in [REDACTED], Vermont, son of [REDACTED] and [REDACTED]. Father [REDACTED] attended St. Michael's College, Colchester, [REDACTED].

[REDACTED] He was ordained for the priesthood on [REDACTED] at the Cathedral of the Immaculate Conception in Burlington by Bishop [REDACTED].

His priestly ministry began as [REDACTED]. He then served as [REDACTED] Vermont Catholic Charities while serving [REDACTED] the Don Bosco Home in Burlington [REDACTED]. He also served as [REDACTED].

His first pastorate was at [REDACTED]. He also served as Pastor at [REDACTED] and [REDACTED]. [REDACTED] was granted Senior Priest status in [REDACTED].

BIOGRAPHY

NAME [REDACTED] BORN [REDACTED] AT [REDACTED] Vt.

FATHER [REDACTED] MOTHER [REDACTED]

GRADE & HIGH SCHOOL [REDACTED]

SEMINARY [REDACTED]
(place and years)

ORDAINED [REDACTED] Cathedral, Burlington, [REDACTED] BY [REDACTED] Bishop
(place and date)

POSTGRADUATE STUDY None
(place, years, subject, degree)

ASSIGNMENTS [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

A Father8a also appears to have been to be at the Orphanage as a Brother as stated by Resident43 in Resident43's deposition in a civil case.¹⁵² Resident 43 explained that brothers studying for the priesthood would take care of the boys at the Orphanage during the summer.¹⁵³

Presence of Orphanage Worker4: in a deposition in a civil case, a Father4a was asked a question regarding a Caretaker1a, who used to a wheelchair, sexually abusing a child.¹⁵⁴

Q. There was another incident that's been reported by one of the Sisters that she said she walked in on a [REDACTED], a [REDACTED] in a wheelchair, who was doing some type of sexual act on a child. Did you know [REDACTED], a [REDACTED] who was a layman who was in a wheelchair at St. Joseph's?

32

A. No.

Q. Do you have any knowledge of that employee in any way sexually abusing a child at St. Joseph's?

A. No. No, I don't remember that at all, no.

Q. You don't recall that being brought to your attention?

A. No, no.

Resident File: contained within V29's resident file is a signed note from his father reading: "Against the wishes of Vermont Catholic Charities I have insisted of [sic] taking my children out of Saint-Joseph's Orphanage"¹⁸⁰

¹⁵² *Id.* at 13-14.

¹⁵³ *Id.* at 13.

¹⁵⁴ Deposition of [REDACTED] in [REDACTED], at [REDACTED], file in Criminal Report Source Material titled [REDACTED].

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations. Further, as V29 is deceased, V29 did not make a firsthand statement regarding criminal conduct at the Orphanage.

Victim: V30

Contacted Law Enforcement: Initially, BPD was contacted by V30's spouse on September 11, 2018. V30 preferred to speak with the Victim Service Providers rather than law enforcement. V30 spoke with AGO Victim Advocate Amy Farr and VSP Victim Services Director Kate Brayton on February 19, 2019.

Dates at St. Joseph's Orphanage: February 18, 1954 to February 26, 1954.

VCC Resident File Reviewed: Yes.

Allegations: On February 19, 2019, AGO Victim Advocate Farr and VSP Victim Services Director Brayton spoke with V30. V30 was sent to the Orphanage with their siblings, V30-Sibling1 and V30-Sibling2, in 1954. V30 was six years old and had been living with V30's parents on Pine Street in Burlington. Although V30 did not remember exactly how long V30 was at the Orphanage, V30 estimated that V30 lived there for a "couple months."

V30 remembered being very afraid and that V30 never saw a smile during V30's time at the orphanage. V30 remembered peeing the bed the first night, and that when one of the nuns found out V30 moved V30's bed away from the other children. The nun ridiculed V30 in front of the other children and eventually V30 was forced to sleep in a closet. V30 recalled that the closet was freezing, that V30 slept on a pile of boots and shoes, and that the nuns would not allow V30 to use the bathroom. V30 soiled V30 as a result.

V30 remembered that the nuns used to pull ears and hair. V30-Sibling1 even escaped out a second story window during the wintertime. V30 also recalled that V30-Sibling2 became more sexually active after leaving the orphanage and V30 suspected that it was because V30-Sibling2 might have been raped at the orphanage. During the Christmas holiday, V30's parents told V30 that they had delivered a fruit and candy basket for V30 and V30's siblings but that they never received the basket.

Named Assailants: None

Potential Crimes: V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262: Cruelty to a Person – By person having custody;

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V31

Contacted Law Enforcement: Initial contact with the BPD Portal on November 20, 2018 and on January 23, 2019, Detective Michael Beliveau interviewed V30.

Dates at St. Joseph's Orphanage: November 5, 1943 to May 9, 1950.

VCC Resident File Reviewed: No resident file was provided by Vermont Catholic Charities because V31 was adopted.

Allegations: On January 23, 2019, Detective Beliveau spoke with V31 about V31's time at the Orphanage and swore to tell the truth. The following is a summary of that interview. V31 was in the Orphanage from November 1943 - May 1950. V31 was in the Orphanage because V31's father was deployed in the military and V31's mother gave birth to V31 and left V31 at the hospital.

V31 did not remember much about day-to-day life. V31 didn't remember school, holidays, or birthdays.

V31 remembered being fed what V31 believed was "castor oil." V31 then said V31 remembered walking down to the lake with other children and nun.

V31 visited the Orphanage in 1997 and observed what appeared to be a small cemetery behind the building. V31 believed it was 1/3rd of the way to the lake from the Orphanage, surrounded by a wrought iron fence, approximately 15' x 15'.

V31 remembered being sent to a dark area with a few other kids but was unsure of where it was or why V31 was sent there. V31 said it was likely some kind of punishment.

V31 recalled that on a few occasions a priest took V31 to a private area, put V31 under his robe and put his penis in V31's mouth.

V31 advised on another occasion V31 was held down on the floor by a boy who was encouraged by a priest. V31 advised V31 remembered hitting V31's head on the floor as V31 believed the boy attempted to rape V31. V31 was unsure if the boy raped V31.

V31 felt that V31 did not receive a proper education from the Orphanage and specified being hit with a ruler. V31 was unable to go into further detail on the incidents V31 mentioned but advised V31 would reach out if V31 was able to remember more. V31 was unaware about the settlement offered by the Diocese in 1990s.

Named Assailants: None.

Potential Crimes: P.L. Sec. 8395 Cruelty to children under ten by one over sixteen (1933); Sec 8397 By person having custody (1933); Sec. 8611 Lewdness (1933); and/or V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262:

Cruelty to a Person – By person having custody; V.S. 1947 § 8458 Disturbances – Of the public peace; V.S. 1947 § 8479 Lewdness.

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V32

Contacted Law Enforcement: Initial contact with the BPD Portal on September 11, 2018 and spoke with BPD Detective Rene Young on September 12, 2018.

Dates at St. Joseph’s Orphanage: February 6, 1957 to November 9, 1957

VCC Resident File Reviewed: Yes

Allegations: On September 12, 2018, Detective Young spoke with V32 over the phone. V32 swore the information V32 provided was the truth and the whole truth through the pains and penalties of perjury.

V32 was around five years old when V32 was brought to the Orphanage and noted V32’s memories weren’t perfectly clear. V32 said V32’s sibling, V32-Sibling1 was also sent to the Orphanage with V32, but V32-Sibling1 was only three years old when they were sent and V32-Sibling1 doesn’t have any recollection of what happened there.

V32 said that V32’s father was still somewhat in the picture while V32 and V32-Sibling1 were at the Orphanage, so V32 thinks they “didn’t get it as bad,” and they never had marks made on them since their father could stop in at any time. V32 said V32 remembered telling V32’s father about the cruelty, but V32 did not believe V32. V32 said V32’s father did not believe that nuns could be like that. V32 also mentioned the nuns threatening V32 before V32’s father would

come to see V32, stating something to the effect of “don’t tell or you’ll end up in the closet.” V32 said the “closet” really scared V32, as it was dark, isolated, and smelly. V32 said V32 remembered having to go upstairs and being locked in there on several occasions. V32 said V32 suffers claustrophobia to this day, probably because of being locked in the closet.

V32 also talked about participating in the yearly MS Walk in Burlington, and how V32 gets an awful feeling when they pass the Orphanage. V32 said V32 remembered staying in a room with a lot of rows of bed, and that V32 and V32-Sibling1 were made to sleep at opposite ends. V32 said V32-Sibling1 would cry at night and V32 would crawl out of V32’s bed, under the other beds and then go and comfort V32-Sibling1. The nuns would often catch V32, grab V32 by the hair and drag V32 across the floor and often put V32 in the closet. V32 said V32 remembers one time being very upset because V32’s father was unable to make a visit and V32 was hysterically crying. V32 said V32 cried so hard that V32 vomited and then a nun made V32 lick it up.

V32 recalled the nuns being particularly mean to a little girl who was around V32’s age, named Resident22. V32 said the nuns called Resident22 by a derogatory name and were terrible to Resident22. V32 said the last thing V32 would like to add was that V32 had two cousins, V32-Cousin1 and V32-Cousin2 who were also at the Orphanage. V32 said that when both were in their early 20s, they died by suicide. They took their lives roughly two years apart and they both lived in Vermont. V32 said V32 couldn’t help but think they were incredibly disturbed from the abuse they probably endured.

Named Assailants: None.

Potential Crimes: V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262: Cruelty to a Person – By person having custody; V.S. 1947 § 8458 Disturbances – Of the public peace.

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V33

Contacted Law Enforcement: Initial contact with the AGO on June 5, 2019.

Dates at St. Joseph's Orphanage: February 2, 1963 to June 23, 1963.

VCC Resident File Reviewed: Yes

Allegations: On September 25, 2019, Detective Beliveau spoke with V33 about V33's time at the Orphanage. The following is a summary of that interview. V33 remembers seeing V33's sibling down the hall screaming. V33 recalls being close to V33's siblings. V33's mother had eleven children. V33 listed the following siblings in the interview: V33-Sibling1, V33-Sibling2, V33-Sibling3, V33-Sibling4, V33-Sibling5, V33-Sibling6. When V33 father passed away, V33's mother could not handle it and their grandfather went to get them from out of state. V33 remembers V33's mother paying for them to go to the Orphanage and supplying them with clothes. V33 recalled being in the nursery part of the Orphanage. V33 recalled one of the nuns telling V33 if V33 ate quickly, V33 could go see V33's siblings. V33 would eat quickly, and then get sick, and the nuns would send V33 to bed instead of letting V33 see V33's siblings. V33 recalled this happening regularly.

V33 recalled the nuns forcing V33 to rip V33's tongue off a frozen pole when the bell rang. V33 recalled being taken up to the attic. V33 did not recall anything bad happening in the

attic, but V33 remembers being taken to the attic and that the attic was big. V33 remembers other things happening in the attic, but V33 doesn't remember clearly.

V33 remembers being required to take naps, and hearing the older children playing. V33 recalled there being two large rooms where they all played, one for girls and one for boys. Down the corridor from there is where the old kids played. V33 got out of bed to look out the window to see the kids playing. V33 recalls the nun coming in and telling V33 to get back in bed, and telling V33 that V33 was "in trouble tonight." V33 recalled that later that day, when V33 was coming out of the high tub V33 was hit very hard. V33 could not recall which nun it was or what V33 was hit with, but recalls being beaten severely with V33's wet clothes on. V33 also recalls being told V33 "would never look out the window again." V33 recalls being very well-behaved after the beating because V33 was afraid, bitter, and angry. V33 recalls being afraid of authority for a long time after V33's time at the Orphanage.

V33 recalls hearing that V33's mother eventually came and took them out of the Orphanage because V33's older sibling had issues at the Orphanage.

V33 remembers the roof, on the Don Bosco Trail side. V33 remembers this being their play-area, and that it was blocked off by a chain-linked fence. V33 remembers a large gym inside the building, and bleachers. V33 recalls this being on the nursery side of the building. The nursery was one big, huge bedroom with beds. Off to one side, there was a bathroom with two large bathtubs.

Named Assailants: None.

Potential Crimes: 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959).

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V34

Contacted Law Enforcement: Initial contact with the BPD Portal November 14, 2018. Met with BPD on December 6, 2018.

Dates at St. Joseph's Orphanage: July 19, 1964 to June 7, 1968.

VCC Resident File Reviewed: Yes

Allegations: Officer Beliveau and Officer Kratochvil spoke with V34. V34 was four when V34's father took V34 and V34's three siblings to the Orphanage. They went in. V34 had long hair. They took V34 out on the roof and a nun shaved V34's head. V34's siblings include V34-Sibling1, V34-Sibling2 and V34-Sibling3. All V34's siblings also had the last name.

V34 stated they always had to line up by their number. V34 was given a number. V34 stated that they could not ever talk, or they were in trouble. V34 said that if they ever stepped out of line, they were in trouble. They had to go into the dormitory, and the nuns would hit them with wooden paddles. This was a form of discipline for talking.

V34 stated the nuns always locked them in the attic. V34 was also locked in the attic for hours. V34 said children were often locked up in the attic together. V34 stated that sometimes the children would be locked up in the attic for the entire day.

V34 stated V34 was often hit with paddles for trying to go see V34's two younger siblings, V34-Sibling4 and V34-Sibling2. V34 stated they were separated but V34 could sometimes see them outside.

V34 stated that they sometimes went swimming. V34 said they took them swimming but most of them could not swim. V34 asserted this was very scary.

V34 asserted that V34 once got in trouble for looking into the nursery because she heard so many babies crying. V34 asserted V34 was punished by not being allowed to eat V34's meal.

V34 also asserted that the nuns would use a projector to force them to look at pictures of the devil. V34 recalls that the nuns would hit them with sticks if they tried to close their eyes.

V34 claims the nuns would take children out of the room at night. V34 stated that often it was the same girl. V34 stated that most of the time, a heavysset nun would come take Resident33 and Resident34. V34 recalled that they never came back before V34 fell asleep. They sometimes reappeared at breakfast. V34 said they had to eat the same food over and over again. V34 said the food was bad.

Named Assailants: None.

Potential Crimes: 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959).

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V35

Contacted Law Enforcement: Initial contact with law enforcement on November 6, 2018.

Dates at St. Joseph's Orphanage: August 13, 1947 to November 15, 1947

VCC Resident File Reviewed: No resident file was provided by Vermont Catholic Charities because V35 was adopted.

Allegations: On November 5, 2018 at approximately 1:49 PM, V35 called BPD to report V35's time at the Orphanage. V35 advised V35 was born in 1947 and was in the Orphanage for approximately three years as an infant. V35 believes V35 spent some time in the hospital for a number of head colds but could not actually remember due to V35's young age at the time. V35 advised V35's mother was named V35-Mother1. V35 mentioned being sexually abused later in life but did not wish to discuss it.

Named Assailants: None

Potential Crimes: None

Relevant Documents:

Case Analysis & Outcome: No potential crimes reported.

Victim: V36

Contacted Law Enforcement: Initial contact with law enforcement on June 3, 2019 and was interviewed on June 24, 2019.

Dates at St. Joseph's Orphanage: January 10, 1972 to February 4, 1972 (exit date only located in a medical record in a Vermont Catholic Charities Resident file).

VCC Resident File Reviewed: Yes.

Allegations: On June 24, 2019, Detective Krystal Wrinn interviewed V36 about V36's time at the Orphanage. V36 swore, under the pains and penalties of perjury, that the information V36 provided was the truth.

V36 reported that V36's mother dropped V36 and two of V36's siblings off at the Orphanage, V36-Sibling1 and V36-Sibling2. V36's mother told the nun that her children were not to be adopted, and that they should be released at 18. V36 reported V36's mother coming to visit them once.

V36 recalled that they were all on individual floors and were not allowed to have any contact with each other. V36 stated this was also one of V36's mother's requests.

V36 stated that after V36's mother's visit, V36 was late going into the dining room for dinner. V36 did not like onions, garlic, mushrooms or tomatoes, and was still crying due to V36's mother's departure. V36 refused to touch the goulash prepared for dinner. V36 recalled that the cook came out of the kitchen several times to warn V36 that V36 needed to eat or V36 would get spanked. V36 stated they got spanked each night regardless. Eventually, the cook came out again and took some of the goulash out of V36's bowl with a napkin and told V36 to tell the nun V36 had eaten it. V36 recalled the nun coming back in and grabbing V36 by the arm. The nun dragged V36 down the hallway to a closet where the nun proceeded to beat V36 with a paddle. V36 recalled that, as V36 was being dragged down the hallway, V36 saw a girl tied to a chair and gagged. V36 stated the girl's eyes seemed to be calling for help. V36 stated V36 also saw men working on putting up a wall. When the nun was finished "paddling" V36, V36 was dragged by again and the girl was gone, and the wall the workers had been building was put up. V36 stated that this took place on the third floor, and that V36 has been convinced for most of her life that that girl was trapped inside that wall. V36 described the girl as very thin with brown

eyes. V36 stated she was between 14 and 17. She had brown hair, just past shoulder length. The gag was red. Her arms were tied to the chair. She had blue slacks on. She had black and white tennis shoes, with a circle on the ankle. V36 described there being two men taking down a wall. The men had white clothes and hats on. One had his back to the door, and was a bigger guy. He was bent over by a bucket. The other was facing the door, but bent down, taking the wall down. V36 said there were no nuns with the girl, just the two construction workers. V36 described that they were in a classroom-sized room. V36 alleged that when V36 walked by again later, the girl was gone and the men were painting a wall. V36 believes the girl was trapped inside the wall. V36 described the look in the girl's eyes as hollow, like she had stopped fighting.

V36 remembers being left outside to play for the entire day and would not be allowed to come back in even if V36 knocked on the windows. V36 would cry, and the nuns would get angry. Sometimes, there were other kids out there. The girls and boys were always separated.

V36 recalled that on adoption days, they would be taken into a large room and told to pick nice clothes from racks filled with nice dresses. V36 stated that, because V36 and V36's siblings could not be adopted, the nuns would not let V36 dress nicely and would make V36 wear ugly and mismatched clothing.

V36 also alleged that V36 would often go to sleep at night with all the beds in V36's dorm full and wake up alone. V36 alleged that children disappeared overnight often. V36 also alleged that all you ever heard at night in the Orphanage was children screaming and crying. V36 said the screaming seemed to be coming from the floor above.

V36 said bath time was degrading. V36 said V36 never peed the bed before V36 went to the Orphanage.

