

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.

Appendix 2: Sam Hemingway, Echoes of abuse grip orphans, Burlington Free Press, Oct. 27, 1996, at 1A.

Appendix 3: Betsy Beattie, *Community Building in Uncertain Times: The French Canadians of Burlington and Colchester, 1850-1860*, The Proceedings of the Vermont Historical Society, Spring 1989, at 90.

Appendix 4: Contractual Agreement Between the Roman Catholic Diocese of Burlington (VT.) and La Communauté des Soeurs de Charite de la Providence

Appendix 5: Episcopal Directive of Edward F. Ryan, Bishop of Burlington, July 1945.

Appendix 6: Department of Children and Families: 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.

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

Appendix 9: The Vermont Statutes, Revision of 1947.

Appendix 10: Vermont Statutes Annotated (1959)

Appendix 11: V.S.A Pocket Parts 1974 to 1977

Appendix 12: St. Joseph's Restorative Inquiry September Newsletter (2020)

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], file in Criminal Report [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!
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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: ³⁸OBJ

[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

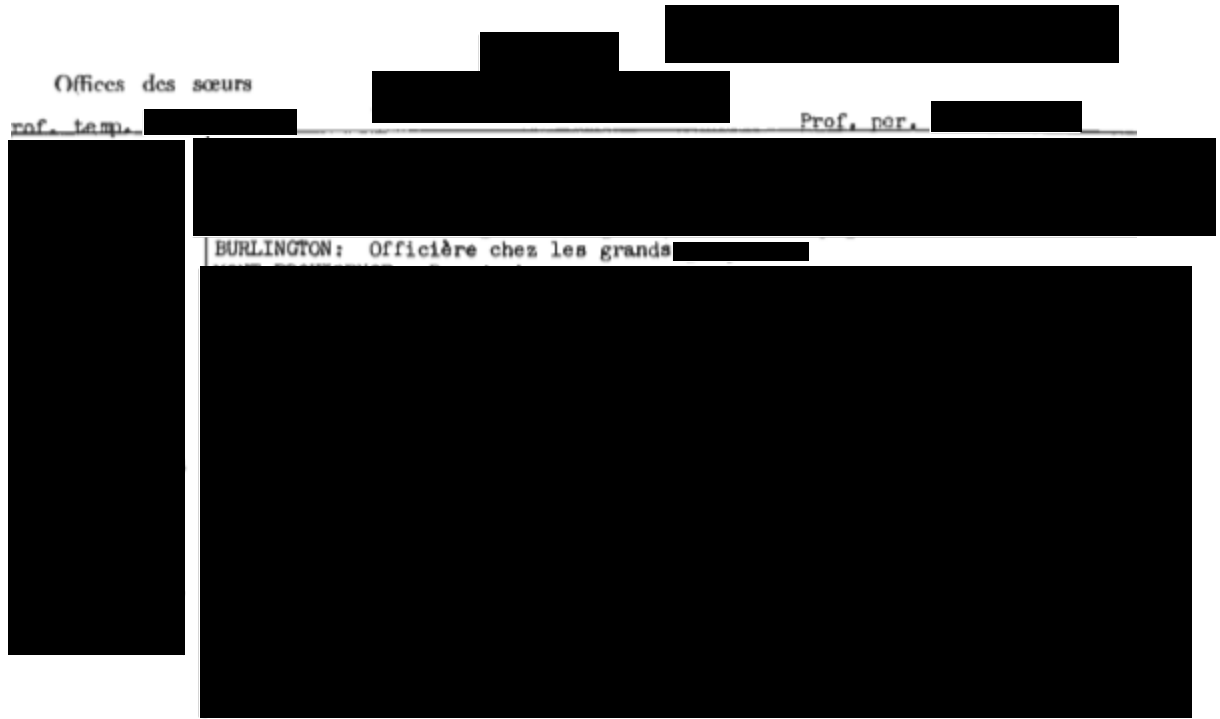
Additionally, OrphanageWorker-SisterA1 was deposed in a case and was asked the following about a OrphanageWorker2b, which seems to confirm OrphanageWorker2a as an employee at the Orphanage in the late 1940s:⁴⁹

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].



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

() ()

Companion 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:

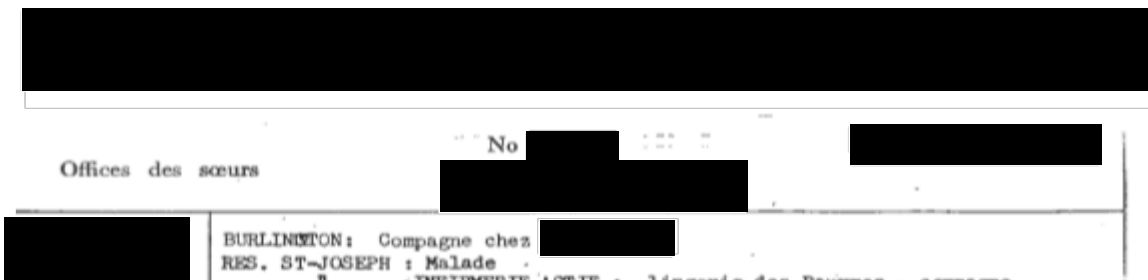
Sister11

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]) [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])

[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], (last visited November 2, 2020).

¹⁰⁶ See allegations of V27.

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

¹¹⁰ See *id.* at 178-81.

¹¹¹ *Id.* at 180.

¹¹² See Affidavit of [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]
Offices des sœurs	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	BURLINGTON: réceptionniste " " -C_hildren's parlor
[REDACTED]	[REDACTED]
[REDACTED]	Décédée le [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] file in Criminal Report Source Material titled [REDACTED]

¹²⁹ See, Deposition of [REDACTED] at [REDACTED] in [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.