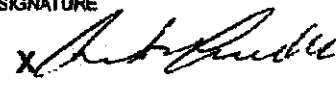



<b>APPLICATION FOR CRIMINAL COMPLAINT</b>		APPLICATION NO. (COURT USE ONLY) <b>2154CR0070</b>		PAGE <b>1</b> of <b>1</b>		Trial Court of Massachusetts District Court Department																																					
I, the undersigned complainant, request that a criminal complaint issue against the accused charging the offense(s) listed below. If the accused <b>HAS NOT BEEN ARRESTED</b> and the charges involve:						<b>DEDHAM DISTRICT COURT</b> <b>631 HIGH ST</b> <b>DEDHAM, MA. 02026</b>																																					
<input type="checkbox"/> ONLY MISDEMEANOR(S), I request a hearing <input type="checkbox"/> WITHOUT NOTICE because of an imminent threat of <input type="checkbox"/> BODILY INJURY <input type="checkbox"/> COMMISSION OF A CRIME <input type="checkbox"/> FLIGHT <input type="checkbox"/> WITH NOTICE to accused. <input checked="" type="checkbox"/> ONE OR MORE FELONIES, I request a hearing <input checked="" type="checkbox"/> WITHOUT NOTICE <input type="checkbox"/> WITH NOTICE to accused. <input type="checkbox"/> WARRANT is requested because prosecutor represents that accused may not appear unless arrested.																																											
INFORMATION ABOUT ACCUSED																																											
NAME (FIRST MI LAST) AND ADDRESS  <div style="text-align: center;">THEODORE MCCARRICK 6476 EIME RD DITTMER, MO 63023</div>				BIRTH DATE <b>07/07/1930</b>		SOCIAL SECURITY NUMBER <b>085-24-1458</b>																																					
				PCF NO. <b>create</b>		MARITAL STATUS <b>SINGLE</b>																																					
				DRIVERS LICENSE NO.		STATE																																					
				GENDER <b>M</b>		HEIGHT	WEIGHT	EYES																																			
HAIR	RACE <b>W</b>	COMPLEXION	SCARS/MARKS/TATTOOS	INTERPRETER NEEDED (language)	BIRTH STATE OR COUNTRY		DAY PHONE <b>703-856-3382</b>																																				
EMPLOYER/SCHOOL			MOTHER'S MAIDEN NAME (FIRST MI LAST)		FATHER'S NAME (FIRST MI LAST)																																						
CASE INFORMATION																																											
COMPLAINANT NAME (FIRST MI LAST) <b>TIMOTHY H BARROS</b>				COMPLAINANT TYPE <input checked="" type="checkbox"/> POLICE <input type="checkbox"/> CITIZEN <input type="checkbox"/> OTHER		PD <b>WEL</b>																																					
ADDRESS  Wellesley Police Department 485 Washington Street Wellesley, MA. 02482				PLACE OF OFFENSE <b>WELLESLEY, MA</b>																																							
				INCIDENT REPORT NO. <b>21-74-WA</b>		OBTN																																					
				CITATION NO(S).																																							
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:5%;">1</td> <td style="width:20%;">OFFENSE CODE <b>265/13H</b></td> <td style="width:55%;">DESCRIPTION <b>INDECENT A&amp;B ON PERSON 14 OR OVER</b></td> <td style="width:20%;">OFFENSE DATE <b>06/08/1974</b></td> </tr> <tr> <td colspan="4">VARIABLES (e.g. victim name, controlled substance, type and value of property; other variable information; see Complaint Language Manual)</td> </tr> <tr> <td colspan="4">VICTIM(S): <b>[REDACTED]</b>; WEAPON(S): Personal Weapons (Hands/Feet/Etc);</td> </tr> <tr> <td>2</td> <td>OFFENSE CODE <b>265/13H</b></td> <td>DESCRIPTION <b>INDECENT A&amp;B ON PERSON 14 OR OVER</b></td> <td>OFFENSE DATE <b>06/08/1974</b></td> </tr> <tr> <td