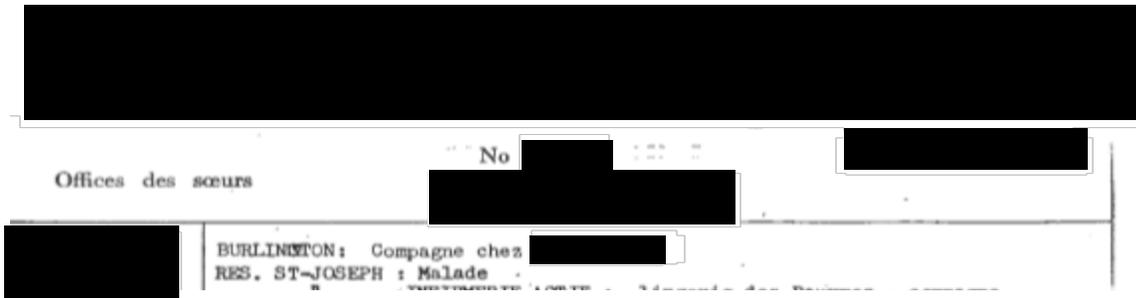


Relevant Documents:

Presence of Sister30: there appears to have been a Sister11a at the Orphanage from 1958 to 1967:¹⁵⁵



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

Victim: V39

Contacted Law Enforcement: V39-Partner, partner of V39, spoke with BPD on September 11, 2018 about V39's-Partner's experiences at the Orphanage. V39 died in 2012 but spoke about V39's time at the Orphanage with V39's family.

Dates at St. Joseph's Orphanage: V39-Partner reports V39 was there in the 1930s.

VCC Resident File Reviewed: No resident file found, no card found, and no entry in the Orphanage ledger.

Allegations: On September 11, 2018, Detective Eric Dalla Mura and Detective Beliveau met with V39-Partner, who contacted BPD to provide information about the Orphanage. V39-Partner

¹⁵⁵ See file in Criminal Report Source Material titled [redacted] at [redacted].

advised that V39-Partner's late partner, V39 was placed at the Orphanage when V39 was a young child, after V39's mother passed away. V39-Partner was unsure of the time frame. V39's father worked on a farm and could not take care of all of the children. V39-Partner recalled V39 telling V39-Partner that the nuns used to slap V39 when V39 wouldn't eat V39's food. V39 was placed in the Orphanage with V39's sibling, V39-Sibling1. V39-Partner recalled V39-Sibling1 told V39-Partner that a priest molested V39-Sibling1 via masturbation but did not want to discuss the issue in further detail. V39-Sibling1 previously served in the military but is now deceased along with V39-Sibling1's partner, V39-Sibling1-Partner1. V39-Partner provided the names of V39-Sibling1's children, V39-Sibling1-Child1, V39-Sibling1-Child2 and V39-Sibling-Child3.

Named Assailants: None.

Potential Crimes: P.L. Sec. 8395 Cruelty to children under ten by one over sixteen (1933); Sec 8397 By person having custody (1933); Sec. 8611 Lewdness (1933).

Relevant Documents:

Case Analysis & Outcome: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations. Further, as V39 is deceased, V39 did not make a firsthand statement regarding criminal conduct at the Orphanage.

Victim: V40

Contacted Law Enforcement: Initial contact with the BPD Portal on September 13, 2018 and wrote that statement contained below in "Allegations." Members of BPD have attempted to contact V40 on multiple occasions to schedule an interview. As of this report's publication, there has been no response.

Dates at St. Joseph's Orphanage: Unknown.

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

Allegations: V40 reported the following information through the BPD Portal on September 13, 2018:

Approximate Date of Incident: "1954 thru 1956."

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

What is your connection to the incidents at St Joseph's Orphanage? "Victim."

Suspect or Offender: "Nuns and staff at the orphanage."

Description of Incident or Other Information:

"While in their care I was the subject of severe neglect and abuse. I was abused in such a way that the right side of my face and head are not able to grow due to the manner of abuse. I have a scar on the right side of my head that has not been explained, and my adoptive parents got no explanation. When I was to be adopted I was placed in the care of my parents to be and my extreme size difference from an average child that age was not explained. I could fit in a newborn clothing, I was not moved or given any appropriate care, causing severe environmental deprivation. I have spoken to a Neurologist and an orthopedist and they both say the facial deformity I have was caused most probable by being hit, not a birth injury. I believe that I deserve an explanation of what happened to me is needed, and accountability given. I did have lawyers look at my records when I was in my 20's and at that time they could not find an[y] medical information, except that they said my mother was healthy at the time of my birth. I was unaware of the fact that others had been abused and neglected like I was until recently. I am trying to find others through the Facebook system that may have seen me there at that time. This is

difficult due to the time that has elapsed and the age they would have been at that time. I have suffered from education and social delays due to my injuries and still struggle. I have been told that my hip muscles were damaged as an infant making walking difficult and as I grew older as a child impossible. I use electric wheelchair and have almost no vision in the left eye and none in the right, I cannot open my eye on the right and a little on the left. My eyes do not move in any direction. I know there is an ongoing effort to find out what happened to those of us placed in the care of the Orphanage and hope that light can be shed on what happened there. My adoptive parents were devout Catholics and probabl[y] saved my life. I have tried over the years to get answers but I keep getting conflicting information, and nothing that would help me to understand what happened to me and the missing medical info when I was in the orphanage. I have asked but been refused.”

Named Assailants: None.

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

Relevant Documents:

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

Victim: V41

Contacted Law Enforcement: Initial contact with the BPD Portal on September 13, 2019 and spoke with BPD Detective Elizabeth Felicciardi on September 14, 2018.

Dates at St. Joseph's Orphanage: June 25, 1973 to June 25, 1979

VCC Resident File Reviewed: Yes

Allegations: On September 14, 2018, Detective Felicciardi spoke with V41 regarding V41's experience at the Orphanage. V41 now lives out of state but was a resident at the Orphanage with V41's two siblings from approximately 1972 to 1978 or 1979. In 1974, V41 stated V41 was sexually assaulted by two older altar boys when V41 was in the area of the chapel where altar servers would get changed. One of the older altar servers held V41 down, while the other raped V41. V41 said after that, the altar server who raped V41 held V41 down while the other altar server then raped V41. V41 said the two altar servers beat V41 after that and threatened to kill V41 and V41's siblings if V41 ever told anyone.

During one of the sexual assaults, Monsignor2 walked into the room. V41 said V41 thought Monsignor2 was going to save V41, but instead told the two altar servers to hurry up. V41 did not know the names of the two altar servers who assaulted V41.

V41 described one incident, after the nuns had left the Orphanage, where V41 saw a counselor walking a boy from the lake "with a corn cob up his butt."

V41 said V41 had been in therapy for years and was on medication for anxiety and PTSD. V41 advised V41 had connections to services in the state in which they live and was happy with them, therefore V41 did not need any assistance from the Task Force. V41 said the reason V41 called was to give any information that could potentially prevent another child from being abused.

Named Assailants: Monsignor2

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

Relevant Documents:

The following entry was also located in V41's resident file under a section titled "Summary of contact with V41 from Sept. 1976 to Jan. 1977."¹⁵⁶:

On [REDACTED], [REDACTED] ran away from school with three other young people. One was caught and returned to SJCC that same day. However, [REDACTED] was one of those that spent the night away from SJCC and most of [REDACTED] in Vergennes. The police were suspicious of their behavior in the bus station, apprehended them, and held them until an SJCC counselor could come and pick them up. [REDACTED] had stolen a down vest from Sears, and was an accomplice to stealing from a home. In talking with [REDACTED] on [REDACTED], [REDACTED] gave [REDACTED] reason for running away as getting away from "mental abuse" at SJCC. [REDACTED] seemed quite upset and nervous, while W/ was speaking with [REDACTED], and [REDACTED] kept his face averted. [REDACTED] kind of said that [REDACTED] was more the follower than leader of this run away. A repercussion of this was that [REDACTED] was allowed to go home only from 12/24 to 12/25, as [REDACTED] Christmas visit. ([REDACTED] and [REDACTED] went for 12/23 to 12/26.)

Presence of Monsignor2: a Father4a was the Assistant Director at Vermont Catholic Charities from 1959 to 1966 and therefore would have involved at the Orphanage at the time V41 was at the Orphanage.¹⁵⁷ The resident filed provided by Vermont Catholic Charities revealed he worked directly with the residents as a social worker during his employment with them.¹⁵⁸ Father4a, in an earlier deposition, denied knowing about widespread abuse at the Orphanage, including sexual abuse.¹⁵⁹

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

¹⁵⁶ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

¹⁵⁷ See *id.*

¹⁵⁸ See [REDACTED] at [REDACTED] (last visited November 2, 2020).

¹⁵⁹ See generally, Deposition of [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED]

Victim: V42

Contacted Law Enforcement: wrote a letter to the AGO on August 28, 2002 and spoke with BPD Detective Michael Believeau on July 19, 2019.

Dates at St. Joseph's Orphanage: November 23, 1953 to June 16, 1956

VCC Resident File Reviewed: Yes

DCF Placement: Yes. Committed to DSW custody on November 19, 1953.

Allegations: Detective Believeau interviewed V42 regarding V42's allegation of abuse at the Orphanage. V42 also provided a written statement detailing the abuse that occurred at the Orphanage. At the end of the interview V42 swore that everything V42 said was the truth.

V42 told Detective Believeau that V42 was approximately eight years old when V42 first arrived at the Orphanage and left when V42 was 21 years old. V42 recalled being sexually assaulted by a Sister in the dormitory. V42 also witnessed a young "girl or boy" thrown out of a second story window by the Sisters. The child landed in the grass. However, V42 did not recall the child's name. Although V42 never saw anyone seriously hurt, V42 heard of children being sexually assaulted and that the Sisters "paddled" V42's hands.

V42 stated in V42's written report that the Sisters of Providence would line them up in the shower and take "three or four of them" to the back of the "sewing room" and sexually assault them "every night." V42 also stated that one of the sisters took V42 to her bedroom and "undressed" V42, made V42 lay in bed with her and would "kiss" V42 on the "cheek of my ass,"

“spread my legs, and play with my rectum and kiss it with her tongue,” and that she “got down” and “sucked” V42’s genitals.¹⁶⁰

It should be noted much of the recorded interview was unintelligible and it was difficult to understand V42.

Named Assailants: None

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

Relevant Documents: No criminal charges to be filed as no named suspects and potential crimes are barred by the statute of limitations.

Victim: V43

Contacted Law Enforcement: Initial contact with the BPD Portal on September 17, 2018 and spoke with BPD Officer David Bowers on September 18, 2018.

Dates at St. Joseph’s Orphanage: July 30, 1964 to December 14, 1964.

VCC Resident File Reviewed: Yes

Allegations: On September 18, 2018, Officer Bowers spoke with V43 regarding V43’s experience at the Orphanage. V43 reported V43 went to the Orphanage in 1964 when V43 was 10 years old for approximately 10 months. V43’s younger siblings, V43-Sibling1, three years old and V43-Sibling2, six years old also, were at the Orphanage at that time. V43 and V43’s

¹⁶⁰ See generally, file in Criminal Report Source Material titled [REDACTED]

siblings were placed in the Orphanage after being removed from their home by representatives of the State of Vermont following a complaint about the care their mother was providing.

V43 recalled being separated from V43's siblings at the Orphanage due to their various ages. V43 advised V43 did not remember a great deal of V43's time at the Orphanage, but V43 recalled the abuse by the nuns. Nevertheless, V43 did remember one event in particular: V43 was in a clothing room, and advised a single nun took all V43's clothes off of V43 and made V43 sit in the middle of the room with a blanket wrapped around V43. V43 advised V43 sat in the room for approximately one to one and a half hours. After the clothes were all folded by the nun who was in the room with V43, V43 was beat by some of the older boys at the Orphanage. V43 advised the older children hit V43 with a wooden paddle. V43 advised V43 did not remember what V43 did wrong to receive the punishment.

V43 described other things V43 observed at the Orphanage. V43 recalled seeing an altar server coming out of the church crying at one point and believed it may have been because something sexual had happened to the altar server. V43 recalled hearing that people had been sexually abused by the priests but did not remember when V43 heard it or from whom. V43 saw other people that had been hit with paddles while V43 was there, and V43 had been hit by the older boys and the nuns with paddles. V43 reported V43 was never sexually abused during V43's time at the Orphanage and advised V43 had never witnessed any sexual abuse.

V43 recalled the head nun was referred to as SisterSuperior2. SisterSuperior2 hit V43 with a wooden paddle before but advised V43 she was not the nun who directed the older children to hit V43. Any time someone in the Orphanage did something wrong, SisterSuperior2 would bring all of the children into one room and would hit them with a paddle on the hands once each.

V43 recalled hearing that someone may have died while V43 was at the Orphanage but advised V43 did not remember whom V43 heard it from. It stuck out in V43's mind that someone had died. V43 ran away from the Orphanage because V43 was scared and wanted to find V43's mother, who had already been reunited with V43's younger siblings prior to V43's departure from the Orphanage. V43 went to a foster home after V43's stay at the Orphanage. V43 said V43 tries to avoid driving past the building now. If V43 ever is in Burlington, V43 takes Rt. 127 to go around the Orphanage so as to not see the building.

Named Assailants: None.

Potential Crimes: 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959).

Relevant Documents:

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

Victim: V44

Contacted Law Enforcement: Initial contact with the BPD Portal on September 11, 2018 and spoke with Detective Krystal Wrinn on September 12 and September 13, 2018.

Dates at St. Joseph's Orphanage: September 30, 1959 to June 9, 1962 and returned August 24, 1962 to June 29, 1963. V44 was readmitted September 6, 1968 to unknown date.

VCC Resident File Reviewed: Yes

Allegations: On September 13, 2018, Detective Wrinn interviewed V44 regarding V44's allegations of abuse at the Orphanage. V44 swore at the beginning of the interview that everything that V44 was about to say was the truth. V44 said that V44 came forward after

reading the BuzzFeed article because V44 blocked out of V44's mind everything that happened to V44 at the Orphanage prior to the eighth grade. V44 was a private case, and V44 lived at the Orphanage on separate occasions between 1958-59 and 1968-69. V44 was approximately three years old when V44 started at the Orphanage. V44's siblings, V44-Sibling1 and V44-Sibling2, also attended the Orphanage, while V44's oldest sibling, V44-Sibling3, attended a home for high school aged children next door.