V36 alleged that, once a week, V36 and two other children were told they were going to a skating rink but first would be taken to some kind of factory. V36 alleged that they would go inside and several men who worked there would violate them. V36 recalls men passing V36 around and remembered falling asleep. V36 recalled that the nun would get angry and take V36 back to the van. When V36 woke up, they would be at the skating rink. V36 described the experience as humiliating and degrading. V36 recalled being five years old when this would occur. V36 stated V36 thought it was in Winooski but was not certain. V36 stated that the men were old and dirty. V36 stated they would take them on their laps and stick their hands up their clothes or down their pants and insert their fingers into them. V36 stated that the nuns would leave the room while this occurred. V36 alleged that the man who always picked V36 up first was a man with greyish hair, parted on the side and a belly. V36 alleged he would pick V36 up like he just wanted to be friends and sit V36 on his lap. Then he would slide his hand down V36's underwear and put a finger into V36. A while later, he would set V36 back down, and a different man would pick V36 up. The next person to pick V36 up would do the same thing.

V36 recalled that every night, even if they didn't do anything, a nun would take them into a closet and paddle them for a long time for no reason until they were allowed to go to bed.

V36 also alleged that during V36's time at the orphanage, V36-Sibling2 snuck in to see V36 to give V36 a pink brush set and tell V36 they were going to get out of there. On V36-Sibling2's way back to V36-Sibling2's own floor, V36 stated V36-Sibling2 was beaten severely. V36 alleged they broke V36-Sibling2's shin bone during the beating and subsequently made V36-Sibling2 attend school for a week before even letting V36-Sibling2 go to the infirmary. V36 alleged they also beat V36-Sibling1 in V36-Sibling1's "privates" for saying hello to V36-

Sibling2. V36 alleged that V36-Sibling1 said V36-Sibling1 peed blood subsequently and V36-Sibling1 was also not allowed to go to the infirmary.

V36 recalled that not a single nun was nice. V36 also stated V36 rarely saw priests unless it was at church on Sundays. V36 was told by V36's grandmother and V36's uncle that the nuns were not really nuns, but prostitutes from Canada. V36 stated V36 doesn't know, but that the nuns acted like savages.

Named Assailants: None.

Potential Crimes: 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a child (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a minor (1971).

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed as there are no named suspects and potential crimes are barred by the statute of limitations.

Victim: V37

Contacted Law Enforcement: Initial contact with the BPD Portal on July 10, 2019.

Dates at St. Joseph's Orphanage: October 4, 1967 to January 18, 1968

VCC Resident File Reviewed: Yes.

DCF Placement: V37 was voluntarily turned over to the custody of DSW on October 3, 1967 by V37's mother. SocialWorker3 placed V37 and V37's siblings at St. Joseph's Child Center on October 4, 1967.

Allegations: Detective Michael Beliveau interviewed V37 over the phone. V37 stated that the worst part of living at the Orphanage was the isolation, because all the children were depressed and miserable due to the segregation policies employed by the nuns. V37 reported that there was an older fellow who would patrol the hallways to determine whether the children were well-behaved. V37 believed these men were lay workers at the Orphanage. Additionally, V37 reported that nuns and these men would take one or many children to beat them for various offenses. V37 reported that a nun beat V37 with a stick during an evening caretaking sweep of the children. V37 recalled beatings on V37's hands. V37 stated that if V37 recoiled V37's hands, the nuns would hit V37's head and V37's back. V37 recalls the woman who beat V37 being a white, heavy-set woman with glasses.

V37 also recalled an incident where V37 was walking into the dormitory area and someone from the Orphanage threw V37 into the threshold. V37 recalled bleeding profusely and stated V37 still has enduring scars that persist to this day.

V37 stated that V37 heard of a child dying by drowning but does not have personal knowledge of the details. V37 recalled there was an oddly placed fence that did not do enough to protect children from the threat of falling.

V37 reported another incident where V37 was selected for an adult party by the clergymen. V37 stated the priests gave V37 alcoholic beverages. V37 recalled feeling welcome and high off the generosity of the adults. V37 does not recall there being other children at the party. V37 reported subsequently feeling ill, and that an adult man did things to V37 that "men should not be doing." V37 alleged V37 was sexually assaulted but does not recall the details of who the perpetrator was or what exactly occurred. V37 recalled this occurring in an upstairs bedroom and stated V37 does not recall fighting the perpetrator off. V37 stated there was not

molestation with hands or mouth and stated that the perpetrator raped V37. V37 could not recall the perpetrator's name, but believed the perpetrator was a priest. V37 stated the priest was white and had red hair and glasses.

V37 stated V37 does not recall any issues with the food. V37 stated V37 felt rage and hatred for the clergy and was very glad to return to V37's mother's custody.

Named Assailants: None.

Potential Crimes: 13 V.S.A. § 602 Assault with intent to kill or maim (1959); 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a child (1959).

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed as there are no named suspects and potential crimes are barred by the statute of limitations.

Victim: V38

Contacted Law Enforcement: Initial contact with the BPD Portal on September 27, 2018 and spoke with BPD Officer David Bowers and Detective Michael Beliveau on October 14, 2018.

Dates at St. Joseph's Orphanage: May 3, 1957 to June 19, 1962

VCC Resident File Reviewed: No file, information received from the Orphanage resident book.

DCF Placement: Yes. Committed to DSW on December 18, 1961.

Allegations: On October 14, 2018, Officer Bowers and Detective Beliveau met with V38, who wanted to report abuse that occurred during V38's time at the Orphanage. V38 swore the information V38 provided was the truth.

V38 was at the Orphanage from 1955 until 1965, ages three to 13. V38 was at the Orphanage with V38's siblings, V38-Sibling1(deceased), V38-Sibling2 (deceased),V38-Sibling3,V38-Sibling4 and V38-Sibling5. V38 remembered being separated from her siblings very early on and would almost never see V38's siblings as they were in different sections of the building. There were three different types of dorms for the children which were separated by age and gender; 1-6 years old; 6+; and "older children."

V38 recalled an incident where V38 was playing on the stairs possibly trying to slide down the railing when V38 fell over the railing and down the hole between the stairs. V38 was about five years old and was sent to the hospital with a concussion and needed stitches in V38's head. When V38 was six years old, V38 remembered being forced to knit which V38 did not want to do. As a result, one of the nuns, Sister30, beat V38 with a paddle and V38's hands, one of V38's hands had a ring. V38 believed this beating caused V38 to bleed from V38's nose and gave V38's black eyes.

Shortly after this incident, V38 recalled another incident where V38 came in from outside and hung V38's coat on the rack, but it fell to the floor. V38 did not notice and walked away, but was called back by Sister31. Sister31 attempted to hit V38 but V38 ducked out of the way and subsequently struck V38's head on a latch that was attached to the wall. This resulted in V38 being sent to the hospital, where V38 received stitches.

V38 reported that when V38 was seven or eight years old, V38 was a part of some kind of brain testing or experimentation, and remembered many wires being attached to V38's head.

V38 said V38 was then asked to determine what colors V38 saw as lights flashed. During this same time, V38 remembered sledding into a metal pole behind the Orphanage and striking V38's head resulting in another hospital visit.

V38 also recalled that at bedtime, V38 would lineup and show a nun V38's underwear, who would determine if it was clean or dirty. If it was dirty, V38 would have to scrub them clean. V38 recalled occasionally being woken up early by the nuns. They made them lay face down on their beds and V38 remembered "something going in" to V38's anus. When asked if it was medically related, V38 was unsure.

V38 remembered trying to console a new child that was crying but was beaten by one of the nuns for doing so. V38 also saw a 10- or 11-year-old girl who was pushed and held against a radiator by a man that caused burns. V38 recalled two younger women who worked at the Orphanage who were not nuns, OrphanageWorker5 and OrphanageWorker6. V38 remembered that they were good to the kids.

Named Assailants:

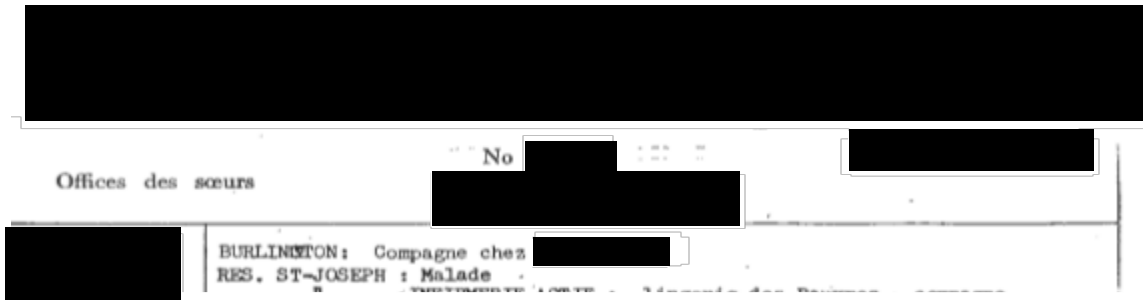
- 1) Sister30
- 2) Sister31

Potential Crimes: V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262: Cruelty to a Person – By person having custody; V.S. 1947 § 8458 Disturbances – Of the public peace; and/or 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959).

*The 1947 criminal statutes and V.S.A. criminal statutes are being included to reflect the changes in the law when V38 was a resident at the Orphanage.

Relevant Documents:

Presence of Sister30: there appears to have been a Sister11a at the Orphanage from 1958 to 1967:¹⁵⁵



Case Analysis & Outcome: No criminal charges to be filed as potential crimes are barred by the statute of limitations.

Victim: V39

Contacted Law Enforcement: V39-Partner, partner of V39, spoke with BPD on September 11, 2018 about V39's-Partner's experiences at the Orphanage. V39 died in 2012 but spoke about V39's time at the Orphanage with V39's family.

Dates at St. Joseph's Orphanage: V39-Partner reports V39 was there in the 1930s.

VCC Resident File Reviewed: No resident file found, no card found, and no entry in the Orphanage ledger.

Allegations: On September 11, 2018, Detective Eric Dalla Mura and Detective Beliveau met with V39-Partner, who contacted BPD to provide information about the Orphanage. V39-Partner

¹⁵⁵ See file in Criminal Report Source Material titled [redacted] at [redacted].

advised that V39-Partner's late partner, V39 was placed at the Orphanage when V39 was a young child, after V39's mother passed away. V39-Partner was unsure of the time frame. V39's father worked on a farm and could not take care of all of the children. V39-Partner recalled V39 telling V39-Partner that the nuns used to slap V39 when V39 wouldn't eat V39's food. V39 was placed in the Orphanage with V39's sibling, V39-Sibling1. V39-Partner recalled V39-Sibling1 told V39-Partner that a priest molested V39-Sibling1 via masturbation but did not want to discuss the issue in further detail. V39-Sibling1 previously served in the military but is now deceased along with V39-Sibling1's partner, V39-Sibling1-Partner1. V39-Partner provided the names of V39-Sibling1's children, V39-Sibling1-Child1, V39-Sibling1-Child2 and V39-Sibling-Child3.

Named Assailants: None.

Potential Crimes: P.L. Sec. 8395 Cruelty to children under ten by one over sixteen (1933); Sec 8397 By person having custody (1933); Sec. 8611 Lewdness (1933).

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations. Further, as V39 is deceased, V39 did not make a firsthand statement regarding criminal conduct at the Orphanage.

Victim: V40

Contacted Law Enforcement: Initial contact with the BPD Portal on September 13, 2018 and wrote that statement contained below in "Allegations." Members of BPD have attempted to contact V40 on multiple occasions to schedule an interview. As of this report's publication, there has been no response.

Dates at St. Joseph's Orphanage: Unknown.

VCC Resident File Reviewed: No file or index card located by Vermont Catholic Charities.

Allegations: V40 reported the following information through the BPD Portal on September 13, 2018:

Approximate Date of Incident: "1954 thru 1956."

Did this incident occur at St Joseph's Orphanage in Burlington, Vermont? "Yes."

What is your connection to the incidents at St Joseph's Orphanage? "Victim."

Suspect or Offender: "Nuns and staff at the orphanage."

Description of Incident or Other Information:

"While in their care I was the subject of severe neglect and abuse. I was abused in such a way that the right side of my face and head are not able to grow due to the manner of abuse. I have a scar on the right side of my head that has not been explained, and my adoptive parents got no explanation. When I was to be adopted I was placed in the care of my parents to be and my extreme size difference from an average child that age was not explained. I could fit in a newborn clothing, I was not moved or given any appropriate care, causing severe environmental deprivation. I have spoken to a Neurologist and an orthopedist and they both say the facial deformity I have was caused most probable by being hit, not a birth injury. I believe that I deserve an explanation of what happened to me is needed, and accountability given. I did have lawyers look at my records when I was in my 20's and at that time they could not find an[y] medical information, except that they said my mother was healthy at the time of my birth. I was unaware of the fact that others had been abused and neglected like I was until recently. I am trying to find others through the Facebook system that may have seen me there at that time. This is

difficult due to the time that has elapsed and the age they would have been at that time. I have suffered from education and social delays due to my injuries and still struggle. I have been told that my hip muscles were damaged as an infant making walking difficult and as I grew older as a child impossible. I use electric wheelchair and have almost no vision in the left eye and none in the right, I cannot open my eye on the right and a little on the left. My eyes do not move in any direction. I know there is an ongoing effort to find out what happened to those of us placed in the care of the Orphanage and hope that light can be shed on what happened there. My adoptive parents were devout Catholics and probabl[y] saved my life. I have tried over the years to get answers but I keep getting conflicting information, and nothing that would help me to understand what happened to me and the missing medical info when I was in the orphanage. I have asked but been refused.”

Named Assailants: None.

Potential Crimes: V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262: Cruelty to a Person – By person having custody; V.S. 1947 § 8458 Disturbances – Of the public peace.

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V41

Contacted Law Enforcement: Initial contact with the BPD Portal on September 13, 2019 and spoke with BPD Detective Elizabeth Felicciardi on September 14, 2018.

Dates at St. Joseph's Orphanage: June 25, 1973 to June 25, 1979

VCC Resident File Reviewed: Yes

Allegations: On September 14, 2018, Detective Felicciardi spoke with V41 regarding V41's experience at the Orphanage. V41 now lives out of state but was a resident at the Orphanage with V41's two siblings from approximately 1972 to 1978 or 1979. In 1974, V41 stated V41 was sexually assaulted by two older altar boys when V41 was in the area of the chapel where altar servers would get changed. One of the older altar servers held V41 down, while the other raped V41. V41 said after that, the altar server who raped V41 held V41 down while the other altar server then raped V41. V41 said the two altar servers beat V41 after that and threatened to kill V41 and V41's siblings if V41 ever told anyone.

During one of the sexual assaults, Monsignor2 walked into the room. V41 said V41 thought Monsignor2 was going to save V41, but instead told the two altar servers to hurry up. V41 did not know the names of the two altar servers who assaulted V41.

V41 described one incident, after the nuns had left the Orphanage, where V41 saw a counselor walking a boy from the lake "with a corn cob up his butt."

V41 said V41 had been in therapy for years and was on medication for anxiety and PTSD. V41 advised V41 had connections to services in the state in which they live and was happy with them, therefore V41 did not need any assistance from the Task Force. V41 said the reason V41 called was to give any information that could potentially prevent another child from being abused.

Named Assailants: Monsignor2

Potential Crimes: 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a minor (1971).

Relevant Documents:

The following entry was also located in V41's resident file under a section titled "Summary of contact with V41 from Sept. 1976 to Jan. 1977."¹⁵⁶:

On [REDACTED], [REDACTED] ran away from school with three other young people. One was caught and returned to SJCC that same day. However, [REDACTED] was one of those that spent the night away from SJCC and most of [REDACTED] in Vergennes. The police were suspicious of their behavior in the bus station, apprehended them, and held them until an SJCC counselor could come and pick them up. [REDACTED] had stolen a down vest from Sears, and was an accomplice to stealing from a home. In talking with [REDACTED] on [REDACTED], [REDACTED] gave [REDACTED] reason for running away as getting away from "mental abuse" at SJCC. [REDACTED] seemed quite upset and nervous, while W/ was speaking with [REDACTED], and [REDACTED] kept his face averted. [REDACTED] kind of said that [REDACTED] was more the follower than leader of this run away. A repercussion of this was that [REDACTED] was allowed to go home only from 12/24 to 12/25, as [REDACTED] Christmas visit. ([REDACTED] and [REDACTED] went for 12/23 to 12/26.)

Presence of Monsignor2: a Father4a was the Assistant Director at Vermont Catholic Charities from 1959 to 1966 and therefore would have involved at the Orphanage at the time V41 was at the Orphanage.¹⁵⁷ The resident filed provided by Vermont Catholic Charities revealed he worked directly with the residents as a social worker during his employment with them.¹⁵⁸ Father4a, in an earlier deposition, denied knowing about widespread abuse at the Orphanage, including sexual abuse.¹⁵⁹

Case Analysis & Outcome: No criminal charges to be filed as potential crimes are barred by the statute of limitations.

¹⁵⁶ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

¹⁵⁷ See *id.*

¹⁵⁸ See [REDACTED] at [REDACTED] (last visited November 2, 2020).

¹⁵⁹ See generally, Deposition of [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED]

Victim: V42

Contacted Law Enforcement: wrote a letter to the AGO on August 28, 2002 and spoke with BPD Detective Michael Believeau on July 19, 2019.

Dates at St. Joseph's Orphanage: November 23, 1953 to June 16, 1956

VCC Resident File Reviewed: Yes

DCF Placement: Yes. Committed to DSW custody on November 19, 1953.

Allegations: Detective Believeau interviewed V42 regarding V42's allegation of abuse at the Orphanage. V42 also provided a written statement detailing the abuse that occurred at the Orphanage. At the end of the interview V42 swore that everything V42 said was the truth.

V42 told Detective Believeau that V42 was approximately eight years old when V42 first arrived at the Orphanage and left when V42 was 21 years old. V42 recalled being sexually assaulted by a Sister in the dormitory. V42 also witnessed a young "girl or boy" thrown out of a second story window by the Sisters. The child landed in the grass. However, V42 did not recall the child's name. Although V42 never saw anyone seriously hurt, V42 heard of children being sexually assaulted and that the Sisters "paddled" V42's hands.

V42 stated in V42's written report that the Sisters of Providence would line them up in the shower and take "three or four of them" to the back of the "sewing room" and sexually assault them "every night." V42 also stated that one of the sisters took V42 to her bedroom and "undressed" V42, made V42 lay in bed with her and would "kiss" V42 on the "cheek of my ass,"

“spread my legs, and play with my rectum and kiss it with her tongue,” and that she “got down” and “sucked” V42’s genitals.¹⁶⁰

It should be noted much of the recorded interview was unintelligible and it was difficult to understand V42.