colspan="4">VARIABLES</td> </tr> <tr> <td colspan="4">VICTIM(S): <b>[REDACTED]</b>; WEAPON(S): Personal Weapons (Hands/Feet/Etc);</td> </tr> <tr> <td>3</td> <td>OFFENSE CODE <b>265/13H</b></td> <td>DESCRIPTION <b>INDECENT A&amp;B ON PERSON 14 OR OVER</b></td> <td>OFFENSE DATE <b>06/08/1974</b></td> </tr> <tr> <td colspan="4">VARIABLES</td> </tr> <tr> <td colspan="4">VICTIM(S): <b>[REDACTED]</b>; WEAPON(S): Personal Weapons (Hands/Feet/Etc);</td> </tr> </table>								1	OFFENSE CODE <b>265/13H</b>	DESCRIPTION <b>INDECENT A&amp;B ON PERSON 14 OR OVER</b>	OFFENSE DATE <b>06/08/1974</b>	VARIABLES (e.g. victim name, controlled substance, type and value of property; other variable information; see Complaint Language Manual)				VICTIM(S): <b>[REDACTED]</b> ; WEAPON(S): Personal Weapons (Hands/Feet/Etc);				2	OFFENSE CODE <b>265/13H</b>	DESCRIPTION <b>INDECENT A&amp;B ON PERSON 14 OR OVER</b>	OFFENSE DATE <b>06/08/1974</b>	VARIABLES				VICTIM(S): <b>[REDACTED]</b> ; WEAPON(S): Personal Weapons (Hands/Feet/Etc);				3	OFFENSE CODE <b>265/13H</b>	DESCRIPTION <b>INDECENT A&amp;B ON PERSON 14 OR OVER</b>	OFFENSE DATE <b>06/08/1974</b>	VARIABLES				VICTIM(S): <b>[REDACTED]</b> ; WEAPON(S): Personal Weapons (Hands/Feet/Etc);			
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VICTIM(S): <b>[REDACTED]</b> ; WEAPON(S): Personal Weapons (Hands/Feet/Etc);																																											
REMARKS SID#				COMPLAINANT'S SIGNATURE <b>[Signature]</b>		DATE FILED <b>07/21/21</b>																																					
COURT USE ONLY A HEARING UPON THIS COMPLAINT APPLICATION WILL BE HELD AT THE ABOVE COURT ADDRESS ON				DATE OF HEARING <b>AT</b>		TIME OF HEARING																																					
DATE				PROCESSING OF NON ARREST APPLICATION (COURT USE ONLY)																																							
NOTICE SENT OF CLERK'S HEARING SCHEDULED ON:																																											
NOTICE SENT OF JUDGE'S HEARING SCHEDULED ON:																																											
HEARING CONTINUED TO:																																											
APPLICATION DECIDED WITHOUT NOTICE TO ACCUSED BECAUSE:																																											
<input type="checkbox"/> IMMINENT THREAT OF <input type="checkbox"/> BODILY INJURY <input type="checkbox"/> CRIME <input type="checkbox"/> FLIGHT BY ACCUSED <input type="checkbox"/> FELONY CHARGED AND POLICE DO NOT REQUEST NOTICE <input type="checkbox"/> FELONY CHARGED BY CIVILIAN; NO NOTICE AT CLERK'S DISCRETION																																											
DATE				COMPLAINT TO ISSUE		COMPLAINT DENIED																																					
<b>7-28-21</b>				<input checked="" type="checkbox"/> PROBABLE CAUSE FOUND FOR ABOVE OFFENSE(S) NO(S). <b>X1. X2. X3.</b> BASED ON <input checked="" type="checkbox"/> FACTS SET FORTH IN ATTACHED STATEMENT(S) <input type="checkbox"/> TESTIMONY RECORDED: TAPE NO. _____ START NO. _____ END NO. _____ <input type="checkbox"/> WARRANT <input checked="" type="checkbox"/> SUMMONS TO ISSUE ARRAIGNMENT DATE: <b>8/26/2021</b>		<input type="checkbox"/> NO PROBABLE CAUSE FOUND <input type="checkbox"/> REQUEST OF COMPLAINANT <input type="checkbox"/> FAILURE TO PROSECUTE <input type="checkbox"/> AGREEMENT OF BOTH PARTIES <input type="checkbox"/> OTHER: COMMENT																																					
						<b>DRT</b>																																					