V44 recalled three strict nuns: Sister31, Sister32, and Sister33. V44 recounted an incident of abuse involving Sister31 that happened when V44 was approximately six years old. V44 had learned that V44-Sibling1 had been hurt and V44 began to cry. Sister31 told V44 to mind V44's own business. When V44 refused to stop crying Sister31 slapped V44 across the face and her ring caught V44's lip and "ripped it open." There was "blood everywhere" and V44 was taken to a Catholic hospital in Burlington "near Pearl Street."

On the way to the hospital, a nun identified as MotherSuperior1 told V44 not to tell hospital staff what happened. At the hospital male doctor asked V44 what happened, V44 refused to tell him because V44 "was scared." V44 described V44's lip as being fat "for many years" and that V44-Sibling1 would call her a derogatory name because V44's lip was "so fat." V44 informed Detective Beliveau of other incidents of abuse involving Sister31. V44 remembered that V44 and a girl were routinely asked to meet Sister31 in what V44 remembered as a "building near the cemetery." V44 described Sister31 as a "short fat woman" and that she used to sit with her legs up and that V44 was forced to rub Sister31's legs and feet. Although it did not occur to V44 at the time, V44 later believed Sister31 was "getting off."

Sister31 would take the children's hands and "guide them up her dress." Although V44 did not remember touching Sister31's privates, V44 said V44 would be beaten if V44 was non-

compliant. Sister31 would pull V44's pants down, lay V44 over Sister31's body and paddle V44 with a wooden paddle until V44 cried. V44 described the paddle as the type with a ball attached to a string. Except the string was missing and the staple holding the string to the paddle was still attached and "that would hurt."

V44 described being pinched and poked by Sister31 on her upper arms and legs. V44 also described an incident where Sister32 caught the children jumping on the bed and that they were taken to the "sewing room" where they were paddled repeatedly "until they cried."

V44 also described sleeping with V44's hands between V44's knees and that the nuns called V44 "dirty" because they thought V44 was touching V44's body. As a consequence, V44 would be paddled, forced to pray, and called names. V44 remembers being forced to drink castor oil and to eat V44's own vomit.

V44 described being in the same class as her V44-Sibling2 because V44-Sibling2 had a learning disability. V44 witnessed one of the nuns slap V44-Sibling2 and call V44-Sibling2 "stupid" and "retarded." V44 told the nun to "shut up" and was hit with a ruler.

Finally, V44 recalled an incident involving Resident35 who was severely beaten by Sister34. V44 described Resident35 as having scars on Resident35's back. Sister34 was fired as a result of this incident.

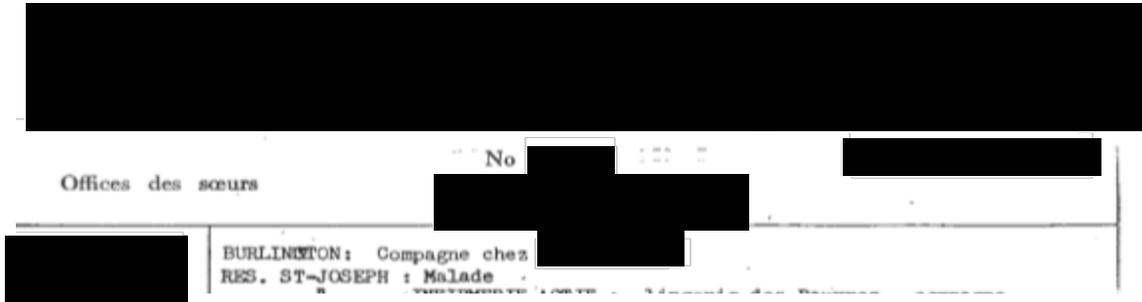
Named Assailants:

- 1) Sister31
- 2) Sister32
- 3) Sister34

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

Relevant Documents:

Presence of Sister31: a Sister11a appears to have been at the Orphanage from 1958 to 1967:¹⁶¹



Presence of Sister32: at the time when V44 was a resident, there appears to have been a Sister14a who worked at the Orphanage from 1959 to 1966.¹⁶² She was an officer in a department.¹⁶³ In her deposition on March 26, 1997 she admitted to using a paddle on the children infrequently and spoke about discipline at the Orphanage.¹⁶⁴ She denied hitting any children for wetting the bed and that she never saw a child forced to eat his/her own vomit.¹⁶⁵

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

¹⁶¹ See id.

¹⁶² See file in Criminal Report Source Material titled [REDACTED] at [REDACTED]; see also Deposition of [REDACTED] at [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED]

¹⁶³ Deposition of [REDACTED] at [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED]

¹⁶⁴ Id. at 35-41.

¹⁶⁵ Id. at 41-42.

Sister33 at the Orphanage: a Sister20a was at the Orphanage from May 15, 1970 to August 7, 1974.¹⁶⁶ A Sister20a was deposed in a civil case.¹⁶⁷ In her deposition, Sister20a admitted to working at the Orphanage, but denied knowledge or involvement in any abuse.¹⁶⁸¹⁶⁹ Sister20a also denied being involved with any sexual abuse.¹⁷⁰ Sister20a made similar denials in an affidavit.¹⁷¹

Injury to V44-Sibling2: in the Record Sheets from Vermont Catholic Charities for V44's Family, the following entry by SocialWorker4, was made regarding an accident involving V44-Sibling2, which seemingly comports with V44's recollection surrounding an injury sustained by V44-Sibling2.¹⁷²

Call from Sister Superior at SJCC to inform W/ that [REDACTED] had to go to the hospital this afternoon due to an accident [REDACTED] had the Sat. before. Apparently [REDACTED] had fallen from a tree on the Child Center and landed on a sharp piece of wood which became lodged in [REDACTED] leg. [REDACTED] was taken to the emergency clinic that same day and had some stitches taken in [REDACTED] leg. The Sisters thought [REDACTED] was all right up until Friday when the cut began to bother [REDACTED] considerably. [REDACTED] had a look at [REDACTED] leg and decided to have [REDACTED] admitted to DMH.

As Mrs. [REDACTED] was in Florida at the time W/ contacted her sister Mrs. [REDACTED] to inform her that [REDACTED] was being taken to the hospital.

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

¹⁶⁶ See Affidavit of [REDACTED], [REDACTED] file in Criminal Report Source Material titled [REDACTED]

¹⁶⁷ See generally, Deposition of [REDACTED] at [REDACTED], [REDACTED] file in Criminal Report Source Material titled [REDACTED]

¹⁶⁸ See id. at p. 178-181.

¹⁶⁹ Id. at 180

¹⁷⁰ Id. at 180

¹⁷¹ See Affidavit of Sister [REDACTED] file in Criminal Report Source Material titled [REDACTED]

¹⁷² See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

Victim: V45

Contacted Law Enforcement: Initial contact with BPD on September 27, 2018 and spoke with BPD Detective Michael Beliveau on September 28, 2018.

Dates at St. Joseph's Orphanage: November 27, 1943 to August 4, 1948

VCC Resident File Reviewed: Yes

DCF Placement: Yes, committed to custody of the Public Welfare Department in 1943.

Allegations: On September 28, 2018, Detective Beliveau met with V45, who was accompanied by V45's grandson, V45-Grandson1. V45 wanted to report what V45 experienced during V45's time at the Orphanage. At the beginning of the interview, V45 swore the information V45 was providing was the truth.

V45 was at the Orphanage during World War II from approximately 1941-1948 from about the age of 5 to 13. From there V45 went to a dairy farm in Vermont.

In describing V45's time at the Orphanage, V45 first spoke about the food that they had to eat. The nuns would carry a big bran sack into the dining hall where they would scoop it with a tin cup into a bowl. Another nun would come around and distribute warm water into the bowls. The kids would stir up the mixture and watch grubs float to the top. They would pick the grubs out but would get told by the nuns not to make a mess so they would put them back into the bowls after they ate. Occasionally a kid would take a bite into a grub and would throw up. The nuns would come in and call the kids "pigs."

V45 recalled that the kids were often so hungry they would eat the lemon grass growing outside of the Orphanage, but it would make the kids sick. V45 was forced to be outside so much

that V45 would get boils from the severe sunburn. V45 now struggles with skin cancer. V45 later described there being no trees behind the Orphanage and it was just a big field.

V45 recalled an incident where V45 and a group of kids were standing outside of a bathroom for their weekly shower. A nun asked them why they were not waiting inside the washroom when V45 replied, "Because the big boys are fucking the little boys." The nun that V45 described as "the giant ... about 6' tall, 300 pounder," struck V45 so hard V45 said V45 "went flying." V45 believed V45 blacked out for a moment from the strike. Three or four days later V45's two front top teeth turned grey and then a month later they turned black. V45's teeth were black until V45 joined the service where V45 paid 4 dollars to have the two teeth pulled.

V45 describe another incident where some of the kids were brought to Camp Holy Cross in Colchester. V45 never went to the camp but heard stories from some of the kids, specifically from V45's sibling, V45-Sibling1. V45-Sibling1 told V45 about how a big priest would lay down on the beach and make kids urinate on him. V45 recalled being sexually assaulted twice by a brother but did not know his name. V45 was eight or nine years old and was given a crucifix to wear but later learned from a child that the cross was meant to indicate that V45 was available to be sexually assaulted. When asked how V45 was sexually assaulted V45 said, "He screwed me in the ass." The assault took place in the gymnasium closet where they kept the basketballs. V45 said that another man that worked at the Orphanage, OrphanageWorker7, would bring V45 and others into the same closet where V45 would lick their "balls and dicks." V45 said OrphanageWorker7 would bring three or four children in at a time to commit the sexual assaults. V45 described this male as a bodybuilder due to his big arms and legs. V45 said OrphanageWorker7 would look after the children while they were in the gym. OrphanageWorker7 sexually assaulted V45 one time that V45 could remember and it lasted from

10-15 minutes. V45 recalled other kids being there and OrphanageWorker7 would sexually assault them by licking their genitals. V45 remembered OrphanageWorker7 saying, “Yummy,” afterwards. V45 was about six or seven years old and heard OrphanageWorker7 was eventually fired.

On the Victory Over Japan day, V45 remembered a parade through Burlington. V45 got to march to Main Street with a group of children. Once they were on Main Street everything stopped because everyone was watching the children. V45 remembered women from the sides of the road who ran up to the children and hugged them. As V45 told this story V45 began to cry because V45 did not experience that kind of affection until that moment. The one friendly nun that V45 liked was a tall and thin nurse/doctor that V45 felt V45 could talk to.

V45 never went to a doctor outside of the Orphanage. V45 never saw a child die at the Orphanage. V45 said V45 thought V45 saw what appeared to be two graves near the chicken coop by the fence. V45 saw a hole was dug with the approximately dimensions of 5’ by 18” and then next day the hole was filled.

V45 ran away to Montpelier but was found by police and eventually brought back to the Orphanage. V45 remembered being whipped with a leather strap in the vegetable garden in front of the Orphanage by a nun. V45 did not see anyone get seriously hurt while V45 was at the Orphanage.

Named Assailants: OrphanageWorker7

Potential Crimes: P.L. Sec. 8395 Cruelty to children under ten by one over sixteen (1933); Sec 8397 By person having custody (1933); Sec. 8611 Lewdness (1933); and/or V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262:

Cruelty to a Person – By person having custody; V.S. 1947 § 8458 Disturbances – Of the public peace; V.S. 1947 § 8479 Lewdness.

*The 1933 Public Laws and 1947 criminal statutes are being included to reflect the changes in the law when V45 was a resident at the Orphanage.

Relevant Documents:

Presence of Orphanage Worker 7 at the Orphanage: a Father 4a was deposed in a civil case and was asked the following about a Orphanage Worker 2a:¹⁷³

32

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

¹⁷³ See Deposition of [REDACTED] [REDACTED] in [REDACTED]
[REDACTED], at [REDACTED], file in Criminal Report Source Material titled [REDACTED]

OrphanageWorker2a-SisterA1 was deposed in a civil case and was asked the following about a OrphanageWorker2a, which seems to confirm OrphanageWorker2a as an employee at the Orphanage in the late 1940s:¹⁷⁴

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

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

Victim: V46

¹⁷⁴ See Deposition of [REDACTED] in [REDACTED], at [REDACTED], file in Criminal Report Source Material titled [REDACTED]

Contacted Law Enforcement: Initial contact with BPD September 22, 2018 and spoke with Detective Beliveau on September 22, 2018.

Dates at St. Joseph's Orphanage: August 3, 1961 to August 17, 1963.

VCC Resident File Reviewed: Yes

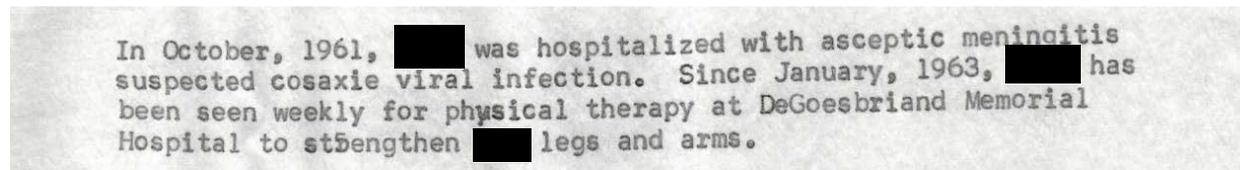
Allegations: On September 25, 2018, V46 was interviewed by Detective Beliveau regarding V46's experience at the Orphanage. V46 was at the Orphanage from 1960-1962. During V46's time there, V46 became ill with spinal meningitis. V46 advised that the nuns did not call a doctor for V46 and V46's fever rose to 106 degrees. At that same time, a girl at the Orphanage became sick prompting doctors to come to the Orphanage. They looked at V46 and immediately drove V46 to the hospital. V46 was hospitalized for 3-4 weeks from this illness. The nuns did not believe V46 was sick and only called the doctors because another child became ill. V46 was 13 years old when V46 was first placed in the Orphanage and recalled not being allowed to talk to others. V46 did not recall other abuse during V46's time there. V46 only remembered the nuns being very strict.

Named Assailants: None.

Potential Crimes: 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959).