Named Assailants: None

Potential Crimes: 13 V.S.A. § 602 Assault with intent to kill or maim (1959); 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a child (1959).

Relevant Documents: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V43

Contacted Law Enforcement: Initial contact with the BPD Portal on September 17, 2018 and spoke with BPD Officer David Bowers on September 18, 2018.

Dates at St. Joseph’s Orphanage: July 30, 1964 to December 14, 1964.

VCC Resident File Reviewed: Yes

Allegations: On September 18, 2018, Officer Bowers spoke with V43 regarding V43’s experience at the Orphanage. V43 reported V43 went to the Orphanage in 1964 when V43 was 10 years old for approximately 10 months. V43’s younger siblings, V43-Sibling1, three years old and V43-Sibling2, six years old also, were at the Orphanage at that time. V43 and V43’s

¹⁶⁰ See generally, file in Criminal Report Source Material titled [REDACTED]

siblings were placed in the Orphanage after being removed from their home by representatives of the State of Vermont following a complaint about the care their mother was providing.

V43 recalled being separated from V43's siblings at the Orphanage due to their various ages. V43 advised V43 did not remember a great deal of V43's time at the Orphanage, but V43 recalled the abuse by the nuns. Nevertheless, V43 did remember one event in particular: V43 was in a clothing room, and advised a single nun took all V43's clothes off of V43 and made V43 sit in the middle of the room with a blanket wrapped around V43. V43 advised V43 sat in the room for approximately one to one and a half hours. After the clothes were all folded by the nun who was in the room with V43, V43 was beat by some of the older boys at the Orphanage. V43 advised the older children hit V43 with a wooden paddle. V43 advised V43 did not remember what V43 did wrong to receive the punishment.

V43 described other things V43 observed at the Orphanage. V43 recalled seeing an altar server coming out of the church crying at one point and believed it may have been because something sexual had happened to the altar server. V43 recalled hearing that people had been sexually abused by the priests but did not remember when V43 heard it or from whom. V43 saw other people that had been hit with paddles while V43 was there, and V43 had been hit by the older boys and the nuns with paddles. V43 reported V43 was never sexually abused during V43's time at the Orphanage and advised V43 had never witnessed any sexual abuse.

V43 recalled the head nun was referred to as SisterSuperior2. SisterSuperior2 hit V43 with a wooden paddle before but advised V43 she was not the nun who directed the older children to hit V43. Any time someone in the Orphanage did something wrong, SisterSuperior2 would bring all of the children into one room and would hit them with a paddle on the hands once each.

V43 recalled hearing that someone may have died while V43 was at the Orphanage but advised V43 did not remember whom V43 heard it from. It stuck out in V43's mind that someone had died. V43 ran away from the Orphanage because V43 was scared and wanted to find V43's mother, who had already been reunited with V43's younger siblings prior to V43's departure from the Orphanage. V43 went to a foster home after V43's stay at the Orphanage. V43 said V43 tries to avoid driving past the building now. If V43 ever is in Burlington, V43 takes Rt. 127 to go around the Orphanage so as to not see the building.

Named Assailants: None.

Potential Crimes: 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959).

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V44

Contacted Law Enforcement: Initial contact with the BPD Portal on September 11, 2018 and spoke with Detective Krystal Wrinn on September 12 and September 13, 2018.

Dates at St. Joseph's Orphanage: September 30, 1959 to June 9, 1962 and returned August 24, 1962 to June 29, 1963. V44 was readmitted September 6, 1968 to unknown date.

VCC Resident File Reviewed: Yes

Allegations: On September 13, 2018, Detective Wrinn interviewed V44 regarding V44's allegations of abuse at the Orphanage. V44 swore at the beginning of the interview that everything that V44 was about to say was the truth. V44 said that V44 came forward after

reading the BuzzFeed article because V44 blocked out of V44's mind everything that happened to V44 at the Orphanage prior to the eighth grade. V44 was a private case, and V44 lived at the Orphanage on separate occasions between 1958-59 and 1968-69. V44 was approximately three years old when V44 started at the Orphanage. V44's siblings, V44-Sibling1 and V44-Sibling2, also attended the Orphanage, while V44's oldest sibling, V44-Sibling3, attended a home for high school aged children next door.

V44 recalled three strict nuns: Sister31, Sister32, and Sister33. V44 recounted an incident of abuse involving Sister31 that happened when V44 was approximately six years old. V44 had learned that V44-Sibling1 had been hurt and V44 began to cry. Sister31 told V44 to mind V44's own business. When V44 refused to stop crying Sister31 slapped V44 across the face and her ring caught V44's lip and "ripped it open." There was "blood everywhere" and V44 was taken to a Catholic hospital in Burlington "near Pearl Street."

On the way to the hospital, a nun identified as MotherSuperior1 told V44 not to tell hospital staff what happened. At the hospital male doctor asked V44 what happened, V44 refused to tell him because V44 "was scared." V44 described V44's lip as being fat "for many years" and that V44-Sibling1 would call her a derogatory name because V44's lip was "so fat." V44 informed Detective Beliveau of other incidents of abuse involving Sister31. V44 remembered that V44 and a girl were routinely asked to meet Sister31 in what V44 remembered as a "building near the cemetery." V44 described Sister31 as a "short fat woman" and that she used to sit with her legs up and that V44 was forced to rub Sister31's legs and feet. Although it did not occur to V44 at the time, V44 later believed Sister31 was "getting off."

Sister31 would take the children's hands and "guide them up her dress." Although V44 did not remember touching Sister31's privates, V44 said V44 would be beaten if V44 was non-

compliant. Sister31 would pull V44's pants down, lay V44 over Sister31's body and paddle V44 with a wooden paddle until V44 cried. V44 described the paddle as the type with a ball attached to a string. Except the string was missing and the staple holding the string to the paddle was still attached and "that would hurt."

V44 described being pinched and poked by Sister31 on her upper arms and legs. V44 also described an incident where Sister32 caught the children jumping on the bed and that they were taken to the "sewing room" where they were paddled repeatedly "until they cried."

V44 also described sleeping with V44's hands between V44's knees and that the nuns called V44 "dirty" because they thought V44 was touching V44's body. As a consequence, V44 would be paddled, forced to pray, and called names. V44 remembers being forced to drink castor oil and to eat V44's own vomit.

V44 described being in the same class as her V44-Sibling2 because V44-Sibling2 had a learning disability. V44 witnessed one of the nuns slap V44-Sibling2 and call V44-Sibling2 "stupid" and "retarded." V44 told the nun to "shut up" and was hit with a ruler.

Finally, V44 recalled an incident involving Resident35 who was severely beaten by Sister34. V44 described Resident35 as having scars on Resident35's back. Sister34 was fired as a result of this incident.

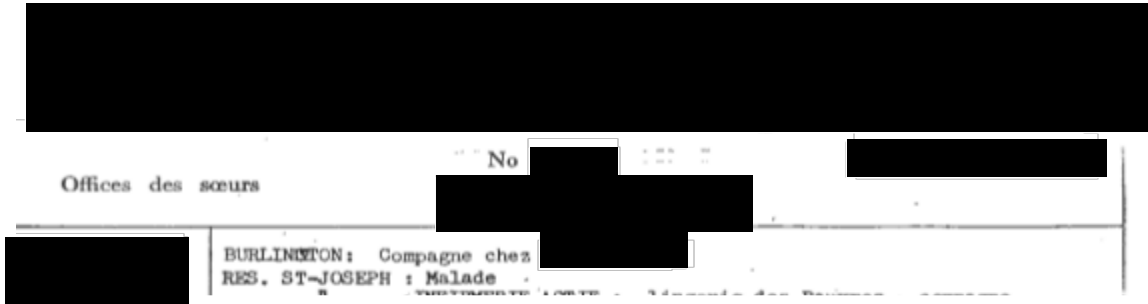
Named Assailants:

- 1) Sister31
- 2) Sister32
- 3) Sister34

Potential Crimes: 13 V.S.A. § 602 Assault with intent to kill or maim (1959); 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959).

Relevant Documents:

Presence of Sister31: a Sister11a appears to have been at the Orphanage from 1958 to 1967:¹⁶¹



Presence of Sister32: at the time when V44 was a resident, there appears to have been a Sister14a who worked at the Orphanage from 1959 to 1966.¹⁶² She was an officer in a department.¹⁶³ In her deposition on March 26, 1997 she admitted to using a paddle on the children infrequently and spoke about discipline at the Orphanage.¹⁶⁴ She denied hitting any children for wetting the bed and that she never saw a child forced to eat his/her own vomit.¹⁶⁵

[REDACTED] - [REDACTED]
([REDACTED]) ([REDACTED]) [REDACTED] dept. - Officer

¹⁶¹ See id.

¹⁶² See file in Criminal Report Source Material titled [REDACTED] at [REDACTED]; see also Deposition of [REDACTED] at [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED]

¹⁶³ Deposition of [REDACTED] at [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED]

¹⁶⁴ Id. at 35-41.

¹⁶⁵ Id. at 41-42.

Sister33 at the Orphanage: a Sister20a was at the Orphanage from May 15, 1970 to August 7, 1974.¹⁶⁶ A Sister20a was deposed in a civil case.¹⁶⁷ In her deposition, Sister20a admitted to working at the Orphanage, but denied knowledge or involvement in any abuse.¹⁶⁸¹⁶⁹ Sister20a also denied being involved with any sexual abuse.¹⁷⁰ Sister20a made similar denials in an affidavit.¹⁷¹

Injury to V44-Sibling2: in the Record Sheets from Vermont Catholic Charities for V44's Family, the following entry by SocialWorker4, was made regarding an accident involving V44-Sibling2, which seemingly comports with V44's recollection surrounding an injury sustained by V44-Sibling2.¹⁷²

Call from Sister Superior at SJCC to inform W/ that [REDACTED] had to go to the hospital this afternoon due to an accident [REDACTED] had the Sat. before. Apparently [REDACTED] had fallen from a tree on the Child Center and landed on a sharp piece of wood which became lodged in [REDACTED] leg. [REDACTED] was taken to the emergency clinic that same day and had some stitches taken in [REDACTED] leg. The Sisters thought [REDACTED] was all right up until Friday when the cut began to bother [REDACTED] considerably. [REDACTED] had a look at [REDACTED] leg and decided to have [REDACTED] admitted to DMH.

As Mrs. [REDACTED] was in Florida at the time W/ contacted her sister Mrs. [REDACTED] to inform her that [REDACTED] was being taken to the hospital.

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

¹⁶⁶ See Affidavit of [REDACTED], [REDACTED] file in Criminal Report Source Material titled [REDACTED]

¹⁶⁷ See generally, Deposition of [REDACTED] at [REDACTED], [REDACTED] file in Criminal Report Source Material titled [REDACTED]

¹⁶⁸ See id. at p. 178-181.

¹⁶⁹ Id. at 180

¹⁷⁰ Id. at 180

¹⁷¹ See Affidavit of Sister [REDACTED] file in Criminal Report Source Material titled [REDACTED]

¹⁷² See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

Victim: V45

Contacted Law Enforcement: Initial contact with BPD on September 27, 2018 and spoke with BPD Detective Michael Beliveau on September 28, 2018.

Dates at St. Joseph's Orphanage: November 27, 1943 to August 4, 1948

VCC Resident File Reviewed: Yes

DCF Placement: Yes, committed to custody of the Public Welfare Department in 1943.

Allegations: On September 28, 2018, Detective Beliveau met with V45, who was accompanied by V45's grandson, V45-Grandson1. V45 wanted to report what V45 experienced during V45's time at the Orphanage. At the beginning of the interview, V45 swore the information V45 was providing was the truth.

V45 was at the Orphanage during World War II from approximately 1941-1948 from about the age of 5 to 13. From there V45 went to a dairy farm in Vermont.

In describing V45's time at the Orphanage, V45 first spoke about the food that they had to eat. The nuns would carry a big bran sack into the dining hall where they would scoop it with a tin cup into a bowl. Another nun would come around and distribute warm water into the bowls. The kids would stir up the mixture and watch grubs float to the top. They would pick the grubs out but would get told by the nuns not to make a mess so they would put them back into the bowls after they ate. Occasionally a kid would take a bite into a grub and would throw up. The nuns would come in and call the kids "pigs."

V45 recalled that the kids were often so hungry they would eat the lemon grass growing outside of the Orphanage, but it would make the kids sick. V45 was forced to be outside so much

that V45 would get boils from the severe sunburn. V45 now struggles with skin cancer. V45 later described there being no trees behind the Orphanage and it was just a big field.

V45 recalled an incident where V45 and a group of kids were standing outside of a bathroom for their weekly shower. A nun asked them why they were not waiting inside the washroom when V45 replied, "Because the big boys are fucking the little boys." The nun that V45 described as "the giant ... about 6' tall, 300 pounder," struck V45 so hard V45 said V45 "went flying." V45 believed V45 blacked out for a moment from the strike. Three or four days later V45's two front top teeth turned grey and then a month later they turned black. V45's teeth were black until V45 joined the service where V45 paid 4 dollars to have the two teeth pulled.

V45 describe another incident where some of the kids were brought to Camp Holy Cross in Colchester. V45 never went to the camp but heard stories from some of the kids, specifically from V45's sibling, V45-Sibling1. V45-Sibling1 told V45 about how a big priest would lay down on the beach and make kids urinate on him. V45 recalled being sexually assaulted twice by a brother but did not know his name. V45 was eight or nine years old and was given a crucifix to wear but later learned from a child that the cross was meant to indicate that V45 was available to be sexually assaulted. When asked how V45 was sexually assaulted V45 said, "He screwed me in the ass." The assault took place in the gymnasium closet where they kept the basketballs. V45 said that another man that worked at the Orphanage, OrphanageWorker7, would bring V45 and others into the same closet where V45 would lick their "balls and dicks." V45 said OrphanageWorker7 would bring three or four children in at a time to commit the sexual assaults. V45 described this male as a bodybuilder due to his big arms and legs. V45 said OrphanageWorker7 would look after the children while they were in the gym. OrphanageWorker7 sexually assaulted V45 one time that V45 could remember and it lasted from

10-15 minutes. V45 recalled other kids being there and OrphanageWorker7 would sexually assault them by licking their genitals. V45 remembered OrphanageWorker7 saying, “Yummy,” afterwards. V45 was about six or seven years old and heard OrphanageWorker7 was eventually fired.

On the Victory Over Japan day, V45 remembered a parade through Burlington. V45 got to march to Main Street with a group of children. Once they were on Main Street everything stopped because everyone was watching the children. V45 remembered women from the sides of the road who ran up to the children and hugged them. As V45 told this story V45 began to cry because V45 did not experience that kind of affection until that moment. The one friendly nun that V45 liked was a tall and thin nurse/doctor that V45 felt V45 could talk to.

V45 never went to a doctor outside of the Orphanage. V45 never saw a child die at the Orphanage. V45 said V45 thought V45 saw what appeared to be two graves near the chicken coop by the fence. V45 saw a hole was dug with the approximately dimensions of 5’ by 18” and then next day the hole was filled.

V45 ran away to Montpelier but was found by police and eventually brought back to the Orphanage. V45 remembered being whipped with a leather strap in the vegetable garden in front of the Orphanage by a nun. V45 did not see anyone get seriously hurt while V45 was at the Orphanage.

Named Assailants: OrphanageWorker7

Potential Crimes: P.L. Sec. 8395 Cruelty to children under ten by one over sixteen (1933); Sec 8397 By person having custody (1933); Sec. 8611 Lewdness (1933); and/or V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262:

Cruelty to a Person – By person having custody; V.S. 1947 § 8458 Disturbances – Of the public peace; V.S. 1947 § 8479 Lewdness.

*The 1933 Public Laws and 1947 criminal statutes are being included to reflect the changes in the law when V45 was a resident at the Orphanage.

Relevant Documents:

Presence of Orphanage Worker 7 at the Orphanage: a Father 4a was deposed in a civil case and was asked the following about a Orphanage Worker 2a:¹⁷³

32

1 A. No.

2 Q. Do you have any knowledge of that employee in

3 any way sexually abusing a child at St. Joseph's?

4 A. No. No, I don't remember that at all, no.

5 Q. You don't recall that being brought to your

6 attention?

7 A. No, no.

8 Q. Do you have any knowledge of a lay employee by

9 the name of [REDACTED] who was molesting some [REDACTED]

10 this might have been much before your time, in the

11 mid '40s, was actually caught in the act by a

12 Brother [REDACTED]?

13 A. I never heard of that.

14 Q. Do you know Father [REDACTED]?

15 A. I know Father [REDACTED] very well.

16 Q. Has Father [REDACTED] ever told you about setting

17 up this [REDACTED] so he would be caught in the act

18 of sexually abusing a [REDACTED]?

19 A. I never heard of that at all, no.

20 Q. Have you ever seen any records of that

21 incident?

22 A. No.

23 Q. There was another incident that's been

24 reported of a -- by Sister [REDACTED], I think she

25 said about 1966 or '68 where a young [REDACTED] by the name

¹⁷³ See Deposition of [REDACTED] [REDACTED] in [REDACTED]
[REDACTED], at [REDACTED], file in Criminal Report Source Material titled [REDACTED]

OrphanageWorker2a-SisterA1 was deposed in a civil case and was asked the following about a OrphanageWorker2a, which seems to confirm OrphanageWorker2a as an employee at the Orphanage in the late 1940s:¹⁷⁴

144

1 Q. Well, it said '47 to '48 and it's the second
2 page. It says Classes resumed on the left-hand
3 side.
4 A. Yes, that's correct.
5 Q. Do you see on the bottom, you can follow along
6 with me, that entry where it says Sister [REDACTED]
7 quite handicapped in the circumstance. Requested
8 the services of [REDACTED] and [REDACTED].
9 ~~Both were willing to substitute until Sisters could~~
10 ~~be sent to assume the task.~~
11 A. Yes.
12 Q. Do you know who [REDACTED] was?
13 A. No.
14 Q. Have you ever seen any records regarding Mr.
15 [REDACTED] and claims of abuse involving him?
16 A. No.
17 Q. Is the Bishop required, or excuse me, if you
18 know, how often the Bishop would come to a facility
19 such as St. Joseph's?
20 A. I don't know.
21 Q. The records that we've been provided also
22 contain some appear to be financial records; have
23 you seen these?
24 A. Yee.
25 Q. I think we've got the deposition scheduled of

Case Analysis & Outcome: No criminal charges to be filed as identifiable suspects and potential crimes are barred by the statute of limitations.