<b>STATEMENT OF FACTS</b> IN SUPPORT OF APPLICATION FOR CRIMINAL COMPLAINT	APPLICATION NO. (court use only)	PAGE 1 OF 6	Trial Court of Massachusetts District Court Department
The undersigned alleges the following as a <input type="checkbox"/> full or <input type="checkbox"/> partial statement of the factual basis for the offense(s) for which a criminal complaint is sought.		COURT DIVISION DEDHAM DISTRICT COURT 631 HIGH ST DEDHAM, MA. 02026	
Summary report by: DETECTIVE CHRISTOPHER T CONNELLY:			
<p>On Monday, January 11, 2021, a SAIN interview of [REDACTED] was conducted by Francesca Callan (Frankie) in conjunction with the Middlesex County District Attorney, Norfolk County District Attorney, Newton Police, Arlington Police and Wellesley Police. The interview was conducted via zoom with representatives from the above agencies present for the interview. The interview was conducted in response to a letter sent from [REDACTED] attorney, Mitchell Garabedian to the district attorney's office alleging sexual abuse by Cardinal Theodore McCarrick. The interview was over 2 hours in length and was recorded by the Middlesex DA's office; please refer to their office for a copy of the full interview. The following is only a summary account of the interview.</p> <p>Frankie began her interview with [REDACTED] and asked him some back ground questions about himself. [REDACTED] explained that growing up he lived with his parents and siblings. [REDACTED] talked about his Uncle, Uncle [REDACTED] as he referred to him and explained that Uncle [REDACTED] had attended Fordham Prep with McCarrick. [REDACTED] stated that Uncle [REDACTED] would bring McCarrick to meet his family and attend family events. [REDACTED] mentioned that his grandfather adopted (later clarified only figuratively speaking) McCarrick because he had no father. [REDACTED] said that McCarrick would go on trips with his family. He said over the years McCarrick would perform mass for the family during weddings as well as oversee baptisms and funerals for the family.</p> <p>During their conversation, [REDACTED] outlined various incidents of abuse by McCarrick, most of which took place outside of Massachusetts. [REDACTED] detailed abuse by McCarrick starting when he was a young boy and occurring in New Jersey,</p>			
(Use additional sheets if necessary)			
PRINTED NAME CONNELLY, CHRISTOPHER	SIGNATURE 	I AM A: <input checked="" type="checkbox"/> LAW ENFORCEMENT OFFICER <input type="checkbox"/> CIVILIAN COMPLAINANT OR WITNESS	DATE SIGNED 7/20/21
ADDITIONAL FACTS FOUND BY CLERK-MAGISTRATE / ASST. CLERK / JUDGE BASED ON ORAL TESTIMONY:			
<div style="text-align: center; font-size: 2em; opacity: 0.5;">RECEIVED</div>			
REMARKS	SIGNATURE OF CLERK-MAGISTRATE / ASST. CLERK / JUDGE X	DATE SIGNED	

<b>STATEMENT OF FACTS</b> IN SUPPORT OF APPLICATION FOR CRIMINAL COMPLAINT	APPLICATION NO. (court use only)	PAGE 2 OF 6	Trial Court of Massachusetts District Court Department
The undersigned alleges the following as a <input type="checkbox"/> full or <input type="checkbox"/> partial statement of the factual basis for the offense(s) for which a criminal complaint is sought.		COURT DIVISION DEDHAM DISTRICT COURT 631 HIGH ST DEDHAM, MA. 02026	
<p>New York, California as well as Massachusetts. [REDACTED] went into explicit detail about different sexual encounters involving McCarrick including sexual abuse when [REDACTED] was older that occurred in hotels in Newton, MA. Please see the recording of the interview for a verbatim account of the sexual abuse [REDACTED] describes being done by McCarrick. Additionally, [REDACTED] detailed an incident occurring on June 8, 1974. [REDACTED] stated he remembered the exact day because it occurred at his brother's wedding reception. [REDACTED] stated his brother got married and held the reception at Wellesley College, where his brother's new wife had attended school. [REDACTED] was 16 years old at that time. [REDACTED] explained that the family was there at the reception as was McCarrick. [REDACTED] stated that during the reception McCarrick approached him and said "your dad wants you come out with me and have a talk. You're being mischievous at home and not attending church. We need to go outside and have a conversation". [REDACTED] stated that while the two were walking around the campus, McCarrick told [REDACTED] he needs to be closer with him and the family, do better in school and that he doesn't want to hear any more bad news from his father when they talk. During this walk [REDACTED] stated they were about 15 minutes away from the building where the reception was being held. [REDACTED] stated to McCarrick that he had to go to the bathroom. McCarrick told him to go pee in the bushes. [REDACTED] explained that he went to a tree or bush to urinate and unzipped his pants and removed his penis. [REDACTED] stated that McCarrick came over and held onto his penis and stated "here let me help you with that". [REDACTED] stated he finished urinating and didn't enjoy McCarrick touching him. McCarrick said they should get back to the reception now. [REDACTED] stated the two of them walked back to the party. [REDACTED] stated when they got back to the reception they walked in the main doors and described a coat room type</p>			
(Use additional sheets if necessary)			
PRINTED NAME	SIGNATURE	I AM A:	DATE SIGNED
CONNELLY, CHRISTOPHER		<input checked="" type="checkbox"/> LAW ENFORCEMENT OFFICER <input type="checkbox"/> CIVILIAN COMPLAINANT OR WITNESS	7/20/21
ADDITIONAL FACTS FOUND BY CLERK/MAGISTRATE / ASST. CLERK / JUDGE BASED ON ORAL TESTIMONY			
REMARKS	SIGNATURE OF CLERK-MAGISTRATE / ASST. CLERK / JUDGE	DATE SIGNED	
	X		