Relevant Documents:

The Social Summary Record from Vermont Catholic Charities for V46, see below corroborates with V46's recollection regarding V46's illness:¹⁷⁵



In October, 1961, [REDACTED] was hospitalized with aseptic meningitis suspected cosaxie viral infection. Since January, 1963, [REDACTED] has been seen weekly for physical therapy at DeGoesbriand Memorial Hospital to st5ngthen [REDACTED] legs and arms.

¹⁷⁵ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

Similarly, the DeGoesbriand Memorial Hospital Discharge Summary obtained from Vermont Catholic Charities for V46 substantiates with V46's recollection regarding V46's illness:¹⁷⁶

PRESENT ILLNESS: The patient had a sore throat and fever six days prior to admission. [REDACTED] was seen the following day. [REDACTED] fever was absent, [REDACTED] throat felt better. There was no therapy. The patient was well until the day prior to admission when [REDACTED] had onset of headache and sore throat with temp. up to 104. [REDACTED] was treated with Aspirin and on the day of admission [REDACTED] became lethargic. Seen by [REDACTED] at St. Joseph's orphanage. [REDACTED] had neckal rigidity, ataxia, weakness, mental confusion, and had vomited during the examination. [REDACTED] had also had urinary frequency, without dysuria, and had very little in the way of p.o. intack. In the description of the sore throat throat six days prior to admission [REDACTED] had small punched out ulcers on [REDACTED] anterior pillars that had the appearance of herpangina.

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

Victim: V47

Contacted Law Enforcement: Initial contact with the BPD portal on April 8, 2019 by V47's sibling, V49 and then interviewed by Detective Eric Kratochvil and Detective Michael Beliveau on May 24, 2019.

Dates at St. Joseph's Orphanage: June 13, 1960 to May 20, 1963.

VCC Resident File Reviewed: Yes

DCF Placement: Yes. Committed to DSW on June 13, 1960 and immediately placed at the Orphanage.

Allegations: On May 24, 2019, Detective Eric Kratochvil and Detective Beliveau interviewed V49 and V47 about their experiences at the Orphanage. V49 recalls being seven or eight years

¹⁷⁶ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

old when V49 went to the Orphanage and was there for years but is unsure of the time period. V47 recalls being 10 years when V47 went to the Orphanage but is similarly not sure how long V47 stayed at the Orphanage. Their sibling, V48, was also with them at the Orphanage. They were all placed at the Orphanage because their parents could not take care of them.

Multiple times during her interview V47 discussed an incident where a boy was thrown out of the window. V47 recalls a nun throwing the boy out the window but does not remember that nun's name. V47 recalled the boy having blond hair and being around age 11. V47 did not know his name. At one point, V47 stated V47 was in the dining room when the nun pushed the boy out the window. V47 then stated that V47 had been talking to the boy and the nuns must have found out and pushed him out the window. Later in the interview, V47 recalled that the nun was Sister35.

V47 recalls Sister36 molesting V47 in the bathtub when V47 was about 11 years old. Sister36 was very tall and in charge of V47 and other children. Sister36 also put V47 in the closet. Sister37 was also mean, pushed V47 in the bushes, and put V47 in the closet. Sister37 was short and fat.

V47 was assigned to watch the young kids while at the Orphanage for a short period of time, but the assignment upset V47 because of how the nuns treated the children. V47 remembers being friends with a girl named Resident36 who had a disability and one time they were put closet.

V49 described being taken to the altar with V48 by a nun, Sister35, and a priest. V49 does not remember the name of the priest. V49 recalls being excited to be taken to the altar. V49 was then taken into a room off to the side of the altar where V49 was molested. This happened about five to six times with Sister35 and the same priest. V49 alleged that Sister35 tried to

digitally penetrate V49 with Sister35's fingers and the priest tried to put his penis in V49's mouth. V49 does not recall whether V49 complied. V49 was around seven years old when this happened. V49 also recalls Sister35 beating V49 for wetting the bed and the priest shaming V49 for wetting the bed.

Both V49 and V47 recalled strict rules at the Orphanage. The children were not allowed to speak after 10pm and if they did, they would get whipped. V9 recalls being whipped on another occasion by a priest that left marks on V49's back. V49 reports consistently having black and blue marks and being physically abused by the nuns and priests. If they did not eat their food, the nuns would force them to eat by pushing their faces in their food. If they threw up, they would be forced to eat their vomit.

V49 recalled a girl with a physical disability being thrown somewhere by a nun. The described the girl as having braces on her legs and being about five years old. V49 believes the girl was seriously injured because an ambulance came. V49 never saw the girl again and believes she died. V47 also recalled this young girl. V49 does not recall her name, but V47 believes her name was Resident37.

V49 and V47 throughout the interview stated the nuns and priests were mean and rude to all the children. Their time at the Orphanage has had a lasting impact on their lives. Both V49 and V47 were placed in foster homes when they left the Orphanage. V49 received a settlement from the diocese in the 1990s.

Named Assailants: Sister35

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

Relevant Documents:

Presence of Sister35 at the Orphanage: in 1973, there appears to have been a Sister35a who worked at the Orphanage. However, the exact dates Sister35a was at the Orphanage are unknown:¹⁷⁷

[REDACTED] (S) [REDACTED] Teacher grades 2-3 - [REDACTED]

It is unclear if this the same person that V47 references.

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

Victim: V48

Contacted Law Enforcement: Initial contact by BPD on June 6, 2019 and then interviewed by Detective Eric Kratochvil and Detective Michael Beliveau on August 9, 2019.

Dates at St. Joseph’s Orphanage: June 13, 1960 to September 4, 1962

Resident File Reviewed: Yes.

Placement: Yes. Committed to DSW on June 13, 1960 and immediately placed at the Orphanage.

Allegations:

On August 9, 2019 Detective Beliveau and Officer Kratochvil spoke with V48 about V48’s time at the Orphanage. V48 began describing an incident at the altar at the chapel. V48 stated that the children were told to take their clothes off, and that the priest and the nuns present

¹⁷⁷ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

“made them do things to them that we should have never done.” V48 named Sister38 as one of the perpetrators and described her as the meanest person V48 had ever met. V48 said there were blankets on the floor. V48 said it was V48, V48’s sibling, V49, Resident38, and Resident39. V48 alleged that the priests put their “things” in their mouths. V48 also alleged they used to stick “things up them.” V48 stated there were several different priests involved, and that this occurred on several different occasions. V48 alleged one of the priests was named Father9. V48 stated there was another priest, an older one. V48 stated he was the one who always wanted them to go down there. V48 also stated this happened every time they had to clean the altar. V48 stated they had to “clean the altar” several times a week, but there was nothing to clean, and these things occurred instead. V48 also stated V48 swung back at a priest who was hurting V48’s sibling. V48 alleged that they held V48 down and spanked V48 for it. V48 alleged that both priests ejaculated during these encounters. V48 stated V48 did not know what it was at the time, and thought they were pouring “snot” all over them. V48 said the priests ejaculated in their mouths, and if they tried to spit it out, they would grab their mouth and hold it. V48 stated that the priests threatened them with horrible beatings if they told. V48 also stated that, when other parents would come to visit their children, they sometimes tried to tell them what was going on, but the priest was always watching them. V48 also said that the priests kissed them during their first communion.

V48 had a problem with bloody noses and recalled being spanked by the nuns because of them. V48 recalled another incident where a little girl vomited her food and the nun told the girl she had to eat it. V48 threw a plate at the nun and stopped the girl from eating her vomit.

V48 also recalled a little boy drowning. V48 alleged V48 tried to help him but V48 couldn’t without drowning. When V48 tried to tell the nuns, V48 was told to mind V48’s own

business. The child's name was Resident40. The boy had jumped off the dock and he hit his head. V48 alleged two nuns and priest retrieved the boy's body. V48 alleged V48 left as the nuns and the priest were about to bury him behind a statue of Mary. V48 alleged the child was in a pine box.

As punishment, they would have to pull weeds in the garden. V48 recalled throwing up from the heat and being beaten for it. V48 alleged V48's sibling, V49, often got punished for bedwetting. They would put V49 up in the attic "with the rats." V48 stated V48 would often switch beds with V49 so V48 could take the punishment on V49's behalf. V48 recalled being locked in the attic for two days with nothing to eat.

V48 claimed the nuns did "pants inspections" where they were told to pull their pants down for inspection. Occasionally, the priest looked in their pants as well. V48 alleged one of the priests who looked into their pants was Father9. V48 alleged that if their pants had any marks, they would be forced to take them off, wash them, and put them back on wet.

V48 recalled another incident where V48 was beaten for telling a nun: "You were fat when you left here and now you're skinny." V48 alleged that later on, something similar happened with another nun, and the nun explained that it was because she'd had a baby. V48 stated the nun told V48 the other nun must have been in the same position.

V48 spoke again about Sister38 being the meanest person V48 ever met. V48 recalled another incident where they shaved all their heads. V48 stated all the children were crying, but that the nuns put their hair in bags and took it away.

V48 stated that all their foster homes were bad. V48 stated they only ever had one foster home that was good.

V48 recalled one instance, after V48 was reprimanded for having a bloody nose, V48 got angry and intentionally plugged all the toilets. V48 alleged that they caught V48 doing it and pushed V48 into the sink. V48 stated V48 had a bump on V48's head for a while. V48 also stated they referred to V48 as "an evil child" because V48 was left-handed. They told V48 that V48 was going to hell. They also tried to make V48 switch hands, but V48 was not able to do so.

V48 also recalled Resident41 who had a special plate and special silverware because their parents paid for them to have anything they wanted.

V48 recalled V48's sibling, V49, being on a toboggan and a nun getting upset and pushing V49 down. V49's teeth all got knocked out. V48 alleged V48 saw a lot of abuse. V48 remembered Resident42. V48 alleged that Resident42 was beaten very badly.

V48 recalled being paddled. One day, V48 was told to put V48's hand out and said "hell no." When the nun hit V48, V48 grabbed the paddle and hit the nun across the knuckles with it, and asked V48: "how does it feel?" Then, V48 stated V48 got it even worse because the nun had someone hold V48's hands down. V48 identified these nuns as Sister39 and Sister38.

V48 recalled another instance where V48 and two girls went up to the attic to play with the dolls. V48 stated they were all punished for it. They had them scrub the floor until their fingers were bleeding. V48 explained that one part of the attic was where their clothes and other items were kept, but another part of the attic was blocked off. On that side, there were rats running around, and V48 sometimes heard kids knocking from the other side.

V48 also alleged another boy died from being pushed out the window. V48 said many children said they saw it. V48 said Resident42 and V47 both saw it. V48 did not see it but several people claimed to have seen it and that they were talking about it at the Orphanage.

Named Assailants:

- 1) Sister38
- 2) Sister39
- 3) Father9

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

Relevant Documents

Presence of Sister38 at the Orphanage: In 1973, there appears to have been a Sister35a who worked at the Orphanage. The exact dates Sister35a was at the Orphanage are unknown:¹⁷⁸

[redacted] (S) [redacted] Teacher grades 2-3 - [redacted]

It is unclear if this the same person that V48 references.

Presence of Sister39: a Sister2a's presence at the Orphanage seems to be confirmed by records:¹⁷⁹

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

¹⁷⁸ *Id.*

¹⁷⁹ See file in Criminal Report Source Material titled [redacted] at [redacted].

Sister2a was deposed in a civil case and confirmed her time at the Orphanage.¹⁸⁰ She denied that any of the residents were physically abused.¹⁸¹ She denied seeing or hearing about any sexual abuse of children at the Orphanage.¹⁸² Sister 2a was also deposed in a second civil case.¹⁸³

However, a second sister named Sister2b was potentially present at the orphanage while V48 was at the Orphanage between 1935-1969:¹⁸⁴

(D) ()
() () Teacher grades 3-4 - Community room

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

Victim: V49

Contacted Law Enforcement:

Dates at St. Joseph's Orphanage: June 13, 1960 to September 4, 1962

VCC Resident File Reviewed: Yes

DCF Placement: Yes. Committed to DSW on June 13, 1960 and immediately placed at the Orphanage.

Allegations: For summary of allegations see V47.

¹⁸⁰ See generally, Deposition of [REDACTED] at [REDACTED] in [REDACTED] file in Criminal Report Source Material titled [REDACTED]

¹⁸¹ *Id.* at p. 43.

¹⁸² *Id.* at p. 76.

¹⁸³ See generally, Deposition of Deposition of [REDACTED] file in Criminal Report Source Material titled [REDACTED]

¹⁸⁴ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

Named Assailants: Sister35

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

Relevant Documents:

Presence of Sister35 at the Orphanage: in 1973, there appears to have been a Sister35a who worked at the Orphanage. The exact dates Sister35a was at the Orphanage are unknown:¹⁸⁵

[REDACTED] (S) [REDACTED] Teacher grades 2-3 - [REDACTED]

It is unclear if this the same person that V49 references.

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

Victim: V50

Contacted Law Enforcement: V50 initially contacted the Attorney General’s Office in September, 2018. V50 preferred to speak with the Victim Service Providers rather than law enforcement, so V50 spoke with Attorney General’s Office Victim Advocate Amy Farr and Vermont State Police Victim Services Director Kate Brayton on October 5, 2018.

Dates at St. Joseph’s Orphanage: May 8, 1953 to June 10, 1959. At the age of 12, V50 transitioned to a residential school. On March 15, 1960 V50 returned home to V50’s mother and

¹⁸⁵ *Id.*

step-father.

VCC Resident File Reviewed: Yes.

Allegations: V50 lived with mother, stepfather, and three siblings. V50 experienced both physical and sexual abuse at V50's home. Father10 spoke to V50's mother and told her that he could help her take care of her children. One of V50's siblings went to the Orphanage with V50, one went to a group home, and another sibling stayed at home. V50 has letters exchanged between Father10 and V50's mother. "Father10 promised my mother that we were okay, but we were not. No one ever came to check on us or ask us if we were okay. No one."