Victim: V46

¹⁷⁴ See Deposition of [REDACTED] in [REDACTED], at [REDACTED], file in Criminal Report Source Material titled [REDACTED]

Contacted Law Enforcement: Initial contact with BPD September 22, 2018 and spoke with Detective Beliveau on September 22, 2018.

Dates at St. Joseph's Orphanage: August 3, 1961 to August 17, 1963.

VCC Resident File Reviewed: Yes

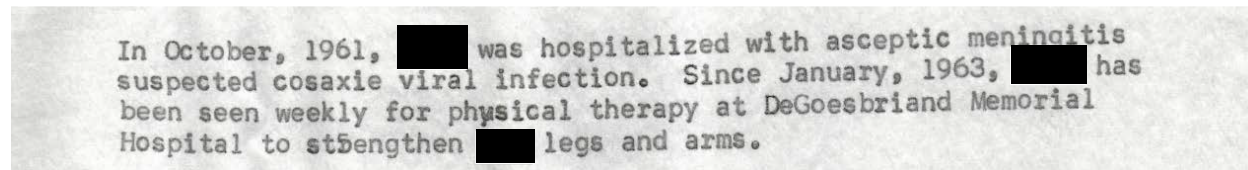
Allegations: On September 25, 2018, V46 was interviewed by Detective Beliveau regarding V46's experience at the Orphanage. V46 was at the Orphanage from 1960-1962. During V46's time there, V46 became ill with spinal meningitis. V46 advised that the nuns did not call a doctor for V46 and V46's fever rose to 106 degrees. At that same time, a girl at the Orphanage became sick prompting doctors to come to the Orphanage. They looked at V46 and immediately drove V46 to the hospital. V46 was hospitalized for 3-4 weeks from this illness. The nuns did not believe V46 was sick and only called the doctors because another child became ill. V46 was 13 years old when V46 was first placed in the Orphanage and recalled not being allowed to talk to others. V46 did not recall other abuse during V46's time there. V46 only remembered the nuns being very strict.

Named Assailants: None.

Potential Crimes: 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959).

Relevant Documents:

The Social Summary Record from Vermont Catholic Charities for V46, see below corroborates with V46's recollection regarding V46's illness:¹⁷⁵



In October, 1961, [REDACTED] was hospitalized with aseptic meningitis suspected cosaxie viral infection. Since January, 1963, [REDACTED] has been seen weekly for physical therapy at DeGoesbriand Memorial Hospital to st5ngthen [REDACTED] legs and arms.

¹⁷⁵ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

Similarly, the DeGoesbriand Memorial Hospital Discharge Summary obtained from Vermont Catholic Charities for V46 substantiates with V46's recollection regarding V46's illness:¹⁷⁶

PRESENT ILLNESS: The patient had a sore throat and fever six days prior to admission. [REDACTED] was seen the following day. [REDACTED] fever was absent, [REDACTED] throat felt better. There was no therapy. The patient was well until the day prior to admission when [REDACTED] had onset of headache and sore throat with temp. up to 104. [REDACTED] was treated with Aspirin and on the day of admission [REDACTED] became lethargic. Seen by [REDACTED] at St. Joseph's orphanage. [REDACTED] had neckal rigidity, ataxia, weakness, mental confusion, and had vomited during the examination. [REDACTED] had also had urinary frequency, without dysuria, and had very little in the way of p.o. intack. In the description of the sore throat six days prior to admission [REDACTED] had small punched out ulcers on [REDACTED] anterior pillars that had the appearance of herpangina.

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V47

Contacted Law Enforcement: Initial contact with the BPD portal on April 8, 2019 by V47's sibling, V49 and then interviewed by Detective Eric Kratochvil and Detective Michael Beliveau on May 24, 2019.

Dates at St. Joseph's Orphanage: June 13, 1960 to May 20, 1963.

VCC Resident File Reviewed: Yes

DCF Placement: Yes. Committed to DSW on June 13, 1960 and immediately placed at the Orphanage.

Allegations: On May 24, 2019, Detective Eric Kratochvil and Detective Beliveau interviewed V49 and V47 about their experiences at the Orphanage. V49 recalls being seven or eight years

¹⁷⁶ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

old when V49 went to the Orphanage and was there for years but is unsure of the time period. V47 recalls being 10 years when V47 went to the Orphanage but is similarly not sure how long V47 stayed at the Orphanage. Their sibling, V48, was also with them at the Orphanage. They were all placed at the Orphanage because their parents could not take care of them.

Multiple times during her interview V47 discussed an incident where a boy was thrown out of the window. V47 recalls a nun throwing the boy out the window but does not remember that nun's name. V47 recalled the boy having blond hair and being around age 11. V47 did not know his name. At one point, V47 stated V47 was in the dining room when the nun pushed the boy out the window. V47 then stated that V47 had been talking to the boy and the nuns must have found out and pushed him out the window. Later in the interview, V47 recalled that the nun was Sister35.

V47 recalls Sister36 molesting V47 in the bathtub when V47 was about 11 years old. Sister36 was very tall and in charge of V47 and other children. Sister36 also put V47 in the closet. Sister37 was also mean, pushed V47 in the bushes, and put V47 in the closet. Sister37 was short and fat.

V47 was assigned to watch the young kids while at the Orphanage for a short period of time, but the assignment upset V47 because of how the nuns treated the children. V47 remembers being friends with a girl named Resident36 who had a disability and one time they were put closet.

V49 described being taken to the altar with V48 by a nun, Sister35, and a priest. V49 does not remember the name of the priest. V49 recalls being excited to be taken to the altar. V49 was then taken into a room off to the side of the altar where V49 was molested. This happened about five to six times with Sister35 and the same priest. V49 alleged that Sister35 tried to

digitally penetrate V49 with Sister35's fingers and the priest tried to put his penis in V49's mouth. V49 does not recall whether V49 complied. V49 was around seven years old when this happened. V49 also recalls Sister35 beating V49 for wetting the bed and the priest shaming V49 for wetting the bed.

Both V49 and V47 recalled strict rules at the Orphanage. The children were not allowed to speak after 10pm and if they did, they would get whipped. V9 recalls being whipped on another occasion by a priest that left marks on V49's back. V49 reports consistently having black and blue marks and being physically abused by the nuns and priests. If they did not eat their food, the nuns would force them to eat by pushing their faces in their food. If they threw up, they would be forced to eat their vomit.

V49 recalled a girl with a physical disability being thrown somewhere by a nun. The described the girl as having braces on her legs and being about five years old. V49 believes the girl was seriously injured because an ambulance came. V49 never saw the girl again and believes she died. V47 also recalled this young girl. V49 does not recall her name, but V47 believes her name was Resident37.

V49 and V47 throughout the interview stated the nuns and priests were mean and rude to all the children. Their time at the Orphanage has had a lasting impact on their lives. Both V49 and V47 were placed in foster homes when they left the Orphanage. V49 received a settlement from the diocese in the 1990s.

Named Assailants: Sister35

Potential Crimes: 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959).

Relevant Documents:

Presence of Sister35 at the Orphanage: in 1973, there appears to have been a Sister35a who worked at the Orphanage. However, the exact dates Sister35a was at the Orphanage are unknown:¹⁷⁷

[REDACTED] (S) [REDACTED] Teacher grades 2-3 - [REDACTED]

It is unclear if this the same person that V47 references.

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V48

Contacted Law Enforcement: Initial contact by BPD on June 6, 2019 and then interviewed by Detective Eric Kratochvil and Detective Michael Beliveau on August 9, 2019.

Dates at St. Joseph’s Orphanage: June 13, 1960 to September 4, 1962

Resident File Reviewed: Yes.

Placement: Yes. Committed to DSW on June 13, 1960 and immediately placed at the Orphanage.

Allegations:

On August 9, 2019 Detective Beliveau and Officer Kratochvil spoke with V48 about V48’s time at the Orphanage. V48 began describing an incident at the altar at the chapel. V48 stated that the children were told to take their clothes off, and that the priest and the nuns present

¹⁷⁷ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

“made them do things to them that we should have never done.” V48 named Sister38 as one of the perpetrators and described her as the meanest person V48 had ever met. V48 said there were blankets on the floor. V48 said it was V48, V48’s sibling, V49, Resident38, and Resident39. V48 alleged that the priests put their “things” in their mouths. V48 also alleged they used to stick “things up them.” V48 stated there were several different priests involved, and that this occurred on several different occasions. V48 alleged one of the priests was named Father9. V48 stated there was another priest, an older one. V48 stated he was the one who always wanted them to go down there. V48 also stated this happened every time they had to clean the altar. V48 stated they had to “clean the altar” several times a week, but there was nothing to clean, and these things occurred instead. V48 also stated V48 swung back at a priest who was hurting V48’s sibling. V48 alleged that they held V48 down and spanked V48 for it. V48 alleged that both priests ejaculated during these encounters. V48 stated V48 did not know what it was at the time, and thought they were pouring “snot” all over them. V48 said the priests ejaculated in their mouths, and if they tried to spit it out, they would grab their mouth and hold it. V48 stated that the priests threatened them with horrible beatings if they told. V48 also stated that, when other parents would come to visit their children, they sometimes tried to tell them what was going on, but the priest was always watching them. V48 also said that the priests kissed them during their first communion.

V48 had a problem with bloody noses and recalled being spanked by the nuns because of them. V48 recalled another incident where a little girl vomited her food and the nun told the girl she had to eat it. V48 threw a plate at the nun and stopped the girl from eating her vomit.

V48 also recalled a little boy drowning. V48 alleged V48 tried to help him but V48 couldn’t without drowning. When V48 tried to tell the nuns, V48 was told to mind V48’s own

business. The child's name was Resident40. The boy had jumped off the dock and he hit his head. V48 alleged two nuns and priest retrieved the boy's body. V48 alleged V48 left as the nuns and the priest were about to bury him behind a statue of Mary. V48 alleged the child was in a pine box.

As punishment, they would have to pull weeds in the garden. V48 recalled throwing up from the heat and being beaten for it. V48 alleged V48's sibling, V49, often got punished for bedwetting. They would put V49 up in the attic "with the rats." V48 stated V48 would often switch beds with V49 so V48 could take the punishment on V49's behalf. V48 recalled being locked in the attic for two days with nothing to eat.

V48 claimed the nuns did "pants inspections" where they were told to pull their pants down for inspection. Occasionally, the priest looked in their pants as well. V48 alleged one of the priests who looked into their pants was Father9. V48 alleged that if their pants had any marks, they would be forced to take them off, wash them, and put them back on wet.

V48 recalled another incident where V48 was beaten for telling a nun: "You were fat when you left here and now you're skinny." V48 alleged that later on, something similar happened with another nun, and the nun explained that it was because she'd had a baby. V48 stated the nun told V48 the other nun must have been in the same position.

V48 spoke again about Sister38 being the meanest person V48 ever met. V48 recalled another incident where they shaved all their heads. V48 stated all the children were crying, but that the nuns put their hair in bags and took it away.

V48 stated that all their foster homes were bad. V48 stated they only ever had one foster home that was good.

V48 recalled one instance, after V48 was reprimanded for having a bloody nose, V48 got angry and intentionally plugged all the toilets. V48 alleged that they caught V48 doing it and pushed V48 into the sink. V48 stated V48 had a bump on V48's head for a while. V48 also stated they referred to V48 as "an evil child" because V48 was left-handed. They told V48 that V48 was going to hell. They also tried to make V48 switch hands, but V48 was not able to do so.

V48 also recalled Resident41 who had a special plate and special silverware because their parents paid for them to have anything they wanted.

V48 recalled V48's sibling, V49, being on a toboggan and a nun getting upset and pushing V49 down. V49's teeth all got knocked out. V48 alleged V48 saw a lot of abuse. V48 remembered Resident42. V48 alleged that Resident42 was beaten very badly.

V48 recalled being paddled. One day, V48 was told to put V48's hand out and said "hell no." When the nun hit V48, V48 grabbed the paddle and hit the nun across the knuckles with it, and asked V48: "how does it feel?" Then, V48 stated V48 got it even worse because the nun had someone hold V48's hands down. V48 identified these nuns as Sister39 and Sister38.

V48 recalled another instance where V48 and two girls went up to the attic to play with the dolls. V48 stated they were all punished for it. They had them scrub the floor until their fingers were bleeding. V48 explained that one part of the attic was where their clothes and other items were kept, but another part of the attic was blocked off. On that side, there were rats running around, and V48 sometimes heard kids knocking from the other side.

V48 also alleged another boy died from being pushed out the window. V48 said many children said they saw it. V48 said Resident42 and V47 both saw it. V48 did not see it but several people claimed to have seen it and that they were talking about it at the Orphanage.

Named Assailants:

- 1) Sister38
- 2) Sister39
- 3) Father9

Potential Crimes: 13 V.S.A. § 602 Assault with intent to kill or maim (1959); 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a child (1959).

Relevant Documents

Presence of Sister38 at the Orphanage: In 1973, there appears to have been a Sister35a who worked at the Orphanage. The exact dates Sister35a was at the Orphanage are unknown:¹⁷⁸

[redacted] (S) [redacted] Teacher grades 2-3 - [redacted]

It is unclear if this the same person that V48 references.

Presence of Sister39: a Sister2a's presence at the Orphanage seems to be confirmed by records:¹⁷⁹

[redacted] [redacted] - [redacted] - [redacted]
 ([redacted]) ([redacted]) [redacted]

¹⁷⁸ *Id.*

¹⁷⁹ See file in Criminal Report Source Material titled [redacted] at [redacted].

Sister2a was deposed in a civil case and confirmed her time at the Orphanage.¹⁸⁰ She denied that any of the residents were physically abused.¹⁸¹ She denied seeing or hearing about any sexual abuse of children at the Orphanage.¹⁸² Sister 2a was also deposed in a second civil case.¹⁸³

However, a second sister named Sister2b was potentially present at the orphanage while V48 was at the Orphanage between 1935-1969:¹⁸⁴

(D) ()
() () Teacher grades 3-4 - Community room

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V49

Contacted Law Enforcement:

Dates at St. Joseph's Orphanage: June 13, 1960 to September 4, 1962

VCC Resident File Reviewed: Yes

DCF Placement: Yes. Committed to DSW on June 13, 1960 and immediately placed at the Orphanage.

Allegations: For summary of allegations see V47.

¹⁸⁰ See generally, Deposition of [REDACTED] at [REDACTED] in [REDACTED] [REDACTED], file in Criminal Report Source Material titled [REDACTED]

¹⁸¹ *Id.* at p. 43.

¹⁸² *Id.* at p. 76.

¹⁸³ See generally, Deposition of Deposition of [REDACTED] [REDACTED] file in Criminal Report Source Material titled [REDACTED]

¹⁸⁴ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

Named Assailants: Sister35

Potential Crimes: 13 V.S.A. § 602 Assault with intent to kill or maim (1959); 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a child (1959).

Relevant Documents:

Presence of Sister35 at the Orphanage: in 1973, there appears to have been a Sister35a who worked at the Orphanage. The exact dates Sister35a was at the Orphanage are unknown:¹⁸⁵

[REDACTED] (S) [REDACTED] Teacher grades 2-3 - [REDACTED]

It is unclear if this the same person that V49 references.

Case Analysis & Outcome: No criminal charges to be filed as potential crimes are barred by the statute of limitations.

Victim: V50

Contacted Law Enforcement: V50 initially contacted the Attorney General’s Office in September, 2018. V50 preferred to speak with the Victim Service Providers rather than law enforcement, so V50 spoke with Attorney General’s Office Victim Advocate Amy Farr and Vermont State Police Victim Services Director Kate Brayton on October 5, 2018.

Dates at St. Joseph’s Orphanage: May 8, 1953 to June 10, 1959. At the age of 12, V50 transitioned to a residential school. On March 15, 1960 V50 returned home to V50’s mother and

¹⁸⁵ *Id.*

step-father.

VCC Resident File Reviewed: Yes.

Allegations: V50 lived with mother, stepfather, and three siblings. V50 experienced both physical and sexual abuse at V50's home. Father10 spoke to V50's mother and told her that he could help her take care of her children. One of V50's siblings went to the Orphanage with V50, one went to a group home, and another sibling stayed at home. V50 has letters exchanged between Father10 and V50's mother. "Father10 promised my mother that we were okay, but we were not. No one ever came to check on us or ask us if we were okay. No one."

According to V50: When we went to the Orphanage, things only got worse. Father10 told us, "Things are going to be better for you, you will get an education, people are going to take care of you." That didn't happen. There was no peace there. Sister40 would make you line up with your underwear in your hand then she would say, "You had the brown in your pants—you pig!" and then she would slap you right across the face. One of the other residents said something to Sister41 that she didn't like. She grabbed the child by the nape of the neck and dragged the child down the hallway. V50 remembers seeing the toes of the child's shoes dragging on the floor. Sister41 threw the child down a flight of granite steps and the child's head "busted open." Sister41 said, "You'll never talk to me again like that will you?" And after the child hit that wall, they never did talk to her again like that. There was no peace there. You had to sleep on your side in a certain position and if you were not sleeping in the right position, the nun, who had thimbles on her hand, would whack you. I had my arm twisted, I saw children getting their teeth smashed in. One time I found some matches and we were down by the dump, just past the fire pit. That firepit never went out, it stayed burning all the time. Sister42 took one of the matches and lit it and then blew it out and then stuck it in on my genitals. I have scars on my

back from the switches. They made sure to hurt us in places where it wouldn't show. Unless you raise my shirt, you can't see the scars. If you did something wrong, and they found out about it, they would say, "Go out to the grotto and get a switch. So that is what you did, 'cause if they had to come looking for you, you were going to get it twice as bad. They also like to hit us with the rosary beads. They would take them and double them up and whip you on the back with them. That was worse than the switch. There was a lot of violence in the Orphanage."

V50 remembers two residents who were "mentally challenged" and they would often fight with each other and the nuns would not step in. V50 stated that these two boys needed a psychiatrist or extra help. There were kids who were suffering and no one helped them. V50 recalled there was too much violence in there. V50 stated, "As a 10-year-old, I learned about sex in that place" and said the nuns were no different from the priests. V50 was sexually assaulted and V50 also believes that V50's sibling was also sexually abused. V50 stated that when children left the Orphanage, "They did not know how to behave, they went wild." V50 said that a lot of kids went to jail or ended up dead. "We had nothing and we had to steal to survive." V50 stated that these memories are the "tip of the iceberg."