**STATEMENT OF FACTS**  
IN SUPPORT OF  
APPLICATION FOR CRIMINAL COMPLAINT

APPLICATION NO. (court use only)

PAGE

3 OF 6

Trial Court of Massachusetts  
District Court Department



The undersigned alleges the following as a ☐ full or ☐ partial statement  
of the factual basis for the offense(s) for which a criminal complaint is sought.

COURT DIVISION

DEDHAM DISTRICT COURT  
631 HIGH ST  
DEDHAM, MA. 02026

closet in the front area with a table and two chairs. [REDACTED] stated the two of them sat in the chairs and talked more. McCarrick closed the blinds and told [REDACTED] that he needed to go to confession. [REDACTED] stated he knew what was going to happen. [REDACTED] stated he didn't want to make a scene at his brother's wedding and disturb everything because he had more respect for his mother, father and brother than himself at that time. McCarrick told him to take his pants off. [REDACTED] stated he pushed them down to his knees. [REDACTED] stated that McCarrick told him "you're still small". McCarrick made a remark about not being a man or having pubic hair. McCarrick stated, "I'm not sure what I'm going to do with you". [REDACTED] stated, "he then leaned in and kissed his penis, holding it with both hands, cupping it, cupping my balls, saying your balls haven't even dropped, you have no balls". [REDACTED] states, McCarrick then leans in and kisses his penis and then "stays over it saying prayers to make me feel holy". [REDACTED] said McCarrick finished saying prayers and told him to stand up and pull up his pants. [REDACTED] said, McCarrick told him before leaving the room to "say three our fathers and a hail Mary or it was one our father and three hail Mary's, so god can redeem you of your sins". [REDACTED] stated when he got back to the reception, McCarrick was gone. [REDACTED] stated that his father asked how the talk with McCarrick went. [REDACTED] stated he went to confession with him. [REDACTED] stated his father was glad he went and talked with McCarrick and his father told him to listen to him and do what he tells you, he's really going to help you. [REDACTED] stated my dad was telling me McCarrick was going to help me, "so maybe this was what it was supposed to be, maybe this was supposed to happen, I don't know, I was still a naive young man".

(Use additional sheets if necessary)

PRINTED NAME

CONNELLY, CHRISTOPHER

SIGNATURE

I AM A:

☒ LAW ENFORCEMENT OFFICER

☐ CIVILIAN COMPLAINANT OR WITNESS

DATE SIGNED

7/20/21


ADDITIONAL FACTS FOUND BY CLERK-MAGISTRATE / ASST. CLERK / JUDGE BASED ON ORAL TESTIMONY

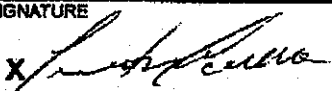
REMARKS

SIGNATURE OF CLERK-MAGISTRATE / ASST. CLERK / JUDGE

X

DATE SIGNED

<b>STATEMENT OF FACTS</b> IN SUPPORT OF APPLICATION FOR CRIMINAL COMPLAINT	APPLICATION NO. (court use only)	PAGE 4 OF 6	Trial Court of Massachusetts District Court Department
The undersigned alleges the following as a <input type="checkbox"/> full or <input type="checkbox"/> partial statement of the factual basis for the offense(s) for which a criminal complaint is sought.		COURT DIVISION DEDHAM DISTRICT COURT 631 HIGH ST DEDHAM, MA. 02026	
<p>             [REDACTED] described the building the reception was in as being the 1st building when you go into the campus entrance from Washington Street, away from downtown Wellesley, as if going to Holliston, [REDACTED] said.           </p> <p>             Frankie begin to summarize their conversation and discussed the time when McCarrick grabbed his penis while he was peeing. [REDACTED] clarifies and stated that McCarrick grabbed it, basically to pinch it and hold it. [REDACTED] added, "I don't know, he was inspecting me". [REDACTED] also stated he finished peeing and got his penis back in his pants as quick as possible. [REDACTED] added, "He basically wanted to go over and pinch it to see if he got a reaction, I had no reaction".           </p> <p>             [REDACTED] continued his conversation with Frankie after speaking about the Wellesley College incident. The conversation was about continued sexual abuse by McCarrick. [REDACTED] went on to outline and detail more instances of sexual abuse that occurred in Newton and Arlington in the years after the Wellesley incident as well as other states.           </p> <p>             Towards the end of the interview, [REDACTED] clarified McCarrick kissing his penis. He stated, McCarrick would lean forward kiss the tip of his penis with his mouth. [REDACTED] stated his penis was not all the way in his mouth but [REDACTED] pointed to his teeth and lips and indicating he could feel the front of McCarrick's mouth around his penis. [REDACTED] added he could pull away from him (McCarrick) and that his penis was not all the way in his mouth. [REDACTED] also said, every time McCarrick would kiss his penis it was in this same way.           </p> <p>             On Monday, January 25, 2020, a follow up to the initial interview was conducted with [REDACTED]. All the same people were present on the zoom meeting as the first SAIN interview. The interview was recorded by the Middlesex District           </p>			
(Use additional sheets if necessary)			
PRINTED NAME CONNELLY, CHRISTOPHER	SIGNATURE 	I AM A: <input checked="" type="checkbox"/> LAW ENFORCEMENT OFFICER <input type="checkbox"/> CIVILIAN COMPLAINANT OR WITNESS	DATE SIGNED 7/20/21
ADDITIONAL FACTS FOUND BY CLERK-MAGISTRATE / ASST. CLERK / JUDGE BASED ON ORAL TESTIMONY			
REMARKS		SIGNATURE OF CLERK-MAGISTRATE / ASST. CLERK / JUDGE X	
		DATE SIGNED	

<b>STATEMENT OF FACTS</b> IN SUPPORT OF APPLICATION FOR CRIMINAL COMPLAINT	APPLICATION NO. (court use only)	PAGE 5 OF 6	Trial Court of Massachusetts District Court Department
The undersigned alleges the following as a <input type="checkbox"/> full or <input type="checkbox"/> partial statement of the factual basis for the offense(s) for which a criminal complaint is sought.		COURT DIVISION DEDHAM DISTRICT COURT 631 HIGH ST DEDHAM, MA. 02026	
Attorney's Office and was over four hours in length. The following is only a summary of the [REDACTED] interview in regards to the Wellesley incident of sexual assault by McCarrick. Please refer to the Middlesex District Attorney's Office for a full recorded version of the interview.			
[REDACTED] described the coat room in more detail for Frankie at the beginning of the interview. He described the room as a few stairs up before reaching the second floor where the reception was being held. [REDACTED] also described what he was wearing to the wedding. [REDACTED] stated McCarrick was wearing his priest garb during the mass portion of the wedding. At the reception McCarrick was wearing black pants, black shirt, black shoes and the white collar.			
[REDACTED] made references to past abuse as well which occurred in New Jersey, New York, California and Massachusetts.			
[REDACTED] explained that McCarrick would repeatedly sexually abuse him over the years including when he was an adult.			
The interview concluded once there were no more questions by the interviewer.			
On May 14, 2021, [REDACTED] sent me an email which contained four photographs of postcards that he had received from McCarrick when he was younger. The email also contained a photograph of McCarrick prior to the wedding reception at Wellesley College.			
Based on [REDACTED] statements of sexual abuse by McCarrick during the wedding reception at Wellesley College, I believe it is more likely than not, McCarrick violated the following offenses when he used his hand to grab [REDACTED] penis during their walk (1), touched [REDACTED] penis and testicles in the coat room (2) and used his mouth/lips to kiss [REDACTED] penis in the coat room (3):			
Indecent Assault and Battery on Person over 14			
(Use additional sheets if necessary)			
PRINTED NAME CONNELLY, CHRISTOPHER	SIGNATURE 	I AM A: <input checked="" type="checkbox"/> LAW ENFORCEMENT OFFICER <input type="checkbox"/> CIVILIAN COMPLAINANT OR WITNESS	DATE SIGNED 7/20/21
ADDITIONAL FACTS FOUND BY CLERK-MAGISTRATE / ASST. CLERK / JUDGE BASED ON ORAL TESTIMONY			
REMARKS	SIGNATURE OF CLERK-MAGISTRATE / ASST. CLERK / JUDGE X	DATE SIGNED	