According to V50: When we went to the Orphanage, things only got worse. Father10 told us, "Things are going to be better for you, you will get an education, people are going to take care of you." That didn't happen. There was no peace there. Sister40 would make you line up with your underwear in your hand then she would say, "You had the brown in your pants—you pig!" and then she would slap you right across the face. One of the other residents said something to Sister41 that she didn't like. She grabbed the child by the nape of the neck and dragged the child down the hallway. V50 remembers seeing the toes of the child's shoes dragging on the floor. Sister41 threw the child down a flight of granite steps and the child's head "busted open." Sister41 said, "You'll never talk to me again like that will you?" And after the child hit that wall, they never did talk to her again like that. There was no peace there. You had to sleep on your side in a certain position and if you were not sleeping in the right position, the nun, who had thimbles on her hand, would whack you. I had my arm twisted, I saw children getting their teeth smashed in. One time I found some matches and we were down by the dump, just past the fire pit. That firepit never went out, it stayed burning all the time. Sister42 took one of the matches and lit it and then blew it out and then stuck it in on my genitals. I have scars on my

back from the switches. They made sure to hurt us in places where it wouldn't show. Unless you raise my shirt, you can't see the scars. If you did something wrong, and they found out about it, they would say, "Go out to the grotto and get a switch. So that is what you did, 'cause if they had to come looking for you, you were going to get it twice as bad. They also like to hit us with the rosary beads. They would take them and double them up and whip you on the back with them. That was worse than the switch. There was a lot of violence in the Orphanage."

V50 remembers two residents who were "mentally challenged" and they would often fight with each other and the nuns would not step in. V50 stated that these two boys needed a psychiatrist or extra help. There were kids who were suffering and no one helped them. V50 recalled there was too much violence in there. V50 stated, "As a 10-year-old, I learned about sex in that place" and said the nuns were no different from the priests. V50 was sexually assaulted and V50 also believes that V50's sibling was also sexually abused. V50 stated that when children left the Orphanage, "They did not know how to behave, they went wild." V50 said that a lot of kids went to jail or ended up dead. "We had nothing and we had to steal to survive." V50 stated that these memories are the "tip of the iceberg."

Named Assailants:

- 1.) Sister40
- 2.) Sister41
- 3.) Sister42

Potential Crimes: V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262: Cruelty to a Person – By person having custody; V.S. 1947 § 8458 Disturbances – Of the public peace; V.S. 1947 § 8479 Lewdness; 13 V.S.A. § 602 Assault

with intent to kill or maim (1959); 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a child (1959); 13 V.S.A. § 3201 Rape by person over sixteen (1959).

*The 1947 criminal statutes and Vermont Statutes Annotated (1959) are being included to reflect the changes in the law when V50 was a resident at SJO.

Relevant Documents:

Presence of Sister41: at the time when V50 was a resident, there appears to have been a sister named Sister14a who worked at SJO from 1959 to 1966.¹⁸⁶ She was the house mother in the girls department.¹⁸⁷ In her deposition on March 26, 1997 she admitted to using a paddle on the children infrequently and spoke about discipline at SJO.¹⁸⁸ She denied hitting any children for wetting the bed and that she never saw a child forced to eat his/her own vomit.¹⁸⁹

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

A Sister14b appears to have worked at SJO but the time period is unclear.¹⁹⁰

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

¹⁸⁶ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED]; see also Deposition of Sister [REDACTED] at [REDACTED] in [REDACTED].

¹⁸⁷ *Id.*

¹⁸⁸ *Id.* at 35-41.

¹⁸⁹ *Id.* at 41-42.

¹⁹⁰ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

Finally, there appears to have a Sister17a at SJO in 1958:¹⁹¹

(D) [redacted]
[redacted] ([redacted])
Teacher, 7th & 8th Grades - [redacted]

No [redacted]

Offices des sœurs

Prof. temp. [redacted] Prof. per. [redacted]

| | |
|---|----------------------------|
| [redacted] | [redacted] |
| BURLINGTON: Classe 7e et 8e armées | En 1947 + [redacted] dépt. |
| " " " " " " | chapelle |
| " " " " " " | parloir des sœurs |
| " " " " " " | chapelle |
| " " " " " " | salle de réception |
| " " " " " " | chapelle |
| [redacted] | [redacted] |
| BURLINGTON: Classe 7 et 8, enfants de chœur | [redacted] |
| [redacted] | [redacted] |

Presence of Sister42: at the time when V50 was a resident, there appears to have been a sister named Sister42a who worked at SJO from 1955 to 1959 and again 1962 to 1963 and was in charge of some residents.¹⁹²

[redacted] ([redacted])
[redacted] - [redacted]
Officer [redacted] department

¹⁹¹ See file in Criminal Report Source Material titled [redacted] at [redacted]; see also file in Criminal Report Source Material titled [redacted] at [redacted].

¹⁹² See file in Criminal Report Source Material titled [redacted] at [redacted]; see also Deposition of Deposition of Sister [redacted] and [redacted], at [redacted], in file in Criminal Report Source Material titled [redacted].

1 Q. So did you go from [REDACTED] straight to St. ^o
2 Joseph's?
3 A. Yes.
4 Q. And when you were at St. Joseph's from 1955 to
5 1959, what was your position?
6 A. I was in charge of the [REDACTED]
7 Q. Then you left St. Joseph's in 1959 and you
8 went where?
9 A. I went to Montreal, yes.
10 Q. And you returned to St. Joseph's for 1962 to
11 1963; is that right?
12 A. Yes.
13 Q. And what was your position from 1962 to 1963?
14 A. I was still with the [REDACTED]
15 Q. Were you in charge?
16 A. Yes.
17 Q. Then after you left St. Joseph's in 1963, did
18 you ever return to St. Joseph's?
19 A. No.
20 Q. Do you have any relatives that are in
21 religious life?
22 A. No.
23 Q. And what have you done in order to prepare for
24 this deposition here today?
25 A. What I have done?

In her deposition in a civil case, Sister42a denied using any corporal punishment or other types of punishment, as described below, or seeing others use such punishment.¹⁹³

¹⁹³ Deposition of Deposition of [REDACTED] and [REDACTED], [REDACTED]
[REDACTED], at [REDACTED]. in file in Criminal Report Source Material titled [REDACTED]

4 Q. When you were there in 19 -- in either time
5 you were there, was there any policy by which you
6 were governed as to whether or not corporal
7 punishment was permitted?
8 A. No, no corporal punishment was permitted.
9 Q. And where was that policy stated?
10 A. I don't know. I knew I, as far as I'm
11 concerned, there was none.
12 Q. There was none permitted?
13 A. No.
14 Q. Is that correct?
15 A. Yes.
16 Q. And during the time that you were there did
17 you ever see or hear of any Sister utilizing
18 corporal punishment as a form of discipline for the
19 children?
20 A. No.
21 Q. And specifically did you ever see any of the
22 other or hear of any of the Sisters utilizing rulers
23 as a form of corporal punishment on children?
24 A. No.
25 Q. Did you ever see or hear of any Sister
1 utilizing what's been described as paddles as a form¹⁷
2 of corporal punishment to hit children?
3 A. No.
4 Q. Did you ever see any of the Sisters with the
5 paddle that's been described as like a pingpong
6 paddle or a paddle with a ball attached?
7 A. Well the children had some to play with. They
8 played outside, they played inside with that in the
9 gym.
10 Q. And did you ever see -- you never saw any
11 Sister utilize a paddle?
12 A. No.
13 Q. Do you recall having something that's been
14 described as a clapper? Are you familiar with the
15 term a clapper?
16 A. No.
17 Q. Something that makes noise, a wooden?
18 A. No, I never had that.
19 Q. Did you ever see that with any of the Sisters?
20 A. No.
21 Q. Did you ever see or hear of any Sister
22 striking any child with their hand?
23 A. No.
24 Q. Did you ever see or hear of any child or hear
25 of any Sister striking any child with a belt?

- 1 A. No.
- 2 Q. Did you ever see or hear of any Sister placing
3 any child in any type of closet or confined space as
4 a form of discipline?
- 5 A. No.
- 6 Q. Did you ever see or hear of any child placing
7 any child in the attic as a form of discipline?
- 8 A. No.
- 9 Q. Did you ever see or hear of any Sister
10 requiring any child to eat any vomit that they had
11 thrown up?
- 12 A. Oh, no.
- 13 Q. Did you ever see or hear of any child
14 physically struck by anyone other than a Sister?
15 That would be a priest, a seminarian or a lay
16 employee at St. Joseph's?
- 17 A. No.
- 18 Q. Did you ever see or hear of any Sister raising
19 their voice towards a child?
- 20 A. No.
- 21 Q. Did any of the [REDACTED] of which you were in
22 charge have any trouble with bed wetting?
- 23 A. I had a few.
- 24 Q. And what did you do to discipline bed wetters?
- 25 A. What did I do? I told them to get up during

1 the night and change their bed, I showed them the
2 linen, where it was, and wash themselves if they
3 wanted to.

4 Q. Did you ever utilize anything to embarrass or
5 humiliate the child, such as having them called
6 names, songs about them, having them paraded in
7 front of other children with diapers on, anything
8 like that?

9 A. No.

10 Q. Did you ever see or hear of any of that
11 happening?

12 A. No. For the simple -- may I ask -- may I tell
13 you something?

14 Q. Yes.

15 A. For the simple reason that we were not allowed
16 to go in other departments; we stayed with our, in
17 my own department, I stayed there.

18 Q. And why is that?

19 A. Because we weren't allowed; we had to take
20 care of our kids. I had eighty [REDACTED] That's how I
21 didn't, like I didn't go on the [REDACTED] side. I
22 never went. I don't know anything about [REDACTED]
23 there.

24 Q. You never had any contact with the discipline
25 of the [REDACTED]?

20

1 A. Never, never.

2 Q. Never observed the [REDACTED] being disciplined in

3 any way?

4 A. No.

5 Q. Never discussed with any of the other Sisters

6 how they were disciplining the [REDACTED]

7 A. No.

8 Q. I'm not quite sure why you felt that necessary

9 to mention that in connection with disciplining of

10 bed wetters. What did -- I'm asking you

11 specifically regarding the male children who were

12 bed wetters. Did you ever see them in any way

13 embarrassed or humiliated --

14 A. No.

15 Q. -- as a form of discipline?

16 A. No.

17 Q. Did you ever see or hear of any child being

18 required to wear a dunce hat in the classroom?

19 A. No.

20 Q. Did you ever teach in any of the classrooms?

21 A. No.

22 Q. Did you ever visit the classrooms?

23 A. Very seldom.

She denied seeing or hearing about any sexual abuse at the Orphanage.¹⁹⁴

29

1 BY [REDACTED]:

2 Q. Did you ever see or hear of any child at St.

3 Joseph's in any way being sexually abused?

4 A. No.

Presence of Sister40: there appears to have been a sister named Sister40a who worked at SJO in the [REDACTED] department. The time period however, is unclear:¹⁹⁵

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

¹⁹⁴ *Id.* at 29.

¹⁹⁵ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

Presence of Father10: a Father10a was a member of the Diocese and worked at Vermont Catholic Charities starting in late 1950.¹⁹⁶



He remained in that position until June 21, 1957.¹⁹⁷ In that role he would have worked with the Orphanage.¹⁹⁸

¹⁹⁶ See file in Criminal Report Source Material titled [redacted]

¹⁹⁷ See file in Criminal Report Source Material titled [redacted]

¹⁹⁸ See generally, file in Criminal Report Source Material titled [redacted]

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

5.2 Previously Alleged Harm

Since its creation in September 2018, the Task Force has heard from many individuals reporting abuse at the Orphanage. These accountings were made not only by victims, but on behalf of victims by members of their family. Throughout the investigation over 66 interviews were conducted, and numerous more meetings occurred between victims and Victim Advocates from AGO, BPD, the Chittenden County State's Attorney, and VSP. Nevertheless, the Task Force is aware that this population does not represent all the allegations of abuse asserted against the Orphanage. Specifically, it does not include victims who reported abuse before the Task Force was created, and who have now chosen not to report again or who have since died.

Through its investigation, the Task Force became aware other individuals who alleged abuse at the Orphanage. These individuals were identified through new articles, litigation documents, and other source material reviewed by the Task Force. The allegations of abuse described in these mediums parallel the allegations described the by victims interviewed by the Task Force. Many report harsh beatings at the hand of the nuns and lay employees caring for them, verbal abuse, being placed in closets or other small rooms as a form of punishment, being forced to eat their own vomit, and sexual abuse perpetrated by nuns, priests, and other personnel hired to work at the Orphanage.

V51 is one of many victims who was unable to come forward and report the abuse V51 suffered at the Orphanage to the Task Force because V51 passed away in 2000. However, the

Task Force has decided to include V51's allegations of abuse in this report due to the extensive amount of time V51 was deposed under oath during V51's civil case and the amount of time V51 spent as a residence of the Orphanage, which was approximately twenty years. V51's allegations as found by the Task Force are laid out below:

Victim: V51

Dates at St. Joseph's Orphanage: June 17, 1940 to 1961 (ages 1 to 23)

VCC Resident File Reviewed: Yes, however, the file appeared to have been taken apart at a previous date as many of the pages seemed to be out of order.

Knowledge of Claims: In 1996, V51 filed suit against the Diocese, Vermont Catholic Charities, the Orphanage, and the Sisters of Providence alleging physical, sexual, and emotional abuse.

V51 died in 2000 and therefore could not be interviewed for this investigation. However, during V51's civil case, V51 was deposed for over nineteen hours. In the course of V51's deposition, V51 reported and described the allegations below during V51's time at the Orphanage.

Allegations: During V51's civil case, V51 alleged the following sexual abuse as a young child. V51 described being sexually abused by two different nuns on several occasions in their bedroom. V51 was forced to fondle the nuns and then fondled V51. V51 reported being sexually abused by Brother1 and Brother2 who were students in the seminary, while swimming in the lake. They set up a game where they would swim between the children's legs. During this game, V51 was fondled by one of the men and the other attempted to force V51 to perform oral sex on him while underwater. When V51 refused, V51 was not allowed to swim for the rest of the day

as a punishment. V51 recalled being pinched on V51's buttock by Father11 on two occasions. He also would go behind V51 and pull V51's underwear down.

V51 also recalled physical abuse, including being beaten until V51 was black and blue. V51 would be hit about V51's head and heels. V51 was also struck with scissors (not with the open blade) and the metal edge of a ruler, repeatedly causing injury to V51's knuckles including bruises and broken skin. V51 specifically remembers Sister43, Sister44, Sister45 and Sister46 striking V51 with scissors. V51 also described being locked in a cubby and/or tank for an extended period of time without food or water. V51 recalled Sister43, Sister46, and Sister47 locking V51 in the attic or cubby. As a punishment, V51 was held backwards in the tub under running cold water, forcing water down V51's throat and nose, and then locked in a closet. Similarly, to the other former residents, V51 reported being forced to eat V51's own vomit if V51 threw up during meals and recalls one time when a nun rubbed V51's face in V51's vomit.