Named Assailants:

- 1.) Sister40
- 2.) Sister41
- 3.) Sister42

Potential Crimes: V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262: Cruelty to a Person – By person having custody; V.S. 1947 § 8458 Disturbances – Of the public peace; V.S. 1947 § 8479 Lewdness; 13 V.S.A. § 602 Assault

with intent to kill or maim (1959); 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a child (1959); 13 V.S.A. § 3201 Rape by person over sixteen (1959).

*The 1947 criminal statutes and Vermont Statutes Annotated (1959) are being included to reflect the changes in the law when V50 was a resident at SJO.

Relevant Documents:

Presence of Sister41: at the time when V50 was a resident, there appears to have been a sister named Sister14a who worked at SJO from 1959 to 1966.¹⁸⁶ She was the house mother in the girls department.¹⁸⁷ In her deposition on March 26, 1997 she admitted to using a paddle on the children infrequently and spoke about discipline at SJO.¹⁸⁸ She denied hitting any children for wetting the bed and that she never saw a child forced to eat his/her own vomit.¹⁸⁹

[REDACTED] - [REDACTED]
([REDACTED]) ([REDACTED]) [REDACTED] dept. - Officer

A Sister14b appears to have worked at SJO but the time period is unclear.¹⁹⁰

[REDACTED] (D) [REDACTED]
([REDACTED]) ([REDACTED]) Officer [REDACTED] department

¹⁸⁶ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED]; see also Deposition of Sister [REDACTED] at [REDACTED] in [REDACTED].

¹⁸⁷ *Id.*

¹⁸⁸ *Id.* at 35-41.

¹⁸⁹ *Id.* at 41-42.

¹⁹⁰ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

Finally, there appears to have a Sister17a at SJO in 1958:¹⁹¹

(D) [redacted]
[redacted] ([redacted])
Teacher, 7th & 8th Grades - [redacted]

No [redacted]

Offices des sœurs

Prof. temp. [redacted] Prof. per. [redacted]

| | |
|------------------------------------|----------------------------|
| [redacted] | [redacted] |
| BURLINGTON: Classe 7e et 8e armées | En 1947 + [redacted] dépt. |
| " " " " " " | chapelle |
| " " " " " " | parloir des sœurs |
| " " " " " " | chapelle |
| " " " " " " | salle de réception |
| " " " " " " | chapelle |

[redacted]

BURLINGTON: Classe 7 et 8, enfants de chœur

[redacted]

Presence of Sister42: at the time when V50 was a resident, there appears to have been a sister named Sister42a who worked at SJO from 1955 to 1959 and again 1962 to 1963 and was in charge of some residents.¹⁹²

[redacted] ([redacted])
[redacted] - [redacted]
Officer [redacted] department

¹⁹¹ See file in Criminal Report Source Material titled [redacted] at [redacted]; see also file in Criminal Report Source Material titled [redacted] at [redacted].

¹⁹² See file in Criminal Report Source Material titled [redacted] at [redacted]; see also Deposition of Deposition of Sister [redacted] and [redacted], [redacted], at [redacted], in file in Criminal Report Source Material titled [redacted].

1 Q. So did you go from [REDACTED] straight to St. ^o
2 Joseph's?
3 A. Yes.
4 Q. And when you were at St. Joseph's from 1955 to
5 1959, what was your position?
6 A. I was in charge of the [REDACTED]
7 Q. Then you left St. Joseph's in 1959 and you
8 went where?
9 A. I went to Montreal, yes.
10 Q. And you returned to St. Joseph's for 1962 to
11 1963; is that right?
12 A. Yes.
13 Q. And what was your position from 1962 to 1963?
14 A. I was still with the [REDACTED]
15 Q. Were you in charge?
16 A. Yes.
17 Q. Then after you left St. Joseph's in 1963, did
18 you ever return to St. Joseph's?
19 A. No.
20 Q. Do you have any relatives that are in
21 religious life?
22 A. No.
23 Q. And what have you done in order to prepare for
24 this deposition here today?
25 A. What I have done?

In her deposition in a civil case, Sister42a denied using any corporal punishment or other types of punishment, as described below, or seeing others use such punishment.¹⁹³

¹⁹³ Deposition of Deposition of [REDACTED] and [REDACTED], [REDACTED]
[REDACTED], at [REDACTED]. in file in Criminal Report Source Material titled [REDACTED]

4 Q. When you were there in 19 -- in either time
5 you were there, was there any policy by which you
6 were governed as to whether or not corporal
7 punishment was permitted?
8 A. No, no corporal punishment was permitted.
9 Q. And where was that policy stated?
10 A. I don't know. I knew I, as far as I'm
11 concerned, there was none.
12 Q. There was none permitted?
13 A. No.
14 Q. Is that correct?
15 A. Yes.
16 Q. And during the time that you were there did
17 you ever see or hear of any Sister utilizing
18 corporal punishment as a form of discipline for the
19 children?
20 A. No.
21 Q. And specifically did you ever see any of the
22 other or hear of any of the Sisters utilizing rulers
23 as a form of corporal punishment on children?
24 A. No.
25 Q. Did you ever see or hear of any Sister
1 utilizing what's been described as paddles as a form¹⁷
2 of corporal punishment to hit children?
3 A. No.
4 Q. Did you ever see any of the Sisters with the
5 paddle that's been described as like a pingpong
6 paddle or a paddle with a ball attached?
7 A. Well the children had some to play with. They
8 played outside, they played inside with that in the
9 gym.
10 Q. And did you ever see -- you never saw any
11 Sister utilize a paddle?
12 A. No.
13 Q. Do you recall having something that's been
14 described as a clapper? Are you familiar with the
15 term a clapper?
16 A. No.
17 Q. Something that makes noise, a wooden?
18 A. No, I never had that.
19 Q. Did you ever see that with any of the Sisters?
20 A. No.
21 Q. Did you ever see or hear of any Sister
22 striking any child with their hand?
23 A. No.
24 Q. Did you ever see or hear of any child or hear
25 of any Sister striking any child with a belt?

- 1 A. No.
- 2 Q. Did you ever see or hear of any Sister placing
3 any child in any type of closet or confined space as
4 a form of discipline?
- 5 A. No.
- 6 Q. Did you ever see or hear of any child placing
7 any child in the attic as a form of discipline?
- 8 A. No.
- 9 Q. Did you ever see or hear of any Sister
10 requiring any child to eat any vomit that they had
11 thrown up?
- 12 A. Oh, no.
- 13 Q. Did you ever see or hear of any child
14 physically struck by anyone other than a Sister?
15 That would be a priest, a seminarian or a lay
16 employee at St. Joseph's?
- 17 A. No.
- 18 Q. Did you ever see or hear of any Sister raising
19 their voice towards a child?
- 20 A. No.
- 21 Q. Did any of the [REDACTED] of which you were in
22 charge have any trouble with bed wetting?
- 23 A. I had a few.
- 24 Q. And what did you do to discipline bed wetters?
- 25 A. What did I do? I told them to get up during

1 the night and change their bed, I showed them the
2 linen, where it was, and wash themselves if they
3 wanted to.

4 Q. Did you ever utilize anything to embarrass or
5 humiliate the child, such as having them called
6 names, songs about them, having them paraded in
7 front of other children with diapers on, anything
8 like that?

9 A. No.

10 Q. Did you ever see or hear of any of that
11 happening?

12 A. No. For the simple -- may I ask -- may I tell
13 you something?

14 Q. Yes.

15 A. For the simple reason that we were not allowed
16 to go in other departments; we stayed with our, in
17 my own department, I stayed there.

18 Q. And why is that?

19 A. Because we weren't allowed; we had to take
20 care of our kids. I had eighty [REDACTED] That's how I
21 didn't, like I didn't go on the [REDACTED] side. I
22 never went. I don't know anything about [REDACTED]
23 there.

24 Q. You never had any contact with the discipline
25 of the [REDACTED]?

20

1 A. Never, never.

2 Q. Never observed the [REDACTED] being disciplined in

3 any way?

4 A. No.

5 Q. Never discussed with any of the other Sisters

6 how they were disciplining the [REDACTED]

7 A. No.

8 Q. I'm not quite sure why you felt that necessary

9 to mention that in connection with disciplining of

10 bed wetters. What did -- I'm asking you

11 specifically regarding the male children who were

12 bed wetters. Did you ever see them in any way

13 embarrassed or humiliated --

14 A. No.

15 Q. -- as a form of discipline?

16 A. No.

17 Q. Did you ever see or hear of any child being

18 required to wear a dunce hat in the classroom?

19 A. No.

20 Q. Did you ever teach in any of the classrooms?

21 A. No.

22 Q. Did you ever visit the classrooms?

23 A. Very seldom.

She denied seeing or hearing about any sexual abuse at the Orphanage.¹⁹⁴

29

1 BY [REDACTED]:

2 Q. Did you ever see or hear of any child at St.

3 Joseph's in any way being sexually abused?

4 A. No.

Presence of Sister40: there appears to have been a sister named Sister40a who worked at SJO in the [REDACTED] department. The time period however, is unclear:¹⁹⁵

[REDACTED] (S) [REDACTED]
[REDACTED] () [REDACTED] Companion in [REDACTED] department

¹⁹⁴ *Id.* at 29.

¹⁹⁵ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

Presence of Father10: a Father10a was a member of the Diocese and worked at Vermont Catholic Charities starting in late 1950.¹⁹⁶



He remained in that position until June 21, 1957.¹⁹⁷ In that role he would have worked with the Orphanage.¹⁹⁸

¹⁹⁶ See file in Criminal Report Source Material titled [redacted]

¹⁹⁷ See file in Criminal Report Source Material titled [redacted]

¹⁹⁸ See generally, file in Criminal Report Source Material titled [redacted]

Case Analysis & Outcome: No criminal charges to be filed as potential crimes are barred by the statute of limitations.

5.2 Previously Alleged Harm

Since its creation in September 2018, the Task Force has heard from many individuals reporting abuse at the Orphanage. These accountings were made not only by victims, but on behalf of victims by members of their family. Throughout the investigation over 66 interviews were conducted, and numerous more meetings occurred between victims and Victim Advocates from AGO, BPD, the Chittenden County State's Attorney, and VSP. Nevertheless, the Task Force is aware that this population does not represent all the allegations of abuse asserted against the Orphanage. Specifically, it does not include victims who reported abuse before the Task Force was created, and who have now chosen not to report again or who have since died.

Through its investigation, the Task Force became aware other individuals who alleged abuse at the Orphanage. These individuals were identified through new articles, litigation documents, and other source material reviewed by the Task Force. The allegations of abuse described in these mediums parallel the allegations described the by victims interviewed by the Task Force. Many report harsh beatings at the hand of the nuns and lay employees caring for them, verbal abuse, being placed in closets or other small rooms as a form of punishment, being forced to eat their own vomit, and sexual abuse perpetrated by nuns, priests, and other personnel hired to work at the Orphanage.

V51 is one of many victims who was unable to come forward and report the abuse V51 suffered at the Orphanage to the Task Force because V51 passed away in 2000. However, the

Task Force has decided to include V51's allegations of abuse in this report due to the extensive amount of time V51 was deposed under oath during V51's civil case and the amount of time V51 spent as a residence of the Orphanage, which was approximately twenty years. V51's allegations as found by the Task Force are laid out below:

Victim: V51

Dates at St. Joseph's Orphanage: June 17, 1940 to 1961 (ages 1 to 23)

VCC Resident File Reviewed: Yes, however, the file appeared to have been taken apart at a previous date as many of the pages seemed to be out of order.

Knowledge of Claims: In 1996, V51 filed suit against the Diocese, Vermont Catholic Charities, the Orphanage, and the Sisters of Providence alleging physical, sexual, and emotional abuse.

V51 died in 2000 and therefore could not be interviewed for this investigation. However, during V51's civil case, V51 was deposed for over nineteen hours. In the course of V51's deposition, V51 reported and described the allegations below during V51's time at the Orphanage.

Allegations: During V51's civil case, V51 alleged the following sexual abuse as a young child. V51 described being sexually abused by two different nuns on several occasions in their bedroom. V51 was forced to fondle the nuns and then fondled V51. V51 reported being sexually abused by Brother1 and Brother2 who were students in the seminary, while swimming in the lake. They set up a game where they would swim between the children's legs. During this game, V51 was fondled by one of the men and the other attempted to force V51 to perform oral sex on him while underwater. When V51 refused, V51 was not allowed to swim for the rest of the day

as a punishment. V51 recalled being pinched on V51's buttock by Father11 on two occasions. He also would go behind V51 and pull V51's underwear down.

V51 also recalled physical abuse, including being beaten until V51 was black and blue. V51 would be hit about V51's head and heels. V51 was also struck with scissors (not with the open blade) and the metal edge of a ruler, repeatedly causing injury to V51's knuckles including bruises and broken skin. V51 specifically remembers Sister43, Sister44, Sister45 and Sister46 striking V51 with scissors. V51 also described being locked in a cubby and/or tank for an extended period of time without food or water. V51 recalled Sister43, Sister46, and Sister47 locking V51 in the attic or cubby. As a punishment, V51 was held backwards in the tub under running cold water, forcing water down V51's throat and nose, and then locked in a closet. Similarly, to the other former residents, V51 reported being forced to eat V51's own vomit if V51 threw up during meals and recalls one time when a nun rubbed V51's face in V51's vomit.

V51 describes extensive emotional abuse on a daily basis as well. The nuns often told V51 that V51 was the "devil child," "you're just like your" parent, and "You're no good. You're bad to the core." V51 recalls being told, "You're going to grow up and get married and put your kids in an orphanage and then have more kids and put them in the orphanage."

During V51's deposition, V51 described seeing a young boy being pushed out of the window.¹⁹⁹ V51 believed it was around 1944 when V51 moving to another dormitory, which occurred when V51 was around six years old. While outside, V51 heard a crash and then saw a boy falling to the ground and a nun at the window that the boy had just come out of, and then the boy hit the ground, bounced and then laid still. When V51 asked the nun about what had

¹⁹⁹ See generally, video depositions of [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED]

just happened, the nun told V51 that it had not happened, and threatened V51. V51 was then led away. V51 also alleged seeing a young girl pushed down the stairs by a nun while descending from the attic who had to be brought to the hospital for treatment and never returned to the Orphanage.

Named Assailants:

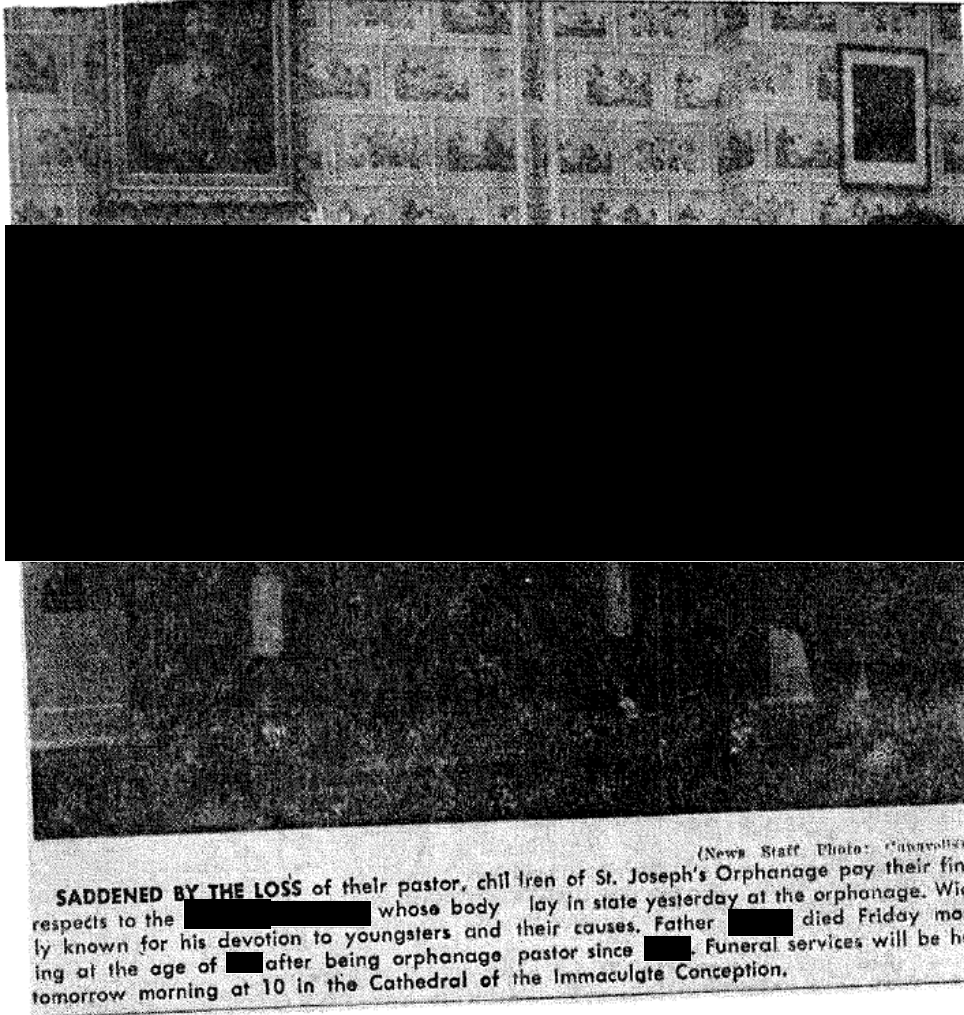
1. Brother1
2. Brother2
3. Father11
4. Sister43
5. Sister44
6. Sister45
7. Sister46
8. Sister47

Potential Crimes: P.L. Sec. 8395 Cruelty to children under ten by one over sixteen (1933); Sec 8397 By person having custody (1933); Sec. 8611 Lewdness (1933); V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262: Cruelty to a Person – By person having custody; V.S. 1947 § 8458 Disturbances – Of the public peace; V.S. 1947 § 8479 Lewdness; 13 V.S.A. § 602 Assault with intent to kill or maim (1959); 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a child (1959).

*The 1933 Public Law; 1947 criminal statutes; and 13 V.S.A. 1959 and being included to reflect the changes in the law when V51 was a resident at the Orphanage.

Relevant Documents:

Presence of Father 11: a Father 11a was at the Orphanage from 1935 -1955.²⁰⁰ He died in 1955 while still at the Orphanage.²⁰¹



²⁰⁰ See file in Criminal Report Source Material titled [redacted] at [redacted].

