

Confidential Report
Sexual Misconduct Team
12/6/00

Dear

In response to your request Oscar Mendez and I meet yesterday with [redacted] and Franklin in the morning at St. Elizabeth's and with Tom Thing in the afternoon at St. Anthony's. After talking with Franklin, Oscar and I meet privately with [redacted]. We followed the procedures outlined in the Provincial Handbook under Policies and Procedures in the St. Barbara Province for Friar Conduct Excluding Accusations of Sexual Abuse of Children. Attached is an outline of our interview procedure. We concentrated on gathering the information requested in item #2, steps (1), (2), (3) and (4).

Since [redacted] is Spanish speaking his interview was conducted in Spanish. Oscar will give you, under separate cover, a report of this interview. Oscar and I concluded from our interview with him that [redacted] was credible. We believed what he told us. We believe that sexual misconduct had taken place between [redacted] and his Director, Tom Thing. [redacted] knew of no other possible victims of professional sexual misconduct by Tom Thing. [redacted] reported to us that he was also sexual with David Johnson, which we believe constitutes professional sexual misconduct by David Johnson.

We met with Tom Thing later in the afternoon. We told him [redacted] had reported that he and Tom had been having sex together for months. We asked Tom to respond to the truth of what [redacted] had reported. Tom's response was "Definitely, it's true." Tom told us he and [redacted] started having sex together in March and had been continuing to be sexual together on and off since then. He reported that only recently had they stopped having sex with each other. Tom said that he found [redacted] seductive and that [redacted] had initiated their sexual affair. Tom said their sex was always consensual and never forced. Tom said all this began shortly after his father and brother had died and that he (Tom) was feeling lonely and in need of intimacy. He hoped that he could find with [redacted] the kind of deep intimate relationship he wanted. Tom said he fantasized leaving the friars with [redacted] if their relationship meet this kind of intimate need. However he expressed disappointment with [redacted] was not generous and Tom had had conflicts with him. As an aside Tom said he thought [redacted] was not a good candidate for the friars.

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Tom told us he had never been sexual with anyone else. Tom said he never told anyone about his sexual behavior with . Tom said he did not know if had had sex with other people, other friars or other lay people either before or during their sexual affair. It was something he never discussed with

Tom said he knew that his having sex with was wrong for a number of reasons. When asked he said that yes he knew there was a power difference between them. He knew that he was in positions of authority and responsibility regarding . He had had sexual harassment workshops both with the friars and at the University. He said that although he knew this at the same time he felt he needed an intimate relationship and that he felt was more of an equal to him in this regard.

Tom said he felt devastated by his own behavior and felt most chagrin thinking about how disappointing his behavior has been for you, . He explained that you have been a friend to him and have helped him build a position of responsibility within the friars that because of his behavior is now destroyed.

We referred to section #2 (3) in the outline for Policies and Procedures we were using. "What was the nature of the problem of the friar?" We asked Tom to help us understand this, why had this happened? Tom said he did not know. He could only say he felt the need to have an intimate loving relationship was what motivated him despite the fact that he knew what he was doing was wrong.

We told Tom we were also going to make recommendations for what happens next. Tom said he knew he'd probably have to go to therapy and that was OK. He asked if he could see his former therapist Dian Greenwood. I reminded him that she is now in Portland, Ore. Tom said he knew he could get a day or two off every couple of weeks and fly up there if that was approved. I suggested to him that, although it was not our decision to make, he'd probably be removed from his university job. I asked him again if he understood the gravity of his actions. That he had been sexual with someone he was in responsible for and in a position of authority with? He acknowledged he understood this but would be disappointed if he had to leave his job.

We asked him if he would be willing to undergo psychosexual evaluation. He said he would if it was not at TARA. He reviewed his bitterness at his former experience there. He had consulted an attorney and upon his attorney's advice refused to take a polygraph test. We asked if he would still refuse such a test if it was part of his evaluation. He thought he would. He said it was his right but he'd decide when it came up.

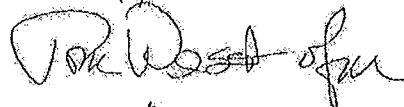
At this point we patiently explained to him that his behavior had serious consequences for the province as well as for himself. His behavior was a scandal and although not criminal in nature could constitute professional misconduct and lead to a civil suit. Did he realize all the implications of what this would mean for the province? He said he did. I explained that a thorough psychosexual evaluation could help mitigate some of this danger to the province. Despite this Tom said he felt he had a right not to take a polygraph test. The interview ended shortly after this exchange.

Recommendations

Oscar and I make the following recommendations:

- 1) Franklin and get the support of psychotherapy.
- 2) Tom be sent for psychosexual evaluation at a place comparable to TARA but not at TARA itself. Perhaps Fran and John can recommend an alternative.
- 3) Tom be taken out of his present ministry. The supervisor of that ministry be told why.
- 4) Early in the ESL program the candidates be given a sexual harassment workshop.
- 5) David Johnson be interviewed by us according to the province policy.

Respectfully,



Oscar Mendez OAM