V51 describes extensive emotional abuse on a daily basis as well. The nuns often told V51 that V51 was the "devil child," "you're just like your" parent, and "You're no good. You're bad to the core." V51 recalls being told, "You're going to grow up and get married and put your kids in an orphanage and then have more kids and put them in the orphanage."

During V51's deposition, V51 described seeing a young boy being pushed out of the window.¹⁹⁹ V51 believed it was around 1944 when V51 moving to another dormitory, which occurred when V51 was around six years old. While outside, V51 heard a crash and then saw a boy falling to the ground and a nun at the window that the boy had just come out of, and then the boy hit the ground, bounced and then laid still. When V51 asked the nun about what had

¹⁹⁹ See generally, video depositions of [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED]

just happened, the nun told V51 that it had not happened, and threatened V51. V51 was then led away. V51 also alleged seeing a young girl pushed down the stairs by a nun while descending from the attic who had to be brought to the hospital for treatment and never returned to the Orphanage.

Named Assailants:

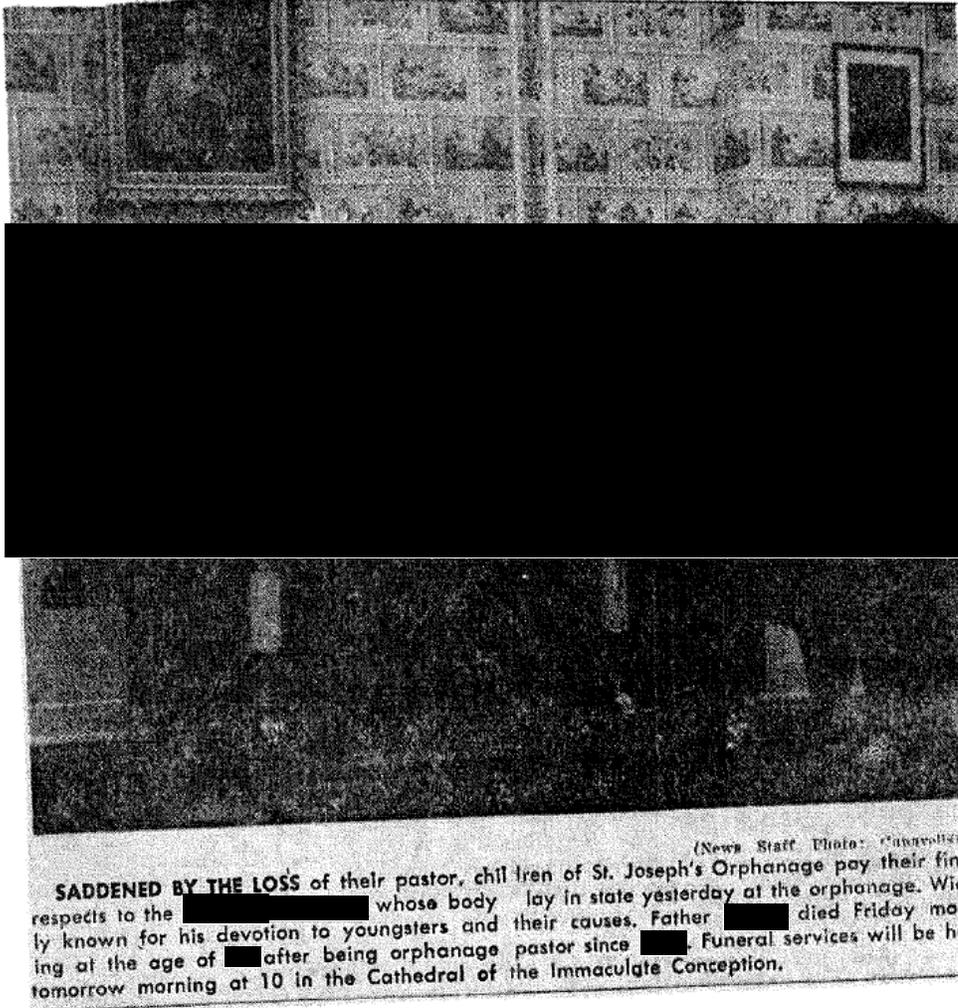
1. Brother1
2. Brother2
3. Father11
4. Sister43
5. Sister44
6. Sister45
7. Sister46
8. Sister47

Potential Crimes: P.L. Sec. 8395 Cruelty to children under ten by one over sixteen (1933); Sec 8397 By person having custody (1933); Sec. 8611 Lewdness (1933); V.S. 1947 § 8261: Cruelty to Persons – Cruelty to children under ten by one over sixteen; V.S. 1947 § 8262: Cruelty to a Person – By person having custody; V.S. 1947 § 8458 Disturbances – Of the public peace; V.S. 1947 § 8479 Lewdness; 13 V.S.A. § 602 Assault with intent to kill or maim (1959); 13 V.S.A. § 1021 Breach of the peace generally (1959); 13 V.S.A. § 1304 Cruelty to children under ten by one over sixteen (1959); 13 V.S.A. § 1305 Cruelty by a person having custody of another (1959); 13 V.S.A. § 2602 Lewd and lascivious conduct with a child (1959).

*The 1933 Public Law; 1947 criminal statutes; and 13 V.S.A. 1959 and being included to reflect the changes in the law when V51 was a resident at the Orphanage.

Relevant Documents:

Presence of Father 11: a Father 11a was at the Orphanage from 1935 -1955.²⁰⁰ He died in 1955 while still at the Orphanage.²⁰¹



²⁰⁰ See file in Criminal Report Source Material titled [redacted] at [redacted].

²⁰¹ See [redacted] at [redacted], (last visited November 2, 2020); see also file in Criminal Report Source Material titled [redacted] at [redacted].

As part of the investigation, the Task Force requested and reviewed Father1 1a's file from the Diocese.²⁰²

In a deposition for a civil case, Resident43 reported bringing meals to Father1 1a and others.²⁰³ In that same deposition, Resident43 denied ever being sexually abused at the Orphanage, seeing any child being sexually abused, or seeing any child being physically abused.²⁰⁴

Presence of Brother2: the Task Force learned that a Father8a was priest with the Diocese from around 1950 until his death 2011.²⁰⁵ As part of the investigation, the Task Force requested and reviewed Father8a's file from the Diocese.²⁰⁶

²⁰² See generally, file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

²⁰³ See Deposition of [REDACTED] at [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED].

²⁰⁴ *Id.* at 12-14.

²⁰⁵ See file in Criminal Report Source Material titled [REDACTED]; see also file in Criminal Report Source Material titled [REDACTED].

²⁰⁶ See generally, file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

BIOGRAPHY

NAME [REDACTED] BORN [REDACTED] AT [REDACTED] *Vt.*
FATHER [REDACTED] MOTHER [REDACTED]
GRADE & HIGH SCHOOL [REDACTED]
SEMINARY [REDACTED] (place and years)
ORDAINED *Archdiocese of Burlington* [REDACTED] BY [REDACTED] Bishop
(place and date)
POSTGRADUATE STUDY *None* (place, years, subject, degree)
ASSIGNMENTS [REDACTED]

OBITUARY

Reverend [REDACTED]

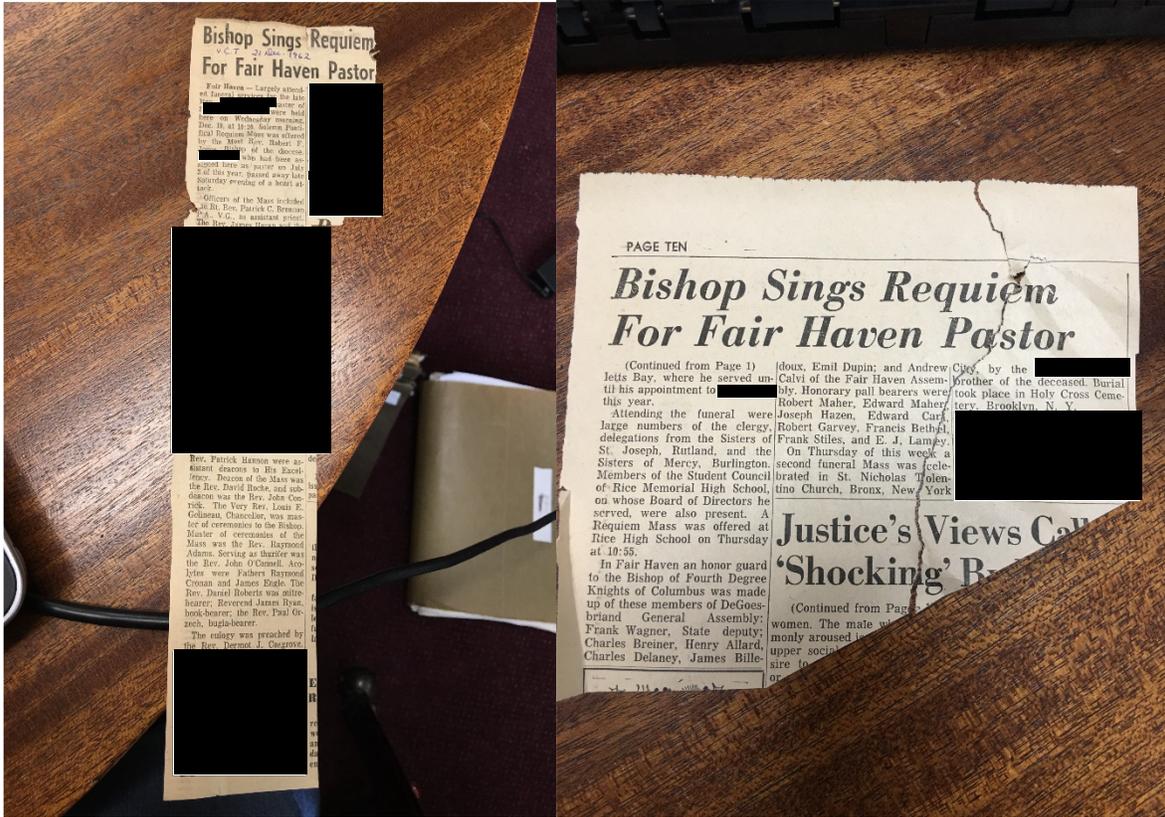
Reverend [REDACTED] died Wednesday, [REDACTED], in [REDACTED], Vermont. He was born on [REDACTED] in [REDACTED], Vermont, son of [REDACTED] and [REDACTED]. Father [REDACTED] attended St. Michael's College, Colchester, [REDACTED].

[REDACTED] He was ordained for the priesthood on [REDACTED] at the Cathedral of the Immaculate Conception in Burlington by Bishop [REDACTED].

His priestly ministry began as [REDACTED]. He then served as [REDACTED] Vermont Catholic Charities while serving [REDACTED] the Don Bosco Home in Burlington [REDACTED]. He also served as [REDACTED].

His first pastorate was at [REDACTED]. He also served as Pastor at [REDACTED] and [REDACTED]. [REDACTED] was granted Senior Priest status in [REDACTED].

[REDACTED]



Presence of Seminarians at the Orphanage: in a deposition in a civil case, Sister42a was deposed and was asked a series of questions around residents and seminarians, the seminarians who were apparently at the Orphanage in the summer, swimming in the lake.²¹⁰

²¹⁰ Deposition of Deposition of [REDACTED] and [REDACTED], [REDACTED], at [REDACTED], in file in Criminal Report Source Material titled [REDACTED]

23 Q. Did you go with the [REDACTED] when they went down
24 swimming at the lake?
25 A. Yes. But the seminarians were there during

1 the summer.

34

2 Q. Okay.

3 A. So when they were there, I didn't have to go.

4 Q. Okay. So --

5 A. There was always one Sister with them all the
6 time.

7 Q. How often would the [REDACTED] go swimming in the
8 summertime?

9 A. Oh, every afternoon.

10 Q. And this would be right below the Orphanage at
11 the lake?

12 A. Yes.

13 Q. Did they ever go to another beach other than
14 right below the Orphanage to go swimming?

15 A. Not that I know of.

16 Q. And who would take the boys swimming when they
17 went swimming? Would it be a seminarian?

18 A. Seminarians.

19 Q. How many seminarians would take the [REDACTED]
20 swimming?

21 A. Two, I think.

22 Q. And you don't remember any of their names?

23 A. No, I don't.

24 Q. So would there also be a Sister or just the
25 seminarians?.

- 1 A. Just the seminarians.
- 2 Q. Did you ever go down to the lake when the [REDACTED]
- 3 went swimming?
- 4 A. Oh, I went with them, yes.
- 5 Q. With the seminarians?
- 6 A. I mean I went, for a ride, I mean a walk down
- 7 to look at them swimming.
- 8 Q. Now was -- do you recall ever seeing the girls
- 9 swimming at the lake?
- 10 A. Well they were so far away, no. I got tell
- 11 you, I didn't have anything to do with the girls.
- 12 Q. Did the girls swim at the lake in a different
- 13 place than the boys swam?
- 14 A. I don't have any idea.
- 15 Q. Do you ever recall seeing the girls swimming
- 16 at the lake at the same time that the boys were
- 17 swimming at the lake, even if they were separated?
- 18 A. No.
- 19 Q. Do you ever recall seeing the girls swimming?
- 20 A. No.
- 21 Q. Do you recall a platform with a diving board?
- 22 A. Yes.
- 23 Q. Is that where the boys swam, where the
- 24 platform was?
- 25 A. Um hum; yes.