²⁰¹ See [redacted] at [redacted], (last visited November 2, 2020); see also file in Criminal Report Source Material titled [redacted] at [redacted].

As part of the investigation, the Task Force requested and reviewed Father1 1a's file from the Diocese.²⁰²

In a deposition for a civil case, Resident43 reported bringing meals to Father1 1a and others.²⁰³ In that same deposition, Resident43 denied ever being sexually abused at the Orphanage, seeing any child being sexually abused, or seeing any child being physically abused.²⁰⁴

Presence of Brother2: the Task Force learned that a Father8a was priest with the Diocese from around 1950 until his death 2011.²⁰⁵ As part of the investigation, the Task Force requested and reviewed Father8a's file from the Diocese.²⁰⁶

²⁰² See generally, file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

²⁰³ See Deposition of [REDACTED] at [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED].

²⁰⁴ *Id.* at 12-14.

²⁰⁵ See file in Criminal Report Source Material titled [REDACTED]; see also file in Criminal Report Source Material titled [REDACTED].

²⁰⁶ See generally, file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

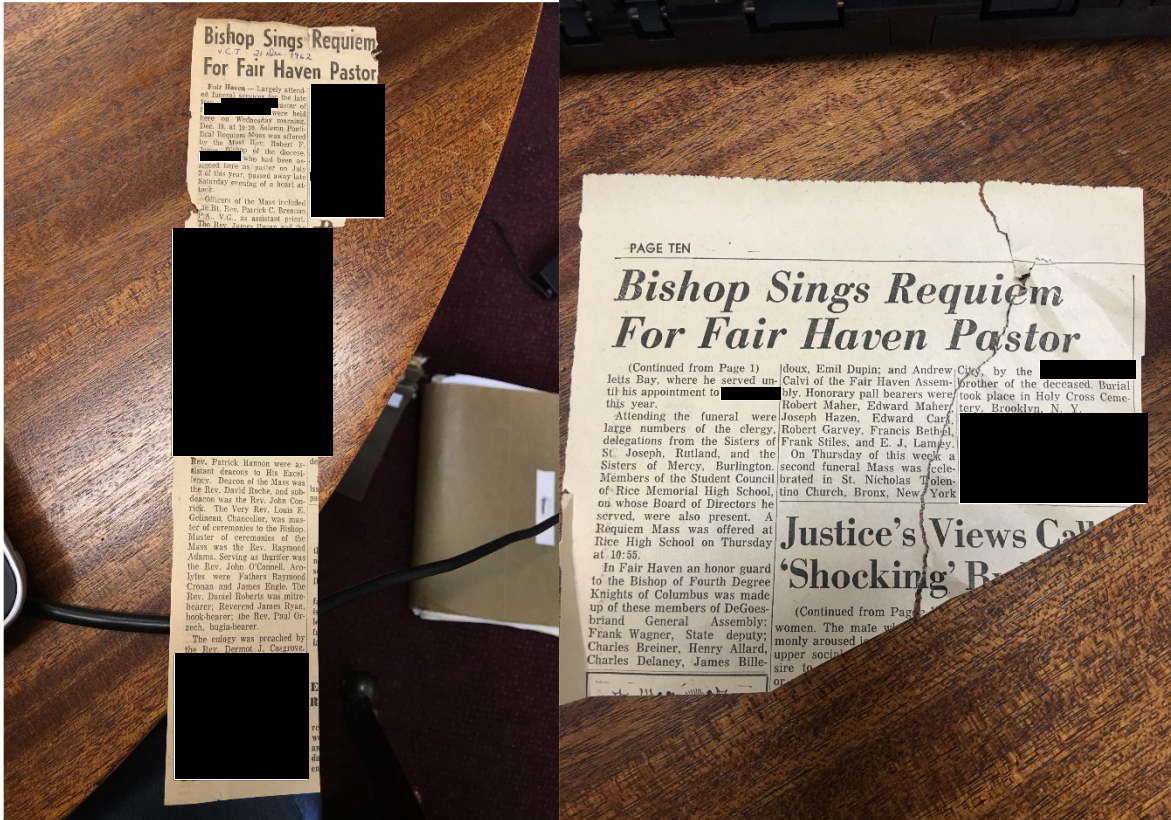
BIOGRAPHY

NAME [REDACTED] BORN [REDACTED] AT [REDACTED] *Vt.*
FATHER [REDACTED] MOTHER [REDACTED]
GRADE & HIGH SCHOOL [REDACTED]
SEMINARY [REDACTED] (place and years)
ORDAINED *Colchester, Burlington* [REDACTED] BY [REDACTED] Bishop
(place and date)
POSTGRADUATE STUDY *None* (place, years, subject, degree)
ASSIGNMENTS [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

OBITUARY

Reverend [REDACTED]

Reverend [REDACTED] died Wednesday, [REDACTED], in [REDACTED], Vermont. He was born on [REDACTED] in [REDACTED], Vermont, son of [REDACTED] and [REDACTED]. Father [REDACTED] attended St. Michael's College, Colchester, [REDACTED].
[REDACTED] He was ordained for the priesthood on [REDACTED] at the Cathedral of the Immaculate Conception in Burlington by Bishop [REDACTED].
His priestly ministry began as [REDACTED]. He then served as [REDACTED] Vermont Catholic Charities while serving [REDACTED] the Don Bosco Home in Burlington [REDACTED]. He also served as [REDACTED].
His first pastorate was at [REDACTED]. He also served as Pastor at [REDACTED] and [REDACTED]. [REDACTED] was granted Senior Priest status in [REDACTED].
[REDACTED]



Presence of Seminarians at the Orphanage: in a deposition in a civil case, Sister42a was deposed and was asked a series of questions around residents and seminarians, the seminarians who were apparently at the Orphanage in the summer, swimming in the lake.²¹⁰

²¹⁰ Deposition of Deposition of [REDACTED] and [REDACTED], [REDACTED], at [REDACTED], in file in Criminal Report Source Material titled [REDACTED]

23 Q. Did you go with the [REDACTED] when they went down
24 swimming at the lake?
25 A. Yes. But the seminarians were there during

1 the summer.

34

2 Q. Okay.

3 A. So when they were there, I didn't have to go.

4 Q. Okay. So --

5 A. There was always one Sister with them all the
6 time.

7 Q. How often would the [REDACTED] go swimming in the
8 summertime?

9 A. Oh, every afternoon.

10 Q. And this would be right below the Orphanage at
11 the lake?

12 A. Yes.

13 Q. Did they ever go to another beach other than
14 right below the Orphanage to go swimming?

15 A. Not that I know of.

16 Q. And who would take the boys swimming when they
17 went swimming? Would it be a seminarian?

18 A. Seminarians.

19 Q. How many seminarians would take the [REDACTED]
20 swimming?

21 A. Two, I think.

22 Q. And you don't remember any of their names?

23 A. No, I don't.

24 Q. So would there also be a Sister or just the
25 seminarians?.

- 1 A. Just the seminarians.
- 2 Q. Did you ever go down to the lake when the [REDACTED]
- 3 went swimming?
- 4 A. Oh, I went with them, yes.
- 5 Q. With the seminarians?
- 6 A. I mean I went, for a ride, I mean a walk down
- 7 to look at them swimming.
- 8 Q. Now was -- do you recall ever seeing the girls
- 9 swimming at the lake?
- 10 A. Well they were so far away, no. I got tell
- 11 you, I didn't have anything to do with the girls.
- 12 Q. Did the girls swim at the lake in a different
- 13 place than the boys swam?
- 14 A. I don't have any idea.
- 15 Q. Do you ever recall seeing the girls swimming
- 16 at the lake at the same time that the boys were
- 17 swimming at the lake, even if they were separated?
- 18 A. No.
- 19 Q. Do you ever recall seeing the girls swimming?
- 20 A. No.
- 21 Q. Do you recall a platform with a diving board?
- 22 A. Yes.
- 23 Q. Is that where the boys swam, where the
- 24 platform was?
- 25 A. Um hum; yes.

- 1 Q. Did you ever see or hear of a child drowning
- 2 at St. Joseph's?
- 3 A. No.
- 4 Q. Did you ever see or hear of any child dying at
- 5 St. Joseph's?
- 6 A. No.
- 7 Q. Did you ever see or hear of any child freezing
- 8 to death outside?
- 9 A. No.
- 10 Q. Where the boys went swimming, do you recall
- 11 seeing any boats on the shore?
- 12 A. I've seen -- on the shore?
- 13 Q. Yes.
- 14 A. No.
- 15 Q. Did you see boats in the area where the [REDACTED]
- 16 went swimming?
- 17 A. Yes, a few passing.
- 18 Q. Where were the boats that you saw?
- 19 A. They were going through on the lake.
- 20 Q. So you're talking about boats that are out on
- 21 the lake with --
- 22 A. Yes.
- 23 Q. Okay. As far as an empty boat, though, on the
- 24 shore, a rowboat or that type of thing.
- 25 A. Oh, no. I never stayed too long to see all

Presence of Sister47: a Sister47a was at the Orphanage from 1942 to 1955 and recalls V51 as a resident at the Orphanage.²¹²

16 Q. And you started in Burlington as a companion?
17 A. Yes.
18 Q. And is that the boys or the girls' side?
19 A. The [REDACTED]
20 Q. [REDACTED] side. And that was from 19 -- for two
21 years, 1942 to 1944?
22 A. Yes.
23 Q. Did you work as a cook, did you work in the
24 kitchen?
25 A. Yes.

10

1 Q. From 1944 to 1952?
2 A. Yes.
3 Q. And then what happened, what's the difference
4 between -- well, strike that. In 1952 it says
5 Responsible cuisine; what does that mean?
6 A. The first one.
7 Q. You were in charge of the kitchen?
8 A. Yes.
9 Q. Before that you were just, you were working
10 there with someone else?
11 A. Companion.
12 Q. So you were there until 1955.
13 A. Yes.
14 Q. And that was the only time you were at
15 Burlington was from 1942 to 1955.
16 A. Yes.

²¹² See Deposition of Deposition of [REDACTED] and [REDACTED], [REDACTED] at [REDACTED], in file in Criminal Report Source Material titled [REDACTED]

17 A. NO.
18 Q. Now you mentioned ██████████ in ██████████
19 ██████████. Do you remember ██████████?
20 A. I didn't have ██████████ very long with me, because I
21 was only two years with the ██████████, and after I was
22 in the kitchen, that's all.
23 Q. So you remember ██████████ from when you
24 were with the ██████████ between 1942 and 1944?
25 A. Yes.

37

1 Q. And how old was ██████████ during that
2 time?
3 A. Well ██████████ was fifteen, sixteen. ██████████ was
4 younger when ██████████ begin with the ██████████, because ██████████
5 went with the Second Nursery before.
6 Q. Well when you --
7 A. ██████████ was six years old when ██████████ came with the
8 ██████████
9 Q. When you knew ██████████ between 1942 and
10 1944, that's the only time you knew ██████████ because you
11 didn't know ██████████ in the kitchen, did you?
12 A. When ██████████ came to help us.
13 Q. When ██████████ came to help you. How old was ██████████
14 ██████████ when you knew ██████████ between 1942 and 1944?
15 A. ██████████ must have been ██████████, ██████████ or ██████████ years
16 old.

In that same deposition, Sister47a denied any knowledge of any abuse of V51 or any resident:²¹³

²¹³ Id. at 27-29.

27

1 Q. Didn't -- while you were at St. Joseph's, did
 2 you ever see or hear about any of the children being
 3 disciplined by being put in closets?
 4 A. No.
 5 Q. Did you ever see or hear of any of the
 6 children being disciplined by being put in the
 7 attic?
 8 A. No.
 9 Q. Did you ever go to the attic?
 10 A. Yes, I went many times.
 11 Q. Did you ever see or hear of any of the
 12 children being put in the attic as a form of
 13 discipline?
 14 A. No.
 15 Q. Were there any boxes in the attic, large boxes
 16 where children could be put into?
 17 A. No.
 18 Q. There were none?
 19 A. No.
 20 Q. Was there any type of a tank --
 21 A. No.
 22 Q. -- in the attic?
 23 A. No.
 24 Q. At any time while you were at St. Joseph's,
 25 did you ever observe or hear of any child being

28

1 disciplined with corporal punishment?
 2 A. No.
 3 Q. You never heard of a child being touched by a
 4 Sister?
 5 A. No.
 6 Q. Did you ever hear of a child being disciplined
 7 by a Sister with rulers or scissors?
 8 A. No.
 9 Q. Or clappers?
 10 A. No.
 11 Q. Or razor straps?
 12 A. No.
 13 Q. Did the children have numbers?
 14 A. No.
 15 Q. Do you know how the young children who were
 16 wetting their beds were disciplined?
 17 A. No.
 18 Q. Did you go with the children when they took
 19 their meals?
 20 A. Yes.
 21 Q. Did you eat with the children?
 22 A. Yes.
 23 Q. Did you ever see any of the children vomit?
 24 A. No.
 25 Q. Did you ever see any of the children being

29

1 required to eat their vomit?
 2 A. No.
 3 Q. Did you ever hear of that happening?
 4 A. No.
 5 Q. Did you ever see or hear of any children, any
 6 child being injured while you were at St. Joseph's?
 7 A. Being what?
 8 Q. Injured, suffering an injury.
 9 A. No.
 10 Q. Never heard of a single child having any
 11 injury during the whole thirteen years that you were
 12 at St. Joseph's.
 13 A. No.
 14 Q. Did you hear of any children dying while you
 15 were at St. Joseph's?
 16 A. No.
 17 Q. Did you ever hear or observe any child being
 18 subjected to any type of sexual abuse, either by
 19 nuns, by priests, by seminarians or by the lay
 20 workers?
 21 A. No.
 22 Q. Did you ever hear of or see of a nun committing an

Further, she denied abuse in a statement as part of the V51 litigation:²¹⁴

NAME: Sister [redacted] ADDRESS: _____ Statement on abuse 1
Circle One: Client (Witness)
(Maiden Name) _____
PHONE: (home) [redacted]
FAX: _____ E-MAIL: _____

Years at Orphanage: 1948-1956 Recovered Memory: Yes / No
Siblings/Years: _____ Deposited: Yes / No
Agree to Testify: Yes / No

Claims:
never saw any type of abuse

Abusers:

Witnesses to Your Abuse:

Witness to Abuse of Others:

Additional Comments:
worked with [redacted], Sister [redacted]
remembers [redacted]

Presence of Sister44: a Sister4a is listed as working at the Orphanage in records although the exact time period in not clear:²¹⁵

[redacted] (D) [redacted]
[redacted] [redacted]

Similarly, a Sister44b appears to have worked at the Orphanage²¹⁶

²¹⁴ See file in Criminal Report Source Material titled [redacted]

²¹⁵ See file in Criminal Report Source Material titled [redacted]

²¹⁶ See file in Criminal Report Source Material titled [redacted]

[REDACTED] (D) [REDACTED]
[REDACTED]

Presence of Sister46: a Sister46a appears to have worked at the Orphanage, although the exact time period is not clear:

[REDACTED] (S) [REDACTED] Companion [REDACTED] department

Presence of Sister45: it does appear that a sister named Sister6a was present at the Orphanage while V51 was a resident²¹⁷²¹⁸

| | | |
|------------------------|---------------|--------------------------|
| | No [REDACTED] | [REDACTED] |
| Offices des sœurs | [REDACTED] | [REDACTED] |
| prof. temp. [REDACTED] | [REDACTED] | Prof. per. [REDACTED] |
| [REDACTED] | [REDACTED] | |
| | BURLINGTON: | Compagne chez [REDACTED] |

In her deposition in a civil case, a Sister6a confirmed V51's presence at the Orphanage and identified V51 in several photographs.²¹⁹

²¹⁸ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

²¹⁹ See Deposition of [REDACTED] at [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED].

5 Q. [REDACTED], the [REDACTED] to the left would be
6 [REDACTED]
7 A. [REDACTED] right. Yes.

The screenshot below is from the St. Joseph's Children's Center Chronicles, a document prepared and signed by the nuns from the Orphanage. There have been many allegations that children drowned, or children were left alone whilst swimming in the lake.²²⁰ Though this does not corroborate any neglect or abuse, it does provide corroboration for the fact that the nuns took the children swimming in Lake Champlain.

SUMMER
OUTINGS

As in the preceding years, the children have been favored with many outings sponsored by kind benefactors and generous societies of this area. Among these tours was a visit to New York State by the Lake Champlain ferry where children's parks of entertainments were enjoyed; a circus, the King Brothers, a three ring circus, on the fairgrounds in Essex Junction, Vermont; picnics taken by bus where food and cold drinks were plentiful; public movies at a local theater, free of charge; and when the weather permitted daily "Cook-outs" on the grounds with an evening dip in the near-by lake. We feel that these children who were not permitted to go home for the vacation, either because the parents work or for lack of space, etc., had a very happy vacation with seldom a dull moment. Divine Providence and good St. Joseph saw to this!

Case Analysis & Outcome: No criminal charges to be filed as potential crimes are barred by the statute of limitations.

²²⁰ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

5.3 Allegations of Homicide at the Orphanage

Excerpts from *Section 5.1 Allegations of Abuse at the Orphanage* and *Section 5.2 Previously Alleged Harm*, in which allegations of homicide were made, are identified below. A detailed overview of law enforcement's investigation of these allegations can be found in *Section 5.4.1 Burlington Police Department's Investigative Summary*.

The Task Force is aware that this population may not represent all the allegations of homicide asserted against the Orphanage. Additionally, while not included here, many victims reported that they nearly drowned in the lake after being thrown in by a caretaker or reported that other children drowned in the lake. Finally, some of allegations of homicide were second-hand witness testimonies from children who did not see or hear anything happen, but heard other children screaming or crying about what they had seen.

V12: During V12's interview with BPD, V12 recalled a time when V12 and V12's sibling were looking for their other siblings at the Orphanage. They didn't know the building and were lost. They could hear two nuns yelling and screaming. They could not understand them. V12 believes they could have been speaking French. The nuns were looking down into a hole. V12 believed at the time that it was an elevator shaft. V12 and V12's sibling came up on either side of the nuns. At the bottom of the hole, they saw a little girl in a pool of blood with her legs bent. V12 described her wearing a red polka dot dress. In retrospect, V12 says the dots could also have been small hearts. The nuns noticed V12 and V12's sibling and started slapping them and throwing them around. V12 does not remember leaving that room, but remembered waking up strapped to a bed in the infirmary. V12 remembered this incident happening on the second floor,

towards the middle. V12 remembers the girl's hair being in braids. V12 guesses she was between 8 or 10 years old.