**STATEMENT OF FACTS**  
IN SUPPORT OF  
APPLICATION FOR CRIMINAL COMPLAINT

APPLICATION NO. (court use only)

PAGE

6 OF 6

Trial Court of Massachusetts  
District Court Department



The undersigned alleges the following as a ☐ full or ☐ partial statement  
of the factual basis for the offense(s) for which a criminal complaint is sought.

COURT DIVISION

DEDHAM DISTRICT COURT  
631 HIGH ST  
DEDHAM, MA. 02026

Indecent Assault and Battery on Person over 14

Indecent Assault and Battery on Person over 14

CASE STATUS: CLEARED

DETECTIVE CHRISTOPHER T CONNELLY

07/01/2021

(Use additional sheets if necessary)

PRINTED NAME

CONNELLY, CHRISTOPHER

SIGNATURE

*Christopher T Connelly*

I AM A:

☒ LAW ENFORCEMENT OFFICER

☐ CIVILIAN COMPLAINANT OR WITNESS

DATE SIGNED

7/2/21

ADDITIONAL FACTS FOUND BY CLERK-MAGISTRATE / ASST. CLERK / JUDGE BASED ON ORAL TESTIMONY

REMARKS

SIGNATURE OF CLERK-MAGISTRATE / ASST. CLERK / JUDGE

X

DATE SIGNED

<b>CRIMINAL COMPLAINT</b> ORIGINAL		DOCKET NUMBER <b>2154CR000670</b>	NO. OF COUNTS <b>3</b>	<b>Trial Court of Massachusetts</b> <b>District Court Department</b>
DEFENDANT NAME & ADDRESS <b>Theodore McCarrick</b> <b>6476 Eime Road</b> <b>Dittmer, MO 63023</b>				COURT NAME & ADDRESS <b>Dedham District Court</b> <b>631 High Street</b> <b>Dedham, MA 02026</b> <b>(781)329-4777</b>
DEFENDANT DOB <b>07/07/1930</b>	COMPLAINT ISSUED <b>07/28/2021</b>	DATE OF OFFENSE <b>06/08/1974</b>	ARREST DATE	
OFFENSE CITY / TOWN <b>Wellesley</b>		OFFENSE ADDRESS		NEXT EVENT DATE & TIME <b>08/26/2021 09:00 AM</b>
POLICE DEPARTMENT <b>Wellesley PD</b>		POLICE INCIDENT NUMBER <b>21-74-WA</b>		NEXT SCHEDULED EVENT <b>Arraignment</b>
OBTN	PCF NUMBER	DEFENDANT XREF ID <b>48059273</b>		ROOM / SESSION <b>Arraignment Session</b>
<p>The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.</p>				

COUNT	CODE	DESCRIPTION
<b>1</b>	<b>265/13H</b>	<b>INDECENT A&amp;B ON PERSON 14 OR OVER c265 §13H</b>

On 06/08/1974 did commit an indecent assault and battery on a person who had attained age 14, without the consent of such person, in violation of G.L. c.265, §13H.