- 1 Q. Did you ever see or hear of a child drowning
- 2 at St. Joseph's?
- 3 A. No.
- 4 Q. Did you ever see or hear of any child dying at
- 5 St. Joseph's?
- 6 A. No.
- 7 Q. Did you ever see or hear of any child freezing
- 8 to death outside?
- 9 A. No.
- 10 Q. Where the boys went swimming, do you recall
- 11 seeing any boats on the shore?
- 12 A. I've seen -- on the shore?
- 13 Q. Yes.
- 14 A. No.
- 15 Q. Did you see boats in the area where the [REDACTED]
- 16 went swimming?
- 17 A. Yes, a few passing.
- 18 Q. Where were the boats that you saw?
- 19 A. They were going through on the lake.
- 20 Q. So you're talking about boats that are out on
- 21 the lake with --
- 22 A. Yes.
- 23 Q. Okay. As far as an empty boat, though, on the
- 24 shore, a rowboat or that type of thing.
- 25 A. Oh, no. I never stayed too long to see all

Presence of Sister47: a Sister47a was at the Orphanage from 1942 to 1955 and recalls V51 as a resident at the Orphanage.²¹²

16 Q. And you started in Burlington as a companion?
17 A. Yes.
18 Q. And is that the boys or the girls' side?
19 A. The [REDACTED]
20 Q. [REDACTED] side. And that was from 19 -- for two
21 years, 1942 to 1944?
22 A. Yes.
23 Q. Did you work as a cook, did you work in the
24 kitchen?
25 A. Yes.

10

1 Q. From 1944 to 1952?
2 A. Yes.
3 Q. And then what happened, what's the difference
4 between -- well, strike that. In 1952 it says
5 Responsible cuisine; what does that mean?
6 A. The first one.
7 Q. You were in charge of the kitchen?
8 A. Yes.
9 Q. Before that you were just, you were working
10 there with someone else?
11 A. Companion.
12 Q. So you were there until 1955.
13 A. Yes.
14 Q. And that was the only time you were at
15 Burlington was from 1942 to 1955.
16 A. Yes.

²¹² See Deposition of Deposition of [REDACTED] and [REDACTED], [REDACTED] at [REDACTED], in file in Criminal Report Source Material titled [REDACTED]

17 A. NO.
18 Q. Now you mentioned ██████████ in ██████████
19 ██████████. Do you remember ██████████?
20 A. I didn't have ██████████ very long with me, because I
21 was only two years with the ██████████, and after I was
22 in the kitchen, that's all.
23 Q. So you remember ██████████ from when you
24 were with the ██████████ between 1942 and 1944?
25 A. Yes.

37

1 Q. And how old was ██████████ during that
2 time?
3 A. Well ██████████ was fifteen, sixteen. ██████████ was
4 younger when ██████████ begin with the ██████████, because ██████████
5 went with the Second Nursery before.
6 Q. Well when you --
7 A. ██████████ was six years old when ██████████ came with the
8 ██████████
9 Q. When you knew ██████████ between 1942 and
10 1944, that's the only time you knew ██████████ because you
11 didn't know ██████████ in the kitchen, did you?
12 A. When ██████████ came to help us.
13 Q. When ██████████ came to help you. How old was ██████████
14 ██████████ when you knew ██████████ between 1942 and 1944?
15 A. ██████████ must have been ██████████, ██████████ or ██████████ years
16 old.

In that same deposition, Sister47a denied any knowledge of any abuse of V51 or any resident:²¹³

²¹³ Id. at 27-29.

27

1 Q. Didn't -- while you were at St. Joseph's, did
2 you ever see or hear about any of the children being
3 disciplined by being put in closets?
4 A. No.
5 Q. Did you ever see or hear of any of the
6 children being disciplined by being put in the
7 attic?
8 A. No.
9 Q. Did you ever go to the attic?
10 A. Yes, I went many times.
11 Q. Did you ever see or hear of any of the
12 children being put in the attic as a form of
13 discipline?
14 A. No.
15 Q. Were there any boxes in the attic, large boxes
16 where children could be put into?
17 A. No.
18 Q. There were none?
19 A. No.
20 Q. Was there any type of a tank --
21 A. No.
22 Q. -- in the attic?
23 A. No.
24 Q. At any time while you were at St. Joseph's,
25 did you ever observe or hear of any child being

28

1 disciplined with corporal punishment?
2 A. No.
3 Q. You never heard of a child being touched by a
4 Sister?
5 A. No.
6 Q. Did you ever hear of a child being disciplined
7 by a Sister with rulers or scissors?
8 A. No.
9 Q. Or clappers?
10 A. No.
11 Q. Or razor straps?
12 A. No.
13 Q. Did the children have numbers?
14 A. No.
15 Q. Do you know how the young children who were
16 wetting their beds were disciplined?
17 A. No.
18 Q. Did you go with the children when they took
19 their meals?
20 A. Yes.
21 Q. Did you eat with the children?
22 A. Yes.
23 Q. Did you ever see any of the children vomit?
24 A. No.
25 Q. Did you ever see any of the children being

29

1 required to eat their vomit?
2 A. No.
3 Q. Did you ever hear of that happening?
4 A. No.
5 Q. Did you ever see or hear of any children, any
6 child being injured while you were at St. Joseph's?
7 A. Being what?
8 Q. Injured, suffering an injury.
9 A. No.
10 Q. Never heard of a single child having any
11 injury during the whole thirteen years that you were
12 at St. Joseph's.
13 A. No.
14 Q. Did you hear of any children dying while you
15 were at St. Joseph's?
16 A. No.
17 Q. Did you ever hear or observe any child being
18 subjected to any type of sexual abuse, either by
19 nuns, by priests, by seminarians or by the lay
20 workers?
21 A. No.
22 Q. Did you ever hear of any child being sexually abused by

Further, she denied abuse in a statement as part of the V51 litigation:²¹⁴

NAME: Sister [redacted] ADDRESS: _____
Circle One: Client (Witness) _____
(Maiden Name) _____
PHONE: (home) [redacted] _____
FAX: _____ E-MAIL: _____

Statement on abuse¹

Years at Orphanage: 1948-1956 Recovered Memory: Yes / No
Siblings/Years: _____ Deposited: Yes / No
Agree to Testify: Yes / No

Claims:
never saw any type of abuse

Abusers:

Witnesses to Your Abuse:

Witness to Abuse of Others:

Additional Comments:
worked with [redacted], Sister [redacted]
remembers [redacted]

Presence of Sister44: a Sister4a is listed as working at the Orphanage in records although the exact time period in not clear:²¹⁵

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

Similarly, a Sister44b appears to have worked at the Orphanage²¹⁶

²¹⁴ See file in Criminal Report Source Material titled [redacted]

²¹⁵ See file in Criminal Report Source Material titled [redacted]

²¹⁶ See file in Criminal Report Source Material titled [redacted]

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

[REDACTED]

Presence of Sister46: a Sister46a appears to have worked at the Orphanage, although the exact time period is not clear:

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

Companion [REDACTED] department

Presence of Sister45: it does appear that a sister named Sister6a was present at the Orphanage while V51 was a resident²¹⁷²¹⁸

| Offices des sœurs | |
|--------------------------------------|------------|
| prof. temp. | Prof. per. |
| [REDACTED] | [REDACTED] |
| BURLINGTON: Compagne chez [REDACTED] | |

In her deposition in a civil case, a Sister6a confirmed V51's presence at the Orphanage and identified V51 in several photographs.²¹⁹

²¹⁸ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

²¹⁹ See Deposition of [REDACTED] at [REDACTED] in [REDACTED], file in Criminal Report Source Material titled [REDACTED].

5 Q. [REDACTED], the [REDACTED] to the left would be
6 [REDACTED]
7 A. [REDACTED] right. Yes.

The screenshot below is from the St. Joseph's Children's Center Chronicles, a document prepared and signed by the nuns from the Orphanage. There have been many allegations that children drowned, or children were left alone whilst swimming in the lake.²²⁰ Though this does not corroborate any neglect or abuse, it does provide corroboration for the fact that the nuns took the children swimming in Lake Champlain.

SUMMER
OUTINGS

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

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

²²⁰ See file in Criminal Report Source Material titled [REDACTED] at [REDACTED].

5.3 Allegations of Homicide at the Orphanage

Excerpts from *Section 5.1 Allegations of Abuse at the Orphanage* and *Section 5.2 Previously Alleged Harm*, in which allegations of homicide were made, are identified below. A detailed overview of law enforcement's investigation of these allegations can be found in *Section 5.4.1 Burlington Police Department's Investigative Summary*.

The Task Force is aware that this population may not represent all the allegations of homicide asserted against the Orphanage. Additionally, while not included here, many victims reported that they nearly drowned in the lake after being thrown in by a caretaker or reported that other children drowned in the lake. Finally, some of allegations of homicide were second-hand witness testimonies from children who did not see or hear anything happen, but heard other children screaming or crying about what they had seen.

V12: During V12's interview with BPD, V12 recalled a time when V12 and V12's sibling were looking for their other siblings at the Orphanage. They didn't know the building and were lost. They could hear two nuns yelling and screaming. They could not understand them. V12 believes they could have been speaking French. The nuns were looking down into a hole. V12 believed at the time that it was an elevator shaft. V12 and V12's sibling came up on either side of the nuns. At the bottom of the hole, they saw a little girl in a pool of blood with her legs bent. V12 described her wearing a red polka dot dress. In retrospect, V12 says the dots could also have been small hearts. The nuns noticed V12 and V12's sibling and started slapping them and throwing them around. V12 does not remember leaving that room, but remembered waking up strapped to a bed in the infirmary. V12 remembered this incident happening on the second floor,

towards the middle. V12 remembers the girl's hair being in braids. V12 guesses she was between 8 or 10 years old.

V51: During V51's deposition, V51 described seeing a young boy being pushed out of the window. V51 believed it was around 1944 when V51 moved to another dormitory, which occurred when V51 around six years old. While outside, V51 heard a crash and then saw a boy falling to the ground and a nun at the window that the boy had just come out of, and then the boy hit the ground, bounced, and then laid still. When V51 asked the nun about what had just happened, the nun told V51 that it had not happened, and threatened V51. V51 was then led away.

V51 also alleged seeing a young girl pushed down the stairs by a nun while descending from the attic. V51 recalled the young girl had to be brought to the hospital for treatment and never returned to the Orphanage.

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

coming back to get V15. V15 could not remember what vault the girl was placed into and did not think V15 would recognize it if brought to the area.

V25: V25 described a play area surrounded by a chain-link fence where V25 witnessed a boy, who V25 repeatedly referred to as Resident14, throw his shoe on the roof and was subsequently beaten by a nun. V25 said on another occasion, Resident14 was playing on a statue in the chapel. V25 said the statue was very high up and Resident14 fell, and one of the nuns blamed it on V25. V25 advised that V25 never saw Resident14 again.

V25 said on one occasion, two nuns took V25 out in a rowboat at night and had a bag with them. V25 said the nuns threw the bag into the lake and told V25 that's what would happen to V25. V25 said V25 never saw Resident14 again and began crying and said V25 still wondered what happened to Resident14.

V45: V45 never saw a child die at the Orphanage. V45 said V45 thought V45 saw what appeared to be two graves near the chicken coop by the fence. V45 saw a hole was dug with the approximate dimensions of 5' by 18" and then next day the hole was filled.

V19: V19 remembered one night when everyone was getting ready for bed in the dorm. One of the older residents was hysterically running up the hallway screaming and crying, "They killed him, they killed him!" Sister17 grabbed the resident and pulled them back out of the room. V19 said Sister17 said to everyone, "Don't pay attention to them, [they're] crazy!" V19 had heard later that they dropped a little boy down the staircase and he died.

V29, made through V29-Daughter1: In V29-Daughter1's statement to BPD, V29-Daughter1 explained that V29 recalled looking out the window at night and saw someone parked in the street when a man got out of the car, took something out of the trunk, and buried it. V29-

Daughter1 said that V29 told V29-Daughter1 that V29 reported this, and it helped solve a case, and V29 was so proud of this. V29-Daughter1 said V29-Daughter1 had no clue if this had any merit or any other details on this story.

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

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

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

5.4 Investigation by Law Enforcement Partners

When Task Force members BPD and VSP began their investigative work it was determined that BPD, with assistance from the Chittenden Unit for Special Investigations (“CUSI”), would handle all allegations that were made by former residents of the Orphanage who resided in Chittenden County or out of state and VSP would handle interviews of former residents of the Orphanage who lived in other parts of Vermont. Below are their summaries of the investigative work the conducted.

5.4.1 Burlington Police Department’s Investigative Summary

As noted in *Section 4.3 State of the Law*, the statute of limitations on a majority of the alleged crimes committed at the Orphanage, to include sexual assault, had expired. Only allegations of murder transcended the statutes of limitations that applied to acts committed during the Orphanage’s years of operation. (It is important to note that the State of Vermont has changed these laws, and that current state law allows prosecutions for aggravated sexual assault, aggravated sexual assault of a child, sexual assault, sexual exploitation of a minor, human trafficking, aggravated human trafficking, murder, manslaughter, arson causing death, and kidnapping to be commenced at any time after the commission of the offense.) Because murder was the only crime outside the applicable statutes of limitations, BPD focused most on these allegations.

During BPD’s investigation, a number of survivors’ statements provided information of suspicious circumstances potentially indicative of homicide or allegations of persons having witnessed murder. The suspicious circumstances ranged from accounts of holes large enough to accommodate a body that were seen dug in the ground inside and around the “chicken coop,” to a statement that described witnessing a boy being pushed out a window to his death. (This latter

statement was that of V51, who had passed away before the Task Force was convened, but who had previously taken part in a sworn, videotaped deposition during which V51 provided compelling accounts of having been an eye witness to two alleged murders.)

From an investigatory standpoint, the task of investigating alleged murders that occurred more than a half a century ago presented a number of challenges. There was no body, no crime scene, no known victim, no suspect name or names, no physical evidence. Several witness had died, as had other individuals who might have provided corroboration. Many of the survivors who gave statements were very young at the time of the incidents (ranging from 3 to 13 years old). The murders described by V51 occurred circa 1944, meaning 76 years had passed.

Acknowledging that a successful investigation—particularly one that could conceivably result in prosecution—was a nearly impossible task, BPD examined its obligation to a form of justice other than criminal justice. *What did BPD, and other Task Force members, owe these survivors?* To the best of BPD's ability, they owed survivors belief, restoration, and closure. BPD brought resources to bear accordingly.

Seven BPD detectives, two of whom were assigned to CUSI, assisted throughout this two-year-long investigation. During the investigation, BPD detectives conducted 45 interviews with survivors. In an effort to find corroborating information or evidence of alleged murders, the AGO and BPD contacted Vermont Catholic Charities, the Diocese, and the Sisters of Providence.