V51: During V51's deposition, V51 described seeing a young boy being pushed out of the window. V51 believed it was around 1944 when V51 moved to another dormitory, which occurred when V51 around six years old. While outside, V51 heard a crash and then saw a boy falling to the ground and a nun at the window that the boy had just come out of, and then the boy hit the ground, bounced, and then laid still. When V51 asked the nun about what had just happened, the nun told V51 that it had not happened, and threatened V51. V51 was then led away.

V51 also alleged seeing a young girl pushed down the stairs by a nun while descending from the attic. V51 recalled the young girl had to be brought to the hospital for treatment and never returned to the Orphanage.

V15: During V15's interview with BPD, V15 recalled that when V15 was eight or nine years old, V15 was walking up to a room near the attic and saw a dead blonde girl wrapped in clear plastic, laying on a table. V15 estimated her to be six or seven years old. V15 kept mentioning digging up the floor as you go up the stairs to the attic in a side room just before the attic. V15 remembered a nun being present and two other men that V15 did not recognize. They carried the body to the cemetery attached to the Orphanage and brought her to a vault at night. V15 did not know why V15 was brought along but remembered being afraid and the nun telling V15 not to say anything or else she would tell everyone that V15 killed her. V15 remembered going through a broken portion of the fence to gain access to the cemetery. V15 wondered if V15 dreamed the incident but said V15 could "see her face clear as shit." V15 often had nightmares about the girl

coming back to get V15. V15 could not remember what vault the girl was placed into and did not think V15 would recognize it if brought to the area.

V25: V25 described a play area surrounded by a chain-link fence where V25 witnessed a boy, who V25 repeatedly referred to as Resident14, throw his shoe on the roof and was subsequently beaten by a nun. V25 said on another occasion, Resident14 was playing on a statue in the chapel. V25 said the statue was very high up and Resident14 fell, and one of the nuns blamed it on V25. V25 advised that V25 never saw Resident14 again.

V25 said on one occasion, two nuns took V25 out in a rowboat at night and had a bag with them. V25 said the nuns threw the bag into the lake and told V25 that's what would happen to V25. V25 said V25 never saw Resident14 again and began crying and said V25 still wondered what happened to Resident14.

V45: V45 never saw a child die at the Orphanage. V45 said V45 thought V45 saw what appeared to be two graves near the chicken coop by the fence. V45 saw a hole was dug with the approximate dimensions of 5' by 18" and then next day the hole was filled.

V19: V19 remembered one night when everyone was getting ready for bed in the dorm. One of the older residents was hysterically running up the hallway screaming and crying, "They killed him, they killed him!" Sister17 grabbed the resident and pulled them back out of the room. V19 said Sister17 said to everyone, "Don't pay attention to them, [they're] crazy!" V19 had heard later that they dropped a little boy down the staircase and he died.

V29, made through V29-Daughter1: In V29-Daughter1's statement to BPD, V29-Daughter1 explained that V29 recalled looking out the window at night and saw someone parked in the street when a man got out of the car, took something out of the trunk, and buried it. V29-

Daughter1 said that V29 told V29-Daughter1 that V29 reported this, and it helped solve a case, and V29 was so proud of this. V29-Daughter1 said V29-Daughter1 had no clue if this had any merit or any other details on this story.

V18: V18 remembered a particular day while on nursery duty that V18 stopped V18's routine because of a sound. V18 checked one of the cribs and saw a whimpering infant. The noise registered as weakness, not quite a cry. The infant's color was purple, possibly deprived of oxygen. A nun stationed in the nursery approached the whimpering newborn and V18 and admonished V18 for tending to the dying newborn. The nun said, "I'll take care of that thing." V18 recalled that two nuns regularly attended to the nursery. V18 speculated that a novitiate birthed the newborn, and the nuns permitted the baby to die of exposure. V18 alleges that the baby was buried in a grotto beside the Orphanage.

V3: V3 reached out to BPD mainly to discuss the allegations surrounding the chicken coop. V3 believed there were bodies buried near where the chicken coop used to be. V3 described the chicken coop as being "down the hill" behind the Orphanage "to the right" indicating a general location to the northwest of the Orphanage. V3 recalled the children forcefully not being allowed near the chicken coop/shed.

V3 remembered an incident where a girl was screaming at the top of a marble staircase. V3 remembered sitting on the floor below the stairs and looked up when V3 heard screams when a nun suddenly pushed the girl down the stairs. The girl tumbled down the stairs and V3 remembered vividly seeing blood coming out of the girl's left ear. V3 described the girl as having lighter hair and in a light-colored dress. A group of nuns then quickly ushered the children away from the area and V3 never saw the girl that fell again. V3 believed this happened sometime in 1952.

5.4 Investigation by Law Enforcement Partners

When Task Force members BPD and VSP began their investigative work it was determined that BPD, with assistance from the Chittenden Unit for Special Investigations (“CUSI”), would handle all allegations that were made by former residents of the Orphanage who resided in Chittenden County or out of state and VSP would handle interviews of former residents of the Orphanage who lived in other parts of Vermont. Below are their summaries of the investigative work the conducted.

5.4.1 Burlington Police Department’s Investigative Summary

As noted in *Section 4.3 State of the Law*, the statute of limitations on a majority of the alleged crimes committed at the Orphanage, to include sexual assault, had expired. Only allegations of murder transcended the statutes of limitations that applied to acts committed during the Orphanage’s years of operation. (It is important to note that the State of Vermont has changed these laws, and that current state law allows prosecutions for aggravated sexual assault, aggravated sexual assault of a child, sexual assault, sexual exploitation of a minor, human trafficking, aggravated human trafficking, murder, manslaughter, arson causing death, and kidnapping to be commenced at any time after the commission of the offense.) Because murder was the only crime outside the applicable statutes of limitations, BPD focused most on these allegations.

During BPD’s investigation, a number of survivors’ statements provided information of suspicious circumstances potentially indicative of homicide or allegations of persons having witnessed murder. The suspicious circumstances ranged from accounts of holes large enough to accommodate a body that were seen dug in the ground inside and around the “chicken coop,” to a statement that described witnessing a boy being pushed out a window to his death. (This latter

statement was that of V51, who had passed away before the Task Force was convened, but who had previously taken part in a sworn, videotaped deposition during which V51 provided compelling accounts of having been an eye witness to two alleged murders.)

From an investigatory standpoint, the task of investigating alleged murders that occurred more than a half a century ago presented a number of challenges. There was no body, no crime scene, no known victim, no suspect name or names, no physical evidence. Several witness had died, as had other individuals who might have provided corroboration. Many of the survivors who gave statements were very young at the time of the incidents (ranging from 3 to 13 years old). The murders described by V51 occurred circa 1944, meaning 76 years had passed.

Acknowledging that a successful investigation—particularly one that could conceivably result in prosecution—was a nearly impossible task, BPD examined its obligation to a form of justice other than criminal justice. *What did BPD, and other Task Force members, owe these survivors?* To the best of BPD's ability, they owed survivors belief, restoration, and closure. BPD brought resources to bear accordingly.

Seven BPD detectives, two of whom were assigned to CUSI, assisted throughout this two-year-long investigation. During the investigation, BPD detectives conducted 45 interviews with survivors. In an effort to find corroborating information or evidence of alleged murders, the AGO and BPD contacted Vermont Catholic Charities, the Diocese, and the Sisters of Providence.

Vermont Catholic Charities and the Diocese granted investigators permission to view all files related to every survivor who had come forward. Detectives were able to view residence

files, residence tracking index cards, and the two resident books that documented every child who ever resided at the Orphanage from 1854 to the time that it closed in 1974. These tomes contained the name of every complainant who came forward. Detectives took the following investigative steps to find supporting evidence:

- Detectives interviewed 45 survivors/witnesses.
- With the assistance of the AGO and permission from Vermont Catholic Charities and the Diocese, detectives reviewed the two resident books on several occasions. Special attention was focused on all the survivors who had come forward and on the residents who died while at the Orphanage.
- Detectives reviewed archival documents at the Fletcher Free Library to include news articles prior to the 1990s, during the 1990s (particularly articles by Sam Hemingway), as well as the BuzzFeed article by Christine Kenneally.
- Detectives spent a number of days reviewing the resident files and priest files at Vermont Catholic Charities with the assistance from the AGO and permission from Vermont Catholic Charities and the Diocese
- Detectives drafted the investigative narrative for the MLAT petition to assist the AGO in efforts to compel cooperation and document production from the Sisters of Providence.
- Two detectives spent two days reviewing hundreds of death certificates from the City of Burlington, looking for associated deaths related to the Orphanage.
- Three detectives and a records clerk spent approximately three days (combined hours) sifting through hundreds of police documents looking for any corroborating police records involving the Orphanage. Nothing of substance was found.

- Detectives reviewed medical records.
- With help from survivors, detectives plotted locations on the Orphanage property possibly associated with homicide allegations (e.g., the chicken coop and potential grotto).
- Detectives met with the current developer of the former Orphanage property multiple times to establish timelines of current work as well as prior excavations done on the property. Through those meetings, detectives were able to conclude that the area where the “chicken coop” had been located was excavated in 2013 and was converted into a drainage pond. To date a majority of the property grounds around where the old Orphanage building stands has also been excavated, to include where the “grotto” once stood. Detectives met with the excavation foreman who confirmed that nothing suspicious has been located, including human remains.
- Detectives viewed V51’s deposition in its entirety.
- Detectives reviewed case files and paperwork from lawsuits filed by survivors in the 1990s.

The above bullet-pointed investigative action is not all-encompassing but outlines general steps taken during the investigation.

5.4.2 Vermont State Police’s Investigative Summary

VSP was specifically tasked with conducting interviews regarding allegations against the Orphanage and also potentially assisting with any type of homicide investigations related to incidents that may have occurred at the Orphanage. Specifically, VSP investigated allegations made by victims who resided outside of Chittenden County. Two interviews were conducted by

VSP detectives, one was directly related to the Orphanage, and a second investigation was around allegations that were not related to the Orphanage.

After these interviews were conducted and more information was gathered by the Task Force, a decision was made to move from an investigative to a restorative process with prospective victims. As such, the Victim Services Director, in cooperation with the Victim's Advocate from the AGO, started speaking with individuals who came forward with allegations of abuse.

Detectives with VSP remained engaged in the Task Force process but took no further investigative actions.

5.5 Outcome of Investigation

Over the past two years, the Task Force investigated allegations of physical abuse, sexual abuse, and neglect made by former residents of the Orphanage, and reviewed a number of residents' statements that provided information potentially indicative of homicide or allegations of persons having witnessed murder.

As part of that investigation, the Task Force requested documents from the institutions that ran and oversaw the Orphanage, conducted interviews, went on location visits, and reviewed video depositions and other materials. At the completion of the investigation, the Task Force concluded that the statute of limitations barred prosecution for all potential crimes considered by the Task Force, other than murder. Murder does not have a statute of limitations, but, as stated above, the investigation did not reveal sufficient evidence to substantiate such a charge.

As a result, the Task Force has closed this criminal investigation. Notwithstanding this recommendation, BPD reserves the right to re-open a murder investigation if new information is brought to their attention.

6. Restorative Inquiry

The St. Joseph's Restorative Inquiry (SJRI) was launched in April of 2019 to understand and document the events of the Orphanage through the voices, experiences, and stories of those most impacted: the former residents of the Orphanage. The SJRI has been facilitating inclusive processes of accountability, amends-making, and learning. The SJRI is funded by a grant from the Vermont Center for Crime Victim Services, with matching and in-kind support from the Burlington Community Justice Center. Much more information about the SJRI can be found at its website: <https://www.stjosephsrj inquiry.com/>.

The SJRI is led by an independent facilitator, Marc Wennberg, and is guided by an advisory team comprised of agency stakeholders, victim service providers, former residents of the Orphanage, and restorative justice practitioners.

6.1 Why A Restorative Inquiry?

From the outset of this investigation, Task Force members looked to the principles of restorative justice to provide a path for accountability and healing that the traditional criminal justice system may not. The Task Force recognized that its work could not be limited to an inquiry into criminal liability. Justice cannot always be delivered in a court of law. But members of the Task Force understood that the limits of criminal jurisdiction do not mark the limit of the State's obligation to those people whose lives were harmed by their time at the Orphanage.

“Restorative justice is an approach to achieving justice that involves, to the extent possible, those who have a stake in a specific offence and to collectively identify and address harms, needs, and obligations in order to heal and put things as right as possible”⁵⁰ Task Force members understood the importance of listening to, and learning from, the people whose lives were harmed. The Task Force has worked to find ways to acknowledge their experiences and perspectives while encouraging Vermont institutions—including police, prosecutors, family services, and others—to reflect on their past and present responsibility to protect children.

To this end, the Task Force engaged the services of the Burlington Community Justice Center and an independent facilitator, Marc Wennberg, to assist in creating a process and response that would acknowledge and address the harm communicated by the survivors who came forward to report abuse that happened at the Orphanage.

This process created by Mr. Wennberg, the Advisory Team, and the Community Justice Center took the form of a restorative inquiry. A restorative inquiry can be used when harms occurred in the past and over a lengthy period of time. Similar to a truth and reconciliation commission, a restorative inquiry is focused on uncovering facts and understanding what happened both in terms of the parties directly responsible, and in terms of the systems or institutions involved. While restorative inquiries investigate the past, they usually propose changes to prevent similar harm in the future. The principles employed in a restorative inquiry remain the same as those for any other restorative process: the process is driven by the victims and survivors of the harm and should seek to do no further harm. The Restorative Inquiry into St.

⁵⁰ Howard Zehr, *The Little Book of Restorative Justice*, page 48, (Good Books, 2015)

Joseph's Orphanage has drawn inspiration and learning from the Restorative Inquiry into the Nova Scotia Home for Colored Children.⁵¹

6.2 SJRI Statement of Principles and Commitment

The SJRI is guided by the following statement of principles to the former children of the Orphanage:

- As a community, we failed you when you most needed our support and care. You did not deserve what took place at the Orphanage; your lives were wrongly harmed and we need to make amends for this harm. We also have a responsibility to learn from your experiences so that children in Vermont do not suffer similar harm.
- Our core obligation is to listen to your stories and experiences. You know what took place at the Orphanage and the many ways that these experiences impacted your life. We believe you.
- There are no justifications for what took place at the Orphanage. There are also no excuses for the many ways that the community and those involved in operating the Orphanage ignored your neglect and abuse. Every child deserves protection, care, and love.
- Everyone involved must accept responsibility for the harm that you experienced. This responsibility requires that we listen to you, honor your requests, and—to the best of our collective ability—make amends.

⁵¹ More information can be retrieved at: <https://restorativeinquiry.ca/>. An article about the Nova Scotia inquiry can be retrieved at: <https://policyoptions.irpp.org/magazines/february-2020/restorative-inquiry-offers-new-vision-of-justice-for-african-nova-scotians/>.

- We owe it to all children, present and future, to not repeat the mistakes that were made with you and your families. We must learn from your experiences and wisdom to ensure that every child is protected, cared for, and nurtured.

We Commit Ourselves to:

- Respect: We will engage all participants with respect and dignity.
- Safety: We will support all participants' fundamental right to feel safe.
- Inclusiveness: We will ensure that all participants have multiple opportunities to be heard and acknowledged.
- Equality: We will facilitate processes that ensure equal voice and experience.⁵²

6.3 SJRI Framework and Process

The SJRI operates within a restorative justice framework and takes direction from the former residents of the Orphanage. The SJRI is an organic and iterative process that first seeks to establish connection and relationships, and then explores key issues and identifies plans of action. These steps include:

- Connecting with former residents of the Orphanage: The SJRI will engage every former child of the Orphanage who wants to participate and have their voice heard. The SJRI is committed to offering multiple pathways for former residents to engage in the process and share their stories.
- Organize group gatherings: The SJRI organizes and facilitates weekly group gatherings of former residents from the Orphanage. The gatherings provide former residents with an

⁵² The text of this section is also found at: <https://www.stjosephsrj inquiry.com/principles>

opportunity to build connection, offer mutual support and understanding, share stories and experiences, and make decisions on the direction of the restorative inquiry.

- Meeting with the primary responsible institutions: The Orphanage was managed and supervised by the Diocese, Vermont Catholic Charities, and the Sisters of Providence. The Orphanage was also part of a statewide system of child welfare and safety that included state agencies, police, and health care providers. The SJRI will engage willing representatives from the different agencies and institutions and invite their participation and reflection.
- Restorative dialogues: The SJRI is committed to facilitating a series of restorative dialogues where responsible institutions have an opportunity to listen to and learn from former residents of the Orphanage.”⁵³

6.4 Activities of the SJRI

The SJRI began its work in May of 2019 by conducting outreach to former residents from the Orphanage who expressed an interest in learning more about the restorative inquiry. As of this report’s publication, the SJRI has contacted more than 30 former residents. Through these contacts, about 18 people have become actively involved in the SJRI. Of these former residents, about a dozen live outside of Vermont. In November of 2019, the SJRI began hosting regular in-person gatherings for its participants. As a result of the COVID-19 pandemic, meetings have moved online and take place on a weekly basis. Members of the Task Force have met with SJRI participants and participated in SJRI proceedings and activities.

⁵³ The text of this section is also found at: <https://www.stjosephsrj inquiry.com/about>

In addition to meeting frequently, there have been several activities sparked by SJRI participant requests. Some of these include: the creation of a writer's group, participation at a Burlington Parallel Justice Commission,⁵⁴ the formation of a memorial committee, participation in a historical research project, and a number of informational sessions to include education about Adverse Childhood Effects (ACEs).⁵⁵

6.5 The Requests of Those Who Were Harmed

In accordance with the restorative justice process, the former residents of the Orphanage make the following requests of Vermont leaders and institutions.

Request 1: Face-to-face meetings with leaders from the following institutions, an acknowledgement from them that what we say happened did indeed happen, and a sincere apology:

- the Sisters of Providence,
- the Catholic Diocese of Burlington,
- Vermont Catholic Charities,
- and the State of Vermont child protection services.

Request 2: The Catholic entities named in Request 1 shall demonstrate the depth of their apology by:

- creating a fund to pay for the healing therapies of any former orphanage resident who requests it,

⁵⁴ See: <https://www.burlingtoncjc.org/parallel-justice>.

⁵⁵ See: St. Joseph's Restorative Inquiry September 2020 newsletter. Included in Appendices.