PENALTY: state prison not more than 5 years; or jail or house of correction not more than 2½ years; upon conviction, must register as a sex offender pursuant to G.L. c. 6, §§178C-178H.

<b>2</b>	<b>265/13H</b>	<b>INDECENT A&amp;B ON PERSON 14 OR OVER c265 §13H</b>
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On 06/08/1974 did commit an indecent assault and battery on a person who had attained age 14, without the consent of such person, in violation of G.L. c.265, §13H.

PENALTY: state prison not more than 5 years; or jail or house of correction not more than 2½ years; upon conviction, must register as a sex offender pursuant to G.L. c. 6, §§178C-178H.

<b>3</b>	<b>265/13H</b>	<b>INDECENT A&amp;B ON PERSON 14 OR OVER c265 §13H</b>
----------	----------------	--

On 06/08/1974 did commit an indecent assault and battery on a person who had attained age 14, without the consent of such person, in violation of G.L. c.265, §13H.

PENALTY: state prison not more than 5 years; or jail or house of correction not more than 2½ years; upon conviction, must register as a sex offender pursuant to G.L. c. 6, §§178C-178H.

SIGNATURE OF COMPLAINANT <b>X</b> <i>[Signature]</i>	SWORN TO BEFORE CLERK-MAGISTRATE/ASST. CLERK/DEP. ASST. CLERK <b>X</b> <i>[Signature]</i>		DATE <b>7/28/21</b>
NAME OF COMPLAINANT <b>Mark DiMascenzo</b>	A TRUE COPY ATTEST <b>X</b>	CLERK-MAGISTRATE/ ASST. CLERK	DATE

**Notice to Defendant:** 42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.



<b>JUDGE'S DETERMINATION OF INDIGENCY</b>	DOCKET NUMBER <b>2154CR000670</b>	<b>Trial Court of Massachusetts District Court Department</b>
DEFENDANT NAME <b>Theodore McCarrick</b>		
After considering the report and recommendation of the probation officer or other appropriate court employee, and after questioning the defendant named above, as appropriate, based upon the standards in Supreme Judicial Court Rule 3:10, <b>I FIND THAT THE DEFENDANT IS:</b>		
<input type="checkbox"/> <b>INDIGENT</b> because the defendant: <ul style="list-style-type: none"> <li><input type="checkbox"/> receives Transitional Aid to Families with Dependent Children (TAFDC).</li> <li><input type="checkbox"/> receives Emergency Aid to Elderly, Disabled or Children (EAEDC).</li> <li><input type="checkbox"/> receives need-based veterans' benefits.</li> <li><input type="checkbox"/> receives Refugee Cash Assistance.</li> <li><input type="checkbox"/> receives Supplemental Nutrition Assistance Program (SNAP).</li> <li><input type="checkbox"/> receives Supplemental Security Income (SSI).</li> <li><input type="checkbox"/> resides in a tuberculosis treatment center, a mental health facility for individuals with intellectual or developmental disabilities, and I find no reason to believe that the defendant is not indigent.</li> <li><input type="checkbox"/> has an annual income, after taxes, 125% or less of the current poverty threshold referred to in G.L. c. 261, § 27A(b).</li> <li><input type="checkbox"/> is determined to be indigent pursuant to S.J.C Rule 3:10, § 5(f). [Judge's § 5(f) findings on the record are appended.]</li> </ul>		
<input type="checkbox"/> <b>INDIGENT BUT ABLE TO CONTRIBUTE</b> , and is therefore ordered to pay \$ _____ toward the cost of counsel because the defendant: <ul style="list-style-type: none"> <li><input type="checkbox"/> has an annual income, after taxes, of more than 125% and less than 250% of the current poverty threshold referred to in G.L. c. 261, § 27A(b).</li> <li><input type="checkbox"/> is charged with a felony solely within the jurisdiction of the Superior Court and has available funds sufficient to pay a portion of the anticipated cost of counsel.</li> <li><input type="checkbox"/> is determined to be indigent but able to contribute pursuant to S.J.C Rule 3:10, § 5(f). [Judge's § 5(f) findings on the record are below.]</li> <li><input type="checkbox"/> is claimed as a dependent for tax purposes by a parent or guardian who is not indigent.</li> </ul>		
<input type="checkbox"/> <b>NOT INDIGENT</b> and is able to pay the anticipated cost of counsel. [Judge's § 5(f) findings on the record are below.]		
<input type="checkbox"/> <b>ADDITIONAL FINDINGS UNDER S.J.C.RULE 3:10 §59(f):</b>     		
DATE	SIGNATURE OF JUDGE <div style="text-align: center; font-size: 24px;">X</div>	