Vermont Catholic Charities and the Diocese granted investigators permission to view all files related to every survivor who had come forward. Detectives were able to view residence

files, residence tracking index cards, and the two resident books that documented every child who ever resided at the Orphanage from 1854 to the time that it closed in 1974. These tomes contained the name of every complainant who came forward. Detectives took the following investigative steps to find supporting evidence:

- Detectives interviewed 45 survivors/witnesses.
- With the assistance of the AGO and permission from Vermont Catholic Charities and the Diocese, detectives reviewed the two resident books on several occasions. Special attention was focused on all the survivors who had come forward and on the residents who died while at the Orphanage.
- Detectives reviewed archival documents at the Fletcher Free Library to include news articles prior to the 1990s, during the 1990s (particularly articles by Sam Hemingway), as well as the BuzzFeed article by Christine Kenneally.
- Detectives spent a number of days reviewing the resident files and priest files at Vermont Catholic Charities with the assistance from the AGO and permission from Vermont Catholic Charities and the Diocese
- Detectives drafted the investigative narrative for the MLAT petition to assist the AGO in efforts to compel cooperation and document production from the Sisters of Providence.
- Two detectives spent two days reviewing hundreds of death certificates from the City of Burlington, looking for associated deaths related to the Orphanage.
- Three detectives and a records clerk spent approximately three days (combined hours) sifting through hundreds of police documents looking for any corroborating police records involving the Orphanage. Nothing of substance was found.

- Detectives reviewed medical records.
- With help from survivors, detectives plotted locations on the Orphanage property possibly associated with homicide allegations (e.g., the chicken coop and potential grotto).
- Detectives met with the current developer of the former Orphanage property multiple times to establish timelines of current work as well as prior excavations done on the property. Through those meetings, detectives were able to conclude that the area where the “chicken coop” had been located was excavated in 2013 and was converted into a drainage pond. To date a majority of the property grounds around where the old Orphanage building stands has also been excavated, to include where the “grotto” once stood. Detectives met with the excavation foreman who confirmed that nothing suspicious has been located, including human remains.
- Detectives viewed V51’s deposition in its entirety.
- Detectives reviewed case files and paperwork from lawsuits filed by survivors in the 1990s.

The above bullet-pointed investigative action is not all-encompassing but outlines general steps taken during the investigation.

5.4.2 Vermont State Police’s Investigative Summary

VSP was specifically tasked with conducting interviews regarding allegations against the Orphanage and also potentially assisting with any type of homicide investigations related to incidents that may have occurred at the Orphanage. Specifically, VSP investigated allegations made by victims who resided outside of Chittenden County. Two interviews were conducted by

VSP detectives, one was directly related to the Orphanage, and a second investigation was around allegations that were not related to the Orphanage.

After these interviews were conducted and more information was gathered by the Task Force, a decision was made to move from an investigative to a restorative process with prospective victims. As such, the Victim Services Director, in cooperation with the Victim's Advocate from the AGO, started speaking with individuals who came forward with allegations of abuse.

Detectives with VSP remained engaged in the Task Force process but took no further investigative actions.

5.5 Outcome of Investigation

Over the past two years, the Task Force investigated allegations of physical abuse, sexual abuse, and neglect made by former residents of the Orphanage, and reviewed a number of residents' statements that provided information potentially indicative of homicide or allegations of persons having witnessed murder.

As part of that investigation, the Task Force requested documents from the institutions that ran and oversaw the Orphanage, conducted interviews, went on location visits, and reviewed video depositions and other materials. At the completion of the investigation, the Task Force concluded that the statute of limitations barred prosecution for all potential crimes considered by the Task Force, other than murder. Murder does not have a statute of limitations, but, as stated above, the investigation did not reveal sufficient evidence to substantiate such a charge.

As a result, the Task Force has closed this criminal investigation. Notwithstanding this recommendation, BPD reserves the right to re-open a murder investigation if new information is brought to their attention.

6. Restorative Inquiry

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

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

6.1 Why A Restorative Inquiry?

From the outset of this investigation, Task Force members looked to the principles of restorative justice to provide a path for accountability and healing that the traditional criminal justice system may not. The Task Force recognized that its work could not be limited to an inquiry into criminal liability. Justice cannot always be delivered in a court of law. But members of the Task Force understood that the limits of criminal jurisdiction do not mark the limit of the State's obligation to those people whose lives were harmed by their time at the Orphanage.

“Restorative justice is an approach to achieving justice that involves, to the extent possible, those who have a stake in a specific offence and to collectively identify and address harms, needs, and obligations in order to heal and put things as right as possible”⁵⁰ Task Force members understood the importance of listening to, and learning from, the people whose lives were harmed. The Task Force has worked to find ways to acknowledge their experiences and perspectives while encouraging Vermont institutions—including police, prosecutors, family services, and others—to reflect on their past and present responsibility to protect children.

To this end, the Task Force engaged the services of the Burlington Community Justice Center and an independent facilitator, Marc Wennberg, to assist in creating a process and response that would acknowledge and address the harm communicated by the survivors who came forward to report abuse that happened at the Orphanage.

This process created by Mr. Wennberg, the Advisory Team, and the Community Justice Center took the form of a restorative inquiry. A restorative inquiry can be used when harms occurred in the past and over a lengthy period of time. Similar to a truth and reconciliation commission, a restorative inquiry is focused on uncovering facts and understanding what happened both in terms of the parties directly responsible, and in terms of the systems or institutions involved. While restorative inquiries investigate the past, they usually propose changes to prevent similar harm in the future. The principles employed in a restorative inquiry remain the same as those for any other restorative process: the process is driven by the victims and survivors of the harm and should seek to do no further harm. The Restorative Inquiry into St.

⁵⁰ Howard Zehr, *The Little Book of Restorative Justice*, page 48, (Good Books, 2015)

Joseph's Orphanage has drawn inspiration and learning from the Restorative Inquiry into the Nova Scotia Home for Colored Children.⁵¹

6.2 SJRI Statement of Principles and Commitment

The SJRI is guided by the following statement of principles to the former children of the Orphanage:

- As a community, we failed you when you most needed our support and care. You did not deserve what took place at the Orphanage; your lives were wrongly harmed and we need to make amends for this harm. We also have a responsibility to learn from your experiences so that children in Vermont do not suffer similar harm.
- Our core obligation is to listen to your stories and experiences. You know what took place at the Orphanage and the many ways that these experiences impacted your life. We believe you.
- There are no justifications for what took place at the Orphanage. There are also no excuses for the many ways that the community and those involved in operating the Orphanage ignored your neglect and abuse. Every child deserves protection, care, and love.
- Everyone involved must accept responsibility for the harm that you experienced. This responsibility requires that we listen to you, honor your requests, and—to the best of our collective ability—make amends.

⁵¹ More information can be retrieved at: <https://restorativeinquiry.ca/>. An article about the Nova Scotia inquiry can be retrieved at: <https://policyoptions.irpp.org/magazines/february-2020/restorative-inquiry-offers-new-vision-of-justice-for-african-nova-scotians/>.

- We owe it to all children, present and future, to not repeat the mistakes that were made with you and your families. We must learn from your experiences and wisdom to ensure that every child is protected, cared for, and nurtured.

We Commit Ourselves to:

- Respect: We will engage all participants with respect and dignity.
- Safety: We will support all participants' fundamental right to feel safe.
- Inclusiveness: We will ensure that all participants have multiple opportunities to be heard and acknowledged.
- Equality: We will facilitate processes that ensure equal voice and experience.⁵²

6.3 SJRI Framework and Process

The SJRI operates within a restorative justice framework and takes direction from the former residents of the Orphanage. The SJRI is an organic and iterative process that first seeks to establish connection and relationships, and then explores key issues and identifies plans of action. These steps include:

- Connecting with former residents of the Orphanage: The SJRI will engage every former child of the Orphanage who wants to participate and have their voice heard. The SJRI is committed to offering multiple pathways for former residents to engage in the process and share their stories.
- Organize group gatherings: The SJRI organizes and facilitates weekly group gatherings of former residents from the Orphanage. The gatherings provide former residents with an

⁵² The text of this section is also found at: <https://www.stjosephsrj inquiry.com/principles>

opportunity to build connection, offer mutual support and understanding, share stories and experiences, and make decisions on the direction of the restorative inquiry.

- Meeting with the primary responsible institutions: The Orphanage was managed and supervised by the Diocese, Vermont Catholic Charities, and the Sisters of Providence. The Orphanage was also part of a statewide system of child welfare and safety that included state agencies, police, and health care providers. The SJRI will engage willing representatives from the different agencies and institutions and invite their participation and reflection.
- Restorative dialogues: The SJRI is committed to facilitating a series of restorative dialogues where responsible institutions have an opportunity to listen to and learn from former residents of the Orphanage.”⁵³

6.4 Activities of the SJRI

The SJRI began its work in May of 2019 by conducting outreach to former residents from the Orphanage who expressed an interest in learning more about the restorative inquiry. As of this report’s publication, the SJRI has contacted more than 30 former residents. Through these contacts, about 18 people have become actively involved in the SJRI. Of these former residents, about a dozen live outside of Vermont. In November of 2019, the SJRI began hosting regular in-person gatherings for its participants. As a result of the COVID-19 pandemic, meetings have moved online and take place on a weekly basis. Members of the Task Force have met with SJRI participants and participated in SJRI proceedings and activities.

⁵³ The text of this section is also found at: <https://www.stjosephsrj inquiry.com/about>

In addition to meeting frequently, there have been several activities sparked by SJRI participant requests. Some of these include: the creation of a writer's group, participation at a Burlington Parallel Justice Commission,⁵⁴ the formation of a memorial committee, participation in a historical research project, and a number of informational sessions to include education about Adverse Childhood Effects (ACEs).⁵⁵

6.5 The Requests of Those Who Were Harmed

In accordance with the restorative justice process, the former residents of the Orphanage make the following requests of Vermont leaders and institutions.

Request 1: Face-to-face meetings with leaders from the following institutions, an acknowledgement from them that what we say happened did indeed happen, and a sincere apology:

- the Sisters of Providence,
- the Catholic Diocese of Burlington,
- Vermont Catholic Charities,
- and the State of Vermont child protection services.

Request 2: The Catholic entities named in Request 1 shall demonstrate the depth of their apology by:

- creating a fund to pay for the healing therapies of any former orphanage resident who requests it,

⁵⁴ See: <https://www.burlingtoncjc.org/parallel-justice>.

⁵⁵ See: St. Joseph's Restorative Inquiry September 2020 newsletter. Included in Appendices.

- releasing all records related to the operation and supervision of St. Joseph’s Orphanage and,
- providing all and complete family records, no redactions, to any former resident who requests it. We have been seeking these records for a long time and they have not been forthcoming.

Request 3: The Vermont State Legislature, upon reading the report, shall:

- acknowledge the harm we experienced, and
- work with us to enact laws that remove the statute of limitations for physical and mental abuse to better protect vulnerable people of all ages who face abuse of any kind.

Request 4: Make public the St. Joseph’s Orphanage Task Force Criminal Investigation Report, so the public is informed:

- about the horrors that went on at St. Joseph’s,
- that it was covered up by The Catholic Diocese for decades,
- that what may still be hidden remains unknown, and
- for the purpose of encouraging any individual who worked for or lived at the orphanage that has testimony to add, to please come forward.

7. Reflections from the Task Force

The State of Vermont, its laws, and its institutions did not protect the children of the Orphanage. That failure to protect was a failure of the laws, a failure of law enforcement, and a failure of the society that made those laws and oversaw their enforcement.

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

7.1 Attorney General's Office

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My Office conducted this investigation to achieve three goals: First, to investigate an allegation of homicide; second, to investigate and prosecute criminal activity where possible; and third, to provide a path for accountability and healing where the traditional criminal justice system may not.

A crucial part of the third goal has been to reflect on the role and responsibilities of my Office in relation to the allegations at the Orphanage.

To the people who experienced harm at the Orphanage: I see you, I hear you, and I support you. The Office of the Attorney General did not protect you during your years at the Orphanage. I acknowledge the Office's role in a failed system and the impact that has had on your lives.

That failure to protect was a failure of the laws, a failure of law enforcement, and a failure of the society that made those laws and oversaw their enforcement. I discuss these issues further below.

The Impact

Through my participation in the restorative inquiry, I and others from my Office have had the opportunity to hear directly from many of the people who were harmed while they were at the Orphanage. We admire the bravery and courage of those who have come forward to share their painful experiences. Similarly, it is important to acknowledge those people who experienced harm but were not able to come forward because they decided that reporting the abuse was not in their best interest or were not able to do so because they are no longer with us.

There has been a lifelong impact on many of the children who suffered abuse at the Orphanage and they have carried this trauma into adulthood, affecting their families and loved ones deeply. We must be vigilant about acknowledging the trauma experienced by children and other vulnerable populations and we, as a community, need to be committed to addressing issues of trauma.

The Attorney General's Office

The Attorney General's Office has changed significantly since the era of the allegations in this report, with a greatly expanded capacity to address crimes of the sort alleged. I do not describe these changes to excuse the failure to protect the children of the Orphanage. I describe them to give an honest account of our history, and to draw lessons that should teach us all to better protect the children of Vermont.

During much of the time period encompassing this report's allegations, the Vermont Attorney General's Office was small, with limited capacity for investigation and litigation. In 1947, the Attorney General's Office consisted of two lawyers: the attorney general and his deputy. They were assisted by one investigator.⁵⁶ Eighteen years later, the Office had expanded

⁵⁶ 1947 Public Laws of Vermont, page 429.

by a total of one lawyer.⁵⁷ It was not until the construction of the interstate highways necessitated a rush of real estate work in the late 1960's that the office began to grow more quickly.⁵⁸ By 1969 there were 18 lawyers.⁵⁹ But there was still no dedicated division in the office working on criminal cases, nor were there lawyers working on child protection issues.⁶⁰ One of the lawyers in the litigation division did handle criminal cases and assist county State's Attorneys with complex trials. But those cases were generally homicides and were not cases related to child protection.⁶¹

Research reveals no indication that my Office received a report about, or was otherwise aware of, allegations about the Orphanage during the period of years covered by the allegations in this report.

It was not until around the time the Orphanage closed in the mid-1970's that the capacity for handling criminal cases in the AGO expanded more significantly with the creation of a dedicated criminal division.⁶² And it was not until the mid-1980's that a unit was created dedicated to prosecuting child protection cases—the Child Protection Unit, which took on challenging child abuse cases.⁶³

Beginning in 2002, my Office conducted a criminal investigation into the Burlington Catholic Diocese as a result of abuse allegations against priests. The investigation remained primarily focused on priests of the Diocese in part because officials at that time were concerned

⁵⁷ 1963 Public Laws of Vermont, page 532.