- releasing all records related to the operation and supervision of St. Joseph's Orphanage and,
- providing all and complete family records, no redactions, to any former resident who requests it. We have been seeking these records for a long time and they have not been forthcoming.

Request 3: The Vermont State Legislature, upon reading the report, shall:

- acknowledge the harm we experienced, and
- work with us to enact laws that remove the statute of limitations for physical and mental abuse to better protect vulnerable people of all ages who face abuse of any kind.

Request 4: Make public the St. Joseph's Orphanage Task Force Criminal Investigation Report, so the public is informed:

- about the horrors that went on at St. Joseph's,
- that it was covered up by The Catholic Diocese for decades,
- that what may still be hidden remains unknown, and
- for the purpose of encouraging any individual who worked for or lived at the orphanage that has testimony to add, to please come forward.

7. Reflections from the Task Force

The State of Vermont, its laws, and its institutions did not protect the children of the Orphanage. That failure to protect was a failure of the laws, a failure of law enforcement, and a failure of the society that made those laws and oversaw their enforcement.

In this section, members of the Task Force reflect about this societal failure to help those who most needed it, and the institutional failures and lack of understanding that led to the alleged abuses going unchecked for decades. They reflect on the roles and actions of their own institutions, and the broader contexts in which they operated.

7.1 Attorney General's Office

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My Office conducted this investigation to achieve three goals: First, to investigate an allegation of homicide; second, to investigate and prosecute criminal activity where possible; and third, to provide a path for accountability and healing where the traditional criminal justice system may not.

A crucial part of the third goal has been to reflect on the role and responsibilities of my Office in relation to the allegations at the Orphanage.

To the people who experienced harm at the Orphanage: I see you, I hear you, and I support you. The Office of the Attorney General did not protect you during your years at the Orphanage. I acknowledge the Office's role in a failed system and the impact that has had on your lives.

That failure to protect was a failure of the laws, a failure of law enforcement, and a failure of the society that made those laws and oversaw their enforcement. I discuss these issues further below.

The Impact

Through my participation in the restorative inquiry, I and others from my Office have had the opportunity to hear directly from many of the people who were harmed while they were at the Orphanage. We admire the bravery and courage of those who have come forward to share their painful experiences. Similarly, it is important to acknowledge those people who experienced harm but were not able to come forward because they decided that reporting the abuse was not in their best interest or were not able to do so because they are no longer with us.

There has been a lifelong impact on many of the children who suffered abuse at the Orphanage and they have carried this trauma into adulthood, affecting their families and loved ones deeply. We must be vigilant about acknowledging the trauma experienced by children and other vulnerable populations and we, as a community, need to be committed to addressing issues of trauma.

The Attorney General's Office

The Attorney General's Office has changed significantly since the era of the allegations in this report, with a greatly expanded capacity to address crimes of the sort alleged. I do not describe these changes to excuse the failure to protect the children of the Orphanage. I describe them to give an honest account of our history, and to draw lessons that should teach us all to better protect the children of Vermont.

During much of the time period encompassing this report's allegations, the Vermont Attorney General's Office was small, with limited capacity for investigation and litigation. In 1947, the Attorney General's Office consisted of two lawyers: the attorney general and his deputy. They were assisted by one investigator.⁵⁶ Eighteen years later, the Office had expanded

⁵⁶ 1947 Public Laws of Vermont, page 429.

by a total of one lawyer.⁵⁷ It was not until the construction of the interstate highways necessitated a rush of real estate work in the late 1960's that the office began to grow more quickly.⁵⁸ By 1969 there were 18 lawyers.⁵⁹ But there was still no dedicated division in the office working on criminal cases, nor were there lawyers working on child protection issues.⁶⁰ One of the lawyers in the litigation division did handle criminal cases and assist county State's Attorneys with complex trials. But those cases were generally homicides and were not cases related to child protection.⁶¹

Research reveals no indication that my Office received a report about, or was otherwise aware of, allegations about the Orphanage during the period of years covered by the allegations in this report.

It was not until around the time the Orphanage closed in the mid-1970's that the capacity for handling criminal cases in the AGO expanded more significantly with the creation of a dedicated criminal division.⁶² And it was not until the mid-1980's that a unit was created dedicated to prosecuting child protection cases—the Child Protection Unit, which took on challenging child abuse cases.⁶³

Beginning in 2002, my Office conducted a criminal investigation into the Burlington Catholic Diocese as a result of abuse allegations against priests. The investigation remained primarily focused on priests of the Diocese in part because officials at that time were concerned

⁵⁷ 1963 Public Laws of Vermont, page 532.

⁵⁸ Discussion with former Chief Assistant Attorney General Bill Griffin, Nov. 17, 2020.

⁵⁹ 1969 Public Laws of Vermont, pages 624-25.

⁶⁰ *Id.*, and discussion with Chief Assistant AG Griffin.

⁶¹ Discussion with Chief Assistant AG Griffin; discussion with Former Attorney General Jerome Diamond, Nov. 21, 2020.

⁶² Discussion with Former Attorney General Jerome Diamond.

⁶³ Discussion with Assistant Attorney General Linda Purdy, Nov. 18, 2020.

with the immediate threat that still-active priests could pose.⁶⁴ While the investigation was not focused on the Orphanage, the AGO repeatedly requested documents related to it—which the Diocese refused to provide.⁶⁵ For reasons similar to those confronting the present investigation, primarily statutes of limitation, my Office was not able to bring criminal charges at that time.

The story of the AGO in relation to the allegations in this report is a story of ignorance due to low historical levels of staffing and lack of focus on child protection issues. We were part of a statewide system that shared similar limitations. But ignorance is no excuse. The lack of attention and capacity was a failure, and one we must strive never to repeat.

The Law

Vermont law has changed significantly since the era of the allegations in this report, with a greatly expanded capacity to address crimes of the sort alleged. And as with the AGO, I do not describe these changes to excuse the State's failure to protect the children of the Orphanage. I describe them to give an honest account of our history.

Vermont law did not adequately protect children during the years the Orphanage was in operation. As explained below, the criminal code was limited in how it defined child sexual and physical abuse. As a result, law enforcement and prosecutors had limited legal authority to hold perpetrators accountable.

For example, assault crimes for some of this period required other criminal conduct to accompany the assault, such as an assault during a robbery or an assault during an intended robbery. 1933 P.L. Sec. 8400-05. An assault without additional criminal conduct was not a

⁶⁴ Discussion with Assistant Attorney General Cindy Maguire, Nov. 18, 2020.

⁶⁵ *Id.*

crime. *Id.* Even when this changed, the ability to charge assault remained more limited than today. V.S. 1947 §§ 8255-56. Child neglect charges were more limited in their scope and applicability. 1933 P.L. Sec. 8395-97. In addition, for many years the rape statute required the victim to be female. 1933 P.L. Sec. 8388; V.S. 1947 § 8253. As a result, a rape allegation by a male resident of the Orphanage would not have been a crime.

The statutes of limitations throughout this period were short, other than for arson and murder. All crimes other than larceny, robbery, burglary, forgery, arson, and murder had a three-year statute of limitations. P.L. Sec. 2450; V.S. 1947 § 2493; 13 V.S.A §§ 4501. Larceny, robbery, burglary, and forgery had a six-year statute of limitations. P.L. Sec. 2451; V.S. 1947 § 2494; 13 V.S.A § 4502. Only arson and murder had no limitation. P.L. Sec. 2452; V.S. 1947 § 2495; 13 V.S.A § 4503.

Vermont law has evolved to better protect children. Today the law permits the State to prosecute sex offenders regardless of the gender of the victim. 13 V.S.A. §§ 3251-59. We have expanded the timeframes of statutes of limitations. 13 V.S.A. 13 V.S.A § 4501.

Vermont's protective systems have evolved as well. Beginning in 1992, specialized, multi-disciplinary teams formed to better serve children who are victims of serious abuse. Today, these multi-disciplinary teams are known as Child Advocacy Centers (CACs), and they are tasked with providing a comprehensive response to children who report sexual and severe physical abuse.⁶⁶ By the early 2000s, Vermont had a nationally accredited CAC in every county, ensuring that children who report abuse receive access to specially trained investigators, child protection workers, advocates, therapists, and sexual assault nurse examiners.⁶⁷

⁶⁶ See <https://www.vtchildrensalliance.org/about-cacs/>.

⁶⁷ *Id.*

With respect to victim assistance more broadly, we now have support services for people who have been victimized. In 1986, the Vermont Legislature recognized that people who have been harmed need help navigating the criminal justice system. 13 V.S.A. § 5303. As a result, it created the Victim Assistance Program. 13 V.S.A. § 5304. Comprised in part of victim advocates housed within the State’s Attorneys’ offices and the Attorney General’s Office, the program offers support and resources as victims navigate the criminal justice process. 13 V.S.A. § 5306.

The Larger History

Vermont’s laws, law enforcement systems, and child protective services during the era of the allegations contained in this report likely reflected profound differences in society’s trust in, and deference to, authority figures and those occupying a parental role. Child abuse in homes or institutions was not recognized as a significant problem and was rarely prosecuted. For example, it was not until 1974—around the time the Orphanage closed—that Congress passed the Child Abuse Prevention and Treatment Act, which supported prevention, assessment, investigation, prosecution, and treatment for child abuse issues nationwide. P.L. 93-247. In the case of the Orphanage, there was the added belief that institutions of worship and service, such as the Roman Catholic Diocese, were presumed places of safety and support for communities—especially children.

This deference to those providing care, and to services provided by the Diocese, likely impacted the ways that communities, law enforcement, and prosecutors viewed and responded to reports of child abuse. It likely impacted the frequency with which people made reports to authorities, and with which young people were believed. It underlies the reality that Vermont laws and law enforcement were less encompassing than the systems in place today.

Ultimately, this history is no excuse. If the people of Vermont were trusting and failed to appreciate dangers to the most vulnerable members of society, to those it had the greatest obligation to protect, it was still the institutions—including law enforcement, including the my Office—that did not know what they needed to know, and did not act when they needed to act.

Conclusion

We cannot avoid the truth that the State of Vermont, its laws, and its law enforcement institutions did not protect all of the children of St. Joseph’s Orphanage. Vermont failed the young people who most needed protection. My Office was one of the institutions that was not there for the children who needed help.

Ultimately it is the courage of those children, now grown to adulthood bearing a burden they should never have borne, that has forced this necessary reckoning with our past. The limits of the law mean justice for the survivors may not be found in a criminal courtroom. But with humility and respect, I present this reflection in service of accountability and healing, with the hope that this aspect of the state’s restorative inquiry may provide some measure of justice.

We are committed to learning from our past so history does not repeat itself, and so we can help protect the children of our state, wherever they may live, today and in the future.

7.2 Burlington Police Department



POLICE DEPARTMENT
CITY OF BURLINGTON

Burlington Police Department Reflective Statement

Regarding the investigation into decades of alleged criminal acts at the St Joseph’s Orphanage (SJO), the Burlington Police Department gathered statements from survivors or their representatives, reviewed hundreds of records, and spent hundreds of hours on interviews, site visits, document research, and other investigations. The results of these efforts on behalf of survivors from a criminal-justice perspective are described in the St Joseph’s Orphanage Criminal Report. Regarding the experience of this investigation, and the impact it had on investigators, we offer the following:

We affirm that abuse occurred at the SJO, and that children suffered there.

We affirm that our community failed to protect those children.

We affirm a responsibility to prevent these kinds of harms from being repeated.

We affirm that we believe the survivors.

Acting Chief of Police Jon Murad:

Police exist to keep people safe, and we can never turn away from calls for help, nor from our neighbors telling us about their pain. Part of our role is assuming some of that burden to ease that of the people we’re sworn to protect. In this story, we took too long to do that. For me, one of the most salient moments in these interviews and statements came when a survivor stated “it felt good to be able to tell people what really happened.” I am awed by the survivors, and the strength they have shown in coming forward, in grappling with old pain that often haunts them still. We owe them our belief, even when we cannot give them resolution through the law or the courts. We owe them the dignity of their truth, even when that truth can’t result in the outcomes we normally seek. Perhaps most importantly, we owe them a promise that we will do all we can to prevent anyone being harmed in this way again. As a society, we have done a number of things in the intervening decades to make that a reality—from better record keeping to empowered family courts and children’s advocates, from new policing emphasis on crimes against children and domestic violence to widened categories of crime immune to the statute of limitations. There’s more we can do. We can do a better job of explaining to people with whom we interact—kids, especially, but everyone—the whys and hows of what we do. (Many of the survivors’ statements were filled with traumatic bewilderment.) We can pledge to ensure that we treat everyone with the dignity all people deserve. (Too many of these children were deprived of agency or had their self-worth purposefully eroded.) And we can remember our obligations to keep the most vulnerable among us safe.



**POLICE DEPARTMENT
CITY OF BURLINGTON**

Lieutenant Jim Trieb

When this investigation began, I was not prepared for the horrible and heartbreaking stories that would be told. I currently have young children the same ages as many of the survivors at the time of their awful abuse, and that connected me emotionally to them. I experienced a number of strong feelings, from anger to sadness to disgust. Anger that someone who was entrusted to care for our most vulnerable instead violated and abused them. Sadness in thinking about these atrocities happening to my own children and how frightened those children at the orphanage must have been. Disgust that it was allowed to happen in the first place and that the survivors have not been truly validated in their quest to be believed. These former children of the SJO refer to themselves as “survivors.” They are so much more than that and I am inspired by the strength and courage they have shown. I hear them and believe them.

Sergeant Michael Beliveau

I spoke with dozens of survivors from the St. Joseph’s orphanage. I listened to their stories and watched as many of them broke down into tears. I could hear the suffering in their voices as they recounted the horrific events they witnessed and endured. I believed them. These were just kids and so many of them were robbed of their childhood. For many, the physical and psychological abuse still haunts them today. I wish that I could have traveled back in time to protect them. This has opened my eyes to constantly re-evaluating the way things are done so that we never fail our most vulnerable populations again. I feel that by continuing to protect and serve our community we are trying to right the wrongs done by so many. I hope that in doing so, men, women, and children such as those affected by the orphanage will feel safer and will hopefully find peace one day. I hope that the survivors felt some sense of closure in not only their need to be heard but believed. This investigation has been challenging but overwhelmingly rewarding, due in large part to the brave people who came forward with their stories and never gave up hope.


Jon Murad
Acting Chief of Police, December 10 2020

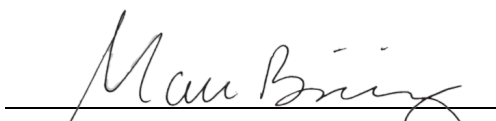


**DEPARTMENT OF PUBLIC SAFETY
VERMONT STATE POLICE
45 State Drive
Waterbury, VT 05671**

Over the past two years, as part of the St. Joseph’s Task Force, the Vermont State Police has been honored to help this investigation move forward. There have been countless times during our work that felt transformative for those who were able to hear the stories of survivors. As an agency whose work focuses on public safety, we want to acknowledge the voices of survivors who bravely shared their stories.

We know there are many people who were harmed who, for various reasons, decided against coming forward, and we respect this decision. We also recognize there are children who spent time at the orphanage who grew to carry burdens they could not bear, and were lost to substance use, suicide, or other tragic circumstances directly related to the abuse they suffered. Harm perpetrated on children during their development has lasting impact throughout their lives, and in this way, the harm suffered at the orphanage is still felt today by the survivors and by their loved ones. We say to those who have bravely shared their stories: We are sorry this happened to you. You did not deserve to be harmed, nor did you deserve to be silenced.

The amount of harm, lack of safety and lack of attention and resolution for those who survived, and those who did not, weigh heavy on us as we look to the future and ask ourselves how our agency can work to ensure this never happens again in Vermont. We will continue to support the Restorative Inquiry and remain open to conversations to ensure a positive outcome for those who seek it.


Colonel Matthew T. Birmingham
Director


Kate Brayton, LICSW
Victim Services Director

7.4 Mayor Miro Weinberger, City of Burlington



Office of Mayor Miro Weinberger

December 2, 2020

In 2018, when I first read about the harm inflicted on residents of the St. Joseph's Orphanage, I was surprised, saddened and angered. It was quickly clear to me that we needed some kind of official accounting of what transpired at the orphanage to bring proper closure to this troubled period of Burlington's history. To that end, I worked with Attorney General TJ Donovan to create the St. Joseph's Orphanage Task Force and give it the charges of supporting the criminal investigation, reviewing the role of the institutions most responsible and holding them to account, and launching a restorative inquiry. I also directed the Burlington Police Department to partner in the criminal investigation and am grateful to the Officers who took on that work.

With this investigatory work done, and after hearing discussions and writings of the former residents, I find the accounts credible and the work of the Burlington Police Department compelling. I acknowledge that the institutions and individuals operating the Orphanage failed those children. I recognize that the community as a whole bears some responsibility for that failure, too. Our community must carry a part of the burden of restoration for those who have come forward to tell their stories, and the many more who either did not have the chance to speak up or who did and weren't believed. I'm committed to grappling with the findings of the upcoming report, and to doing everything I can to ensure that a failure of this kind never happens in Burlington again.

The Restorative Inquiry goes beyond the criminal investigation. It seeks to understand and document the events at the Orphanage through the voices and experiences of those most affected--the former residents--and facilitates an inclusive process of accountability, amends-making, learning, and change. I am grateful to Burlington's Community Justice Center team and Marc Wennberg, who facilitated weekly meetings of the former residents to advance this process. I participated in one of these meetings, and will never forget the descriptions of abuse, pain and loss that I heard.

The City has not only participated in the criminal investigation, we have also participated in this Inquiry as an invested community partner, and attempted to identify and grapple with the City's own role in the harms done. The Burlington Police Department went further than the criminal investigation and conducted a review of its runaway files. The City also reviewed our historical financial records to understand our historical financial relationship with the Orphanage and learned that the City made annual charitable contributions (on average about \$1,000 a year) toward Orphanage operations until 1948. Reflecting on the fact that the City's multi-decade financial relationship with the Orphanage did not appear to improve conditions for vulnerable children there raises questions still relevant today about the City's responsibility and capacity for holding partner organizations accountable.

The former residents of St. Joseph's have shown immense bravery as they have shared their stories and continued to engage in the painful work of accountability—work that allows our community to memorialize, honor, and learn. I am grateful to them, and to the dozens of

public servants who worked long and hard to complete a measure of overdue justice and resolution.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Weinberger', is centered below the word 'Sincerely,'. The signature is fluid and cursive.

Miro Weinberger
Mayor