

Probe Purchase Of Crown Victoria By Clergyman Accused Of Sex Abuse

The state police have opened a criminal investigation into how the Rev. Stephen Foley obtained a Crown Victoria outfitted with emergency lights, police scanners and antennas.

At least 11 men have alleged that Foley used his position as chaplain for local fire departments and the state police - which included the use of a car outfitted with lights, sirens and scanners - to molest them when they were teenagers.

Department of Public Safety Commissioner John A. Danaher III said Monday that an investigation was initiated after a story in The Courant Sunday revealed that Foley is driving a car that looks much like a state police cruiser.

The Courant reported that he purchased the car through a New Hampshire car dealer under the guise of the New England Association of Fire Chiefs and then transferred it to himself three months later. Officials from the association of fire chiefs say they never authorized Foley to use their name.

Since The Courant's story was published, accusers and their advocates have called on the Catholic Church to stop Foley from driving the car. At a press conference Monday, one of Foley's accusers, Tony Lembo, was joined by members of SNAP (Survivors Network of those Abused by Priests) and a state lawmaker to demand immediate action from the state police and the Archdiocese of Hartford.

"[Foley] should be in jail," said Lembo, who has written a book about what he says was his experience with Foley. "This guy's out of control. You can wait around for him to do this again, and he probably will, if he hasn't already. It's a time bomb."

Barbara Doris, national outreach director for SNAP, was equally direct.

"To the church officials who say they're upset by Foley's car: Talk's cheap. Do something. Protect the kids," Doris said.

The archdiocese should be ashamed of itself, Doris added, for saying in Sunday's story that no one had ever specifically requested that they not allow Foley to drive the same type of car he used when he allegedly molested young boys.

"If a priest had shot a dozen parishioners but escaped prosecution because of the rigid and archaic statute of limitations, would the archdiocese have let him carry a weapon?" Doris said.

A spokesman for the archdiocese said Monday that it would "be supportive" of the state police investigation but had not yet taken any action to prevent Foley from driving the Crown Victoria.

"I do believe there is going to be action taken, but I don't know what that action will be," said the Rev. John Gatzak. "I know the archbishop [Henry Mansell] has been very, very busy today."

Foley was removed from his Glastonbury parish in 1993, when the diocese received an abuse complaint against him, and he was ordered not to wear the Roman collar when the church was sued in 2002. He has lived at St. Thomas Seminary in Bloomfield since 1993, performing no duties while receiving free room and board, health insurance and a monthly stipend.

Danaher said investigators will have to determine whether Foley's purchase of one Crown Victoria in 2000 and a subsequent purchase of another in 2002 happened too long ago for them to bring charges. The statute of limitations on fraud or forgery cases, which would be the potential charges, is five years.

It would not be the first time Foley escaped criminal prosecution in such a way. A previous investigation into sexual abuse accusations against Foley was dropped in the early 1990s because the alleged crimes occurred outside the statute of limitations.

Foley appears to have used the association of fire chiefs' name without permission to purchase the new Crown Victoria in 2000, paying \$20,894 for a car with "police" equipment.

According to Department of Motor Vehicles records, the title and registration papers for the car list the association as the owner, but Foley signed all the documents and wrote down his West Hartford post office box for the association's address.

Foley transferred ownership of the car to himself at no cost after a few months, according to DMV records, then traded it in for a new, fully loaded Crown Victoria two years later under a special deal offered only to law enforcement officials. The cost of the car, which he drives today, was \$3,900.

Department of Motor Vehicles spokesman William Seymour said his agency also has begun a review of how Foley obtained the car, including "a title search to ensure that the proper processes were executed and that the proper documents were submitted."

Members of the association of fire chiefs said last week that they were stunned to learn that the association was initially listed as the owner of the car because it does not purchase vehicles for any of its members.

Richard Susi, president of the association and chief of the Cumberland Hill Fire Department in Rhode Island, said Monday that the association is consulting its attorney on its legal options. Foley used his own address on the forms and slightly changed the association's name to the "New England Fire Chief's Association." The correct name is the New England Association of Fire Chiefs, Inc.

"I'm just not so sure we legally have any standing on this," Susi said Monday. "It certainly was meant to be us, we know that. I believe [Foley] was trying to use whatever benefit he could get out of it."

In the 1993 investigation of Foley, two detectives looked into allegations that he had used his car to lure teenage boys and then abused them. The investigation was dropped when prosecutors determined that the statute of limitations had expired. The abuse claims were from the mid-1970s, when Foley was a state police chaplain and a fire chaplain for several local departments in the Hartford area.

There were also calls Monday for an investigation into the destruction of the file from that state police investigation.

New London attorney Robert Reardon, who has three lawsuits pending against Foley and the Hartford archdiocese, has raised questions about when the file was destroyed.

State police officials said they destroyed it in January 2004, following a routine policy to destroy files when they reach 10 years old.

The file was destroyed about three weeks before Reardon sent a subpoena to the state police seeking the records. Reardon has called the shredding "suspicious" at best. State Rep. Michael Lawlor, chairman of the legislature's judiciary committee, called for an internal investigation to see if the file was destroyed illegally.

Lawlor said he was assured by Danaher on Monday that the agency would investigate both the forgery issue and whether there "was a deliberate destruction of records" in the Foley case.

"There's a record retention law that says you can't destroy them prior to 10 years. They could have kept them forever," Lawlor said. "Foley was very well-known in law enforcement and firefighting circles, not to mention the church itself, so it's not unreasonable to conclude that people knew that folks would be looking for these records at some point and they disappeared just a couple of weeks before the subpoena appeared. So it looks very suspicious."

Danaher said Monday that a review showed that the file was destroyed slightly more than 10 years after it was opened.

"We've looked at it every way we can. It was handled in the same way that thousands of other files were handled," Danaher said.

He said that in light of this incident, the state police will institute a new policy in which an investigator can make a special entry on a file indicating if it should be retained past the 10-year timeline.

There have been 11 sexual abuse complaints against Foley since the early 1990s. Some have resulted in lawsuits and have been settled out of court, according to the archdiocese.

Three of the lawsuits were resolved in 2005 as part of a \$22 million settlement the archdiocese reached over accusations against 14 of its priests. Gatzak declined to say how much money the church has paid over the years related to Foley, but other sources put the total at more than \$2 million.

Lembo, who met Foley in the late 1970s in Waterbury, when the priest and several others operated a pseudo fire department called the Hopeville Fire Department, received a settlement from the church after filing a lawsuit in 2002.

On Monday, Lembo said he refused to sign a non-disclosure agreement with the church and decided to write his book so that others would be enlightened about the "long-lasting effects of this type of trauma."