⁵⁸ Discussion with former Chief Assistant Attorney General Bill Griffin, Nov. 17, 2020.

⁵⁹ 1969 Public Laws of Vermont, pages 624-25.

⁶⁰ *Id.*, and discussion with Chief Assistant AG Griffin.

⁶¹ Discussion with Chief Assistant AG Griffin; discussion with Former Attorney General Jerome Diamond, Nov. 21, 2020.

⁶² Discussion with Former Attorney General Jerome Diamond.

⁶³ Discussion with Assistant Attorney General Linda Purdy, Nov. 18, 2020.

with the immediate threat that still-active priests could pose.⁶⁴ While the investigation was not focused on the Orphanage, the AGO repeatedly requested documents related to it—which the Diocese refused to provide.⁶⁵ For reasons similar to those confronting the present investigation, primarily statutes of limitation, my Office was not able to bring criminal charges at that time.

The story of the AGO in relation to the allegations in this report is a story of ignorance due to low historical levels of staffing and lack of focus on child protection issues. We were part of a statewide system that shared similar limitations. But ignorance is no excuse. The lack of attention and capacity was a failure, and one we must strive never to repeat.

The Law

Vermont law has changed significantly since the era of the allegations in this report, with a greatly expanded capacity to address crimes of the sort alleged. And as with the AGO, I do not describe these changes to excuse the State's failure to protect the children of the Orphanage. I describe them to give an honest account of our history.

Vermont law did not adequately protect children during the years the Orphanage was in operation. As explained below, the criminal code was limited in how it defined child sexual and physical abuse. As a result, law enforcement and prosecutors had limited legal authority to hold perpetrators accountable.

For example, assault crimes for some of this period required other criminal conduct to accompany the assault, such as an assault during a robbery or an assault during an intended robbery. 1933 P.L. Sec. 8400-05. An assault without additional criminal conduct was not a

⁶⁴ Discussion with Assistant Attorney General Cindy Maguire, Nov. 18, 2020.

⁶⁵ *Id.*

crime. *Id.* Even when this changed, the ability to charge assault remained more limited than today. V.S. 1947 §§ 8255-56. Child neglect charges were more limited in their scope and applicability. 1933 P.L. Sec. 8395-97. In addition, for many years the rape statute required the victim to be female. 1933 P.L. Sec. 8388; V.S. 1947 § 8253. As a result, a rape allegation by a male resident of the Orphanage would not have been a crime.

The statutes of limitations throughout this period were short, other than for arson and murder. All crimes other than larceny, robbery, burglary, forgery, arson, and murder had a three-year statute of limitations. P.L. Sec. 2450; V.S. 1947 § 2493; 13 V.S.A §§ 4501. Larceny, robbery, burglary, and forgery had a six-year statute of limitations. P.L. Sec. 2451; V.S. 1947 § 2494; 13 V.S.A § 4502. Only arson and murder had no limitation. P.L. Sec. 2452; V.S. 1947 § 2495; 13 V.S.A § 4503.

Vermont law has evolved to better protect children. Today the law permits the State to prosecute sex offenders regardless of the gender of the victim. 13 V.S.A. §§ 3251-59. We have expanded the timeframes of statutes of limitations. 13 V.S.A. 13 V.S.A § 4501.

Vermont's protective systems have evolved as well. Beginning in 1992, specialized, multi-disciplinary teams formed to better serve children who are victims of serious abuse. Today, these multi-disciplinary teams are known as Child Advocacy Centers (CACs), and they are tasked with providing a comprehensive response to children who report sexual and severe physical abuse.⁶⁶ By the early 2000s, Vermont had a nationally accredited CAC in every county, ensuring that children who report abuse receive access to specially trained investigators, child protection workers, advocates, therapists, and sexual assault nurse examiners.⁶⁷

⁶⁶ See <https://www.vtchildrensalliance.org/about-cacs/>.

⁶⁷ *Id.*

With respect to victim assistance more broadly, we now have support services for people who have been victimized. In 1986, the Vermont Legislature recognized that people who have been harmed need help navigating the criminal justice system. 13 V.S.A. § 5303. As a result, it created the Victim Assistance Program. 13 V.S.A. § 5304. Comprised in part of victim advocates housed within the State’s Attorneys’ offices and the Attorney General’s Office, the program offers support and resources as victims navigate the criminal justice process. 13 V.S.A. § 5306.

The Larger History

Vermont’s laws, law enforcement systems, and child protective services during the era of the allegations contained in this report likely reflected profound differences in society’s trust in, and deference to, authority figures and those occupying a parental role. Child abuse in homes or institutions was not recognized as a significant problem and was rarely prosecuted. For example, it was not until 1974—around the time the Orphanage closed—that Congress passed the Child Abuse Prevention and Treatment Act, which supported prevention, assessment, investigation, prosecution, and treatment for child abuse issues nationwide. P.L. 93-247. In the case of the Orphanage, there was the added belief that institutions of worship and service, such as the Roman Catholic Diocese, were presumed places of safety and support for communities—especially children.

This deference to those providing care, and to services provided by the Diocese, likely impacted the ways that communities, law enforcement, and prosecutors viewed and responded to reports of child abuse. It likely impacted the frequency with which people made reports to authorities, and with which young people were believed. It underlies the reality that Vermont laws and law enforcement were less encompassing than the systems in place today.

Ultimately, this history is no excuse. If the people of Vermont were trusting and failed to appreciate dangers to the most vulnerable members of society, to those it had the greatest obligation to protect, it was still the institutions—including law enforcement, including the my Office—that did not know what they needed to know, and did not act when they needed to act.

Conclusion

We cannot avoid the truth that the State of Vermont, its laws, and its law enforcement institutions did not protect all of the children of St. Joseph’s Orphanage. Vermont failed the young people who most needed protection. My Office was one of the institutions that was not there for the children who needed help.

Ultimately it is the courage of those children, now grown to adulthood bearing a burden they should never have borne, that has forced this necessary reckoning with our past. The limits of the law mean justice for the survivors may not be found in a criminal courtroom. But with humility and respect, I present this reflection in service of accountability and healing, with the hope that this aspect of the state’s restorative inquiry may provide some measure of justice.

We are committed to learning from our past so history does not repeat itself, and so we can help protect the children of our state, wherever they may live, today and in the future.

7.2 Burlington Police Department



**POLICE DEPARTMENT
CITY OF BURLINGTON**

Burlington Police Department Reflective Statement

Regarding the investigation into decades of alleged criminal acts at the St Joseph’s Orphanage (SJO), the Burlington Police Department gathered statements from survivors or their representatives, reviewed hundreds of records, and spent hundreds of hours on interviews, site visits, document research, and other investigations. The results of these efforts on behalf of survivors from a criminal-justice perspective are described in the St Joseph’s Orphanage Criminal Report. Regarding the experience of this investigation, and the impact it had on investigators, we offer the following:

We affirm that abuse occurred at the SJO, and that children suffered there.

We affirm that our community failed to protect those children.

We affirm a responsibility to prevent these kinds of harms from being repeated.

We affirm that we believe the survivors.

Acting Chief of Police Jon Murad:

Police exist to keep people safe, and we can never turn away from calls for help, nor from our neighbors telling us about their pain. Part of our role is assuming some of that burden to ease that of the people we’re sworn to protect. In this story, we took too long to do that. For me, one of the most salient moments in these interviews and statements came when a survivor stated “it felt good to be able to tell people what really happened.” I am awed by the survivors, and the strength they have shown in coming forward, in grappling with old pain that often haunts them still. We owe them our belief, even when we cannot give them resolution through the law or the courts. We owe them the dignity of their truth, even when that truth can’t result in the outcomes we normally seek. Perhaps most importantly, we owe them a promise that we will do all we can to prevent anyone being harmed in this way again. As a society, we have done a number of things in the intervening decades to make that a reality—from better record keeping to empowered family courts and children’s advocates, from new policing emphasis on crimes against children and domestic violence to widened categories of crime immune to the statute of limitations. There’s more we can do. We can do a better job of explaining to people with whom we interact—kids, especially, but everyone—the whys and hows of what we do. (Many of the survivors’ statements were filled with traumatic bewilderment.) We can pledge to ensure that we treat everyone with the dignity all people deserve. (Too many of these children were deprived of agency or had their self-worth purposefully eroded.) And we can remember our obligations to keep the most vulnerable among us safe.



**POLICE DEPARTMENT
CITY OF BURLINGTON**

Lieutenant Jim Trieb

When this investigation began, I was not prepared for the horrible and heartbreaking stories that would be told. I currently have young children the same ages as many of the survivors at the time of their awful abuse, and that connected me emotionally to them. I experienced a number of strong feelings, from anger to sadness to disgust. Anger that someone who was entrusted to care for our most vulnerable instead violated and abused them. Sadness in thinking about these atrocities happening to my own children and how frightened those children at the orphanage must have been. Disgust that it was allowed to happen in the first place and that the survivors have not been truly validated in their quest to be believed. These former children of the SJO refer to themselves as “survivors.” They are so much more than that and I am inspired by the strength and courage they have shown. I hear them and believe them.

Sergeant Michael Beliveau

I spoke with dozens of survivors from the St. Joseph’s orphanage. I listened to their stories and watched as many of them broke down into tears. I could hear the suffering in their voices as they recounted the horrific events they witnessed and endured. I believed them. These were just kids and so many of them were robbed of their childhood. For many, the physical and psychological abuse still haunts them today. I wish that I could have traveled back in time to protect them. This has opened my eyes to constantly re-evaluating the way things are done so that we never fail our most vulnerable populations again. I feel that by continuing to protect and serve our community we are trying to right the wrongs done by so many. I hope that in doing so, men, women, and children such as those affected by the orphanage will feel safer and will hopefully find peace one day. I hope that the survivors felt some sense of closure in not only their need to be heard but believed. This investigation has been challenging but overwhelmingly rewarding, due in large part to the brave people who came forward with their stories and never gave up hope.



Jon Murad
Acting Chief of Police, December 10 2020

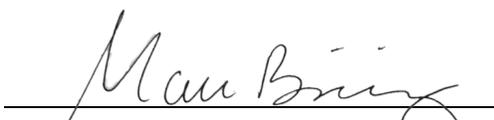


**DEPARTMENT OF PUBLIC SAFETY
VERMONT STATE POLICE
45 State Drive
Waterbury, VT 05671**

Over the past two years, as part of the St. Joseph’s Task Force, the Vermont State Police has been honored to help this investigation move forward. There have been countless times during our work that felt transformative for those who were able to hear the stories of survivors. As an agency whose work focuses on public safety, we want to acknowledge the voices of survivors who bravely shared their stories.

We know there are many people who were harmed who, for various reasons, decided against coming forward, and we respect this decision. We also recognize there are children who spent time at the orphanage who grew to carry burdens they could not bear, and were lost to substance use, suicide, or other tragic circumstances directly related to the abuse they suffered. Harm perpetrated on children during their development has lasting impact throughout their lives, and in this way, the harm suffered at the orphanage is still felt today by the survivors and by their loved ones. We say to those who have bravely shared their stories: We are sorry this happened to you. You did not deserve to be harmed, nor did you deserve to be silenced.

The amount of harm, lack of safety and lack of attention and resolution for those who survived, and those who did not, weigh heavy on us as we look to the future and ask ourselves how our agency can work to ensure this never happens again in Vermont. We will continue to support the Restorative Inquiry and remain open to conversations to ensure a positive outcome for those who seek it.


Colonel Matthew T. Birmingham
Director


Kate Brayton, LICSW
Victim Services Director

7.4 Mayor Miro Weinberger, City of Burlington



Office of Mayor Miro Weinberger

December 2, 2020

In 2018, when I first read about the harm inflicted on residents of the St. Joseph's Orphanage, I was surprised, saddened and angered. It was quickly clear to me that we needed some kind of official accounting of what transpired at the orphanage to bring proper closure to this troubled period of Burlington's history. To that end, I worked with Attorney General TJ Donovan to create the St. Joseph's Orphanage Task Force and give it the charges of supporting the criminal investigation, reviewing the role of the institutions most responsible and holding them to account, and launching a restorative inquiry. I also directed the Burlington Police Department to partner in the criminal investigation and am grateful to the Officers who took on that work.

With this investigatory work done, and after hearing discussions and writings of the former residents, I find the accounts credible and the work of the Burlington Police Department compelling. I acknowledge that the institutions and individuals operating the Orphanage failed those children. I recognize that the community as a whole bears some responsibility for that failure, too. Our community must carry a part of the burden of restoration for those who have come forward to tell their stories, and the many more who either did not have the chance to speak up or who did and weren't believed. I'm committed to grappling with the findings of the upcoming report, and to doing everything I can to ensure that a failure of this kind never happens in Burlington again.

The Restorative Inquiry goes beyond the criminal investigation. It seeks to understand and document the events at the Orphanage through the voices and experiences of those most affected--the former residents--and facilitates an inclusive process of accountability, amends-making, learning, and change. I am grateful to Burlington's Community Justice Center team and Marc Wennberg, who facilitated weekly meetings of the former residents to advance this process. I participated in one of these meetings, and will never forget the descriptions of abuse, pain and loss that I heard.

The City has not only participated in the criminal investigation, we have also participated in this Inquiry as an invested community partner, and attempted to identify and grapple with the City's own role in the harms done. The Burlington Police Department went further than the criminal investigation and conducted a review of its runaway files. The City also reviewed our historical financial records to understand our historical financial relationship with the Orphanage and learned that the City made annual charitable contributions (on average about \$1,000 a year) toward Orphanage operations until 1948. Reflecting on the fact that the City's multi-decade financial relationship with the Orphanage did not appear to improve conditions for vulnerable children there raises questions still relevant today about the City's responsibility and capacity for holding partner organizations accountable.

The former residents of St. Joseph's have shown immense bravery as they have shared their stories and continued to engage in the painful work of accountability—work that allows our community to memorialize, honor, and learn. I am grateful to them, and to the dozens of

public servants who worked long and hard to complete a measure of overdue justice and resolution.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Weinberger', is centered below the word 'Sincerely,'. The signature is fluid and cursive.

Miro Weinberger
Mayor