<b>CERTIFICATE OF JUDGE UPON DEFENDANT'S WAIVER OF COUNSEL</b>	
I certify that I have informed the defendant of the right to counsel in accordance with Supreme Judicial Court Rule 3:10 and G.L. c. 211D, § 5, that he or she has knowingly elected to proceed without a lawyer, and that he or she has: <ul style="list-style-type: none"> <li><input type="checkbox"/> executed a waiver of counsel in my presence.</li> <li><input type="checkbox"/> refused to sign a waiver.</li> </ul>	
DATE	SIGNATURE OF JUDGE <div style="text-align: center; font-size: 24px;">X</div>

<b>JUDGE'S DETERMINATION PURSUANT TO G.L. c. 211D, § 2A</b>	
Pursuant to G.L. c. 211D, § 2A, at arraignment I have informed the defendant, who is charged only with misdemeanor(s) or violation(s) of municipal ordinances or bylaws, that I am declining to appoint counsel and therefore if he or she is convicted of such offense(s), the sentence(s) to be imposed will not include any period of incarceration. This determination may subsequently be revoked in accordance with § 2A.	
DATE	SIGNATURE OF JUDGE <div style="text-align: center; font-size: 24px;">X</div>

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

DEDHAM DISTRICT COURT  
DOCKET NO.

COMMONWEALTH

v.

THEODORE MCCARRICK

*Handwritten signatures and initials, including "H. Meade" and "7-21-21".*

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**COMMONWEALTH'S MOTION TO REDACT THE POLICE REPORT**

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The Commonwealth respectfully requests this court order all identifying information of the victims and witnesses including addresses, telephone numbers, and date of births be redacted from the complaint and police report and not released to anyone other than defense counsel and his/her assistants. As ground therefore, the Commonwealth states that the charges allege indecent assault and battery on a person 14 or older. Additionally, the victim and witnesses should be afforded the confidentiality and privacy that Massachusetts laws provide based on the nature of the charge in this case.

Respectfully submitted  
For the Commonwealth,

*Handwritten signature of Christopher H. Meade*

Christopher H. Meade  
Assistant District Attorney  
Norfolk County District Attorney's Office

Date:

7-21-21

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

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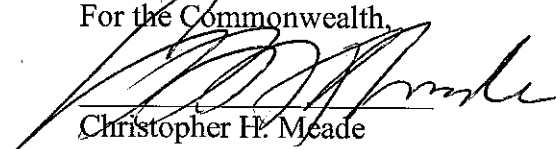
**COMMONWEALTH'S MOTION FOR PROTECTIVE ORDER**

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Under Mass. R. Crim. P. 14(a)(6) and G.L. c. 258B, §3(h), the Commonwealth moves this Honorable Court to issue a protective order so that only defense counsel be permitted access to the victims identifying information. The charges allege three counts of indecent assault and battery on a person over 14. The victim should be afforded the confidentiality and privacy that Massachusetts laws provide. See G.L. c. 41, § 97D; G.L. c. 265, § 24C. This order is necessary to effectuate the victim well-established privacy and safety interests. Rule 14 vests the Court with authority to impose a protective order and G.L. c. 258B, § 3(h) permits the Court to prohibit disclosure of a victim and witnesses address or telephone number and to enter any orders or conditions to maintain limited disclosure of the information as deemed appropriate to protect the privacy and safety of the victim, the witnesses, and their family members.

The Commonwealth respectfully requests this motion be allowed so that all identifying information of the victim, witnesses, including addresses, telephone numbers, and dates of birth are subject to this protective order and not released to anyone other than defense counsel and those hired to assist in the preparation of the case.

Respectfully submitted  
For the Commonwealth,

  
Christopher H. Meade  
Assistant District Attorney  
Norfolk District Attorney's Office

Date:

7-21-21