

From: [Farnsworth, Karen](#)
To: [Stephanie Greenlees](#)
Cc: [Padula, Domenica](#); [Mishaan, Jessica](#)
Subject: Public Records Request
Date: Thursday, September 10, 2020 1:11:50 PM
Attachments: [2020-09-10 Greenlees PRA SJO FINAL.pdf](#)

Stephanie,

Attached please find our response to your public records request. Thank you.

Karen M. Farnsworth

Vermont Attorney General's Office
Criminal Division Paralegal
109 State Street
Montpelier, VT 05609-1001
(802) 828-5512
karen.farnsworth@vermont.gov

PRIVILEGED & CONFIDENTIAL COMMUNICATION: This communication may contain information that is privileged, confidential, and exempt from disclosure under applicable law. DO NOT read, copy or disseminate this communication unless you are the intended addressee. If you are not the intended recipient (or have received this email in error) please notify the sender immediately and destroy this e-mail. Please consider the environment before printing this e-mail.

THOMAS J. DONOVAN, JR.
ATTORNEY GENERAL

JOSHUA R. DIAMOND
DEPUTY ATTORNEY GENERAL

SARAH E.B. LONDON
CHIEF ASST. ATTORNEY GENERAL



TEL: (802) 828-3171

<http://www.ago.vermont.gov>

**STATE OF VERMONT
OFFICE OF THE ATTORNEY GENERAL
109 STATE STREET
MONTPELIER, VT
05609-1001**

September 10, 2020

Stephanie Greenlees
Kaplan and Kaplan
95 St. Paul St., Ste. 405
Burlington, VT 05401
sgreenlees@kaplanlawvt.com

Re: Public Records Request

Dear Ms. Greenlees:

Following the initial response to your request made pursuant to Vermont's Public Records Act, 1 V.S.A. § 315-320, this Office has examined the documents requested and made a preliminary determination as to the existence and accessibility of each requested document.

With regards to the request for "a complete copy of the clergy misconduct records that the Vermont Attorney General obtained from the Vermont Roman Catholic Diocese and/or Roman Catholic Diocese of Burlington in 2002" as well as "[t]he records being requested concerns catholic clergy misconduct in Vermont, sexual abuse allegations against priests in Vermont, and sexual abuse allegations made by residents of St. Joseph's Orphanage and Don Bosco in Burlington, VT dating back to the 1940's through to 1975," we are obliged, in light of the ongoing criminal investigation here in Vermont and the relevant exemptions, to decline your request at this time.

Pursuant to 1 V.S.A. § 317(c)(5)(A), records dealing with the investigation of a crime are exempt from production where production "(i) could reasonably be expected to interfere with enforcement proceedings; (ii) would deprive a person of a right to a fair or an impartial adjudication;" or "(iii) could reasonably be expected to constitute an unwarranted invasion of personal privacy."

Stephanie Greenlees
Kaplan and Kaplan
September 10, 2020
Page 2

As you may be aware, in September 2018 this Office together with the Burlington Police Department and other local and statewide officials launched a Task Force to investigate allegations of abuse, sexual abuse and murder at the St. Joseph's Orphanage in Burlington, Vermont. The Orphanage operated for roughly 125 years until 1974 and housed approximately 8,000 children over that period. Members of the Roman Catholic Diocese of Burlington, Vermont Catholic Charities and the Sisters of Providence remain under investigation for their involvement in these allegations. The Task Force's investigation also includes other reports of abuse by priests or others affiliated with the Roman Catholic Diocese of Burlington.

The criminal investigation remains active and ongoing, requiring that documents requested relevant to these allegations and the time periods in question may not be disclosed at this time as that disclosure could interfere with possible enforcement proceedings.

In addition, 1 V.S.A. § 317(c)(3) exempts from the Vermont Public Records Act records the public disclosure of which would cause the custodian of the record to "violate duly adopted standards of ethics or conduct for any profession regulated by the State." The release of documents could potentially deprive individuals of a right to a fair or an impartial adjudication or could heighten public condemnation of any defendant in a criminal action.

Finally, this Office and the Task Force remain committed to protecting the personal privacy of those involved in the investigation and we must underscore the need, considering the sensitive nature of the allegations and the deeply personal stories of those involved, to prevent any unwarranted invasion of personal privacy.

We hope the above information is helpful to you. To the extent you feel records have been wrongfully withheld, you may appeal to Deputy Attorney General Josh Diamond.

Sincerely,

/s/
Domenica Padula
Chief, Criminal Division

Electronically Transmitted