

MEMO

CONFIDENTIAL

TO: Bp. Pelotte, S.S.S.

FR: Fr. O'Keefe

RE: Telephone Conversation with [REDACTED]

DT: 04/03/02, 11:10-11:53 am (mst)

- (1) At the request of Bp. Pelotte (transmitted orally via Deacon Timoteo), I telephoned [REDACTED] this morning and we talked for about 45 minutes. He seemed surprised and grateful for the call. He told me that I had "been on his mind" for many years, but that he just "couldn't approach me" about his experience with JB because it was too embarrassing for him to talk about. The only person he had ever talked to about his encounter with JB was a friend from Springerville, [REDACTED]. This man was a friend of [REDACTED] and on one occasion, when he had had too much to drink, he recounted an episode in which he had been molested by JB. In response to this revelation, [REDACTED] shared his own experience with him. As I understand it, this took place several years after both incidents. AM was emphatic in saying that this was the only time he ever mentioned his own experience, until he recently relayed it to his therapist.
- (2) [REDACTED] who presently resides in Columbus, Ohio, has worked as a computer programmer for [REDACTED] for all but a few months since the late 1970's. In December, 1997 he began getting psychological/psychiatric therapy in Springfield, Ohio, to treat chronic depression. This therapy continued when he was transferred to Columbus. He has been on medical sick leave from the [REDACTED] since September, 2001, when he was hospitalized for eight days. In December, the psychiatrist prescribed two anti-depressant medications (Zolton - sp? & Serazon - sp?), which caused "decompensated liver damage" (apparently akin to sclerosis of the liver). This condition is now so serious that [REDACTED] might need a liver transplant. He is scheduled for an appointment with a liver specialist on April 8, 2002 to undergo blood tests, and may have to have a transplant procedure done at the University of Pittsburgh in the near future. He has applied for permanent disability retirement from Bank One, and is currently engaged in some type of litigation with the bank over disability retirement & benefits. All of his medical expenses to date have been covered by bank insurance - "Cobra" - which, however, is due to expire at the end of June, 2002. [REDACTED] emphasized that - even though there is a history of sclerosis in his family - his liver condition has not been caused by excessive drinking, but by the prescribed medication.
- (3) With regard to the incident with JB, [REDACTED] states that it happened in the summer of 1974, when he was 19 years old. He had met JB at the San Juan Fiestas in June, '74, and JB asked him to meet him after work to discuss a possible job offer in his parish in "Thatcher." [In reality, at the time, JB was in some stage of transition from being pastor of Springerville to being released for chaplain work in the Arizona State Prison system. He left Springerville some time in the summer of 1974, but I'm not sure just when]. They were to go out to dinner and then to a movie. [REDACTED] is still upset that a priest lied to him (by telling him he was stationed in Thatcher) and that the movie they went to was "disgusting." It was during the

movie that the alleged molestation (consisting of fondling ■■■'s genitals, unzipping his pants and performing oral sex on him) took place. I believe ■■■ said it was an outdoor movie, and that the molestation took place in JB's car. On the way back to St. Johns, JB attempted to pull the car over into a rest area, but ■■■ informed him that he did not want to do anything more with him. When they arrived in St. Johns, JB told ■■■ that he had a room at a local motel and invited him to spend the night with him. ■■■ declined. This was the first and only encounter with JB.

- (4) Even though this happened almost 28 years ago, ■■■ claims that he still has a "vivid memory" as to the incident. He was too shocked, intimidated and embarrassed to offer any resistance while the molestation was occurring, but definitely spurned JB's offers to continue the contact after the first incident. For many years ■■■ tried to put this out of his mind, only to have the memory persist. He felt the need to speak of it in light of the many stories of alleged molestation by priests currently surfacing: "After hearing about this every day, I had to call [*sic*] and get it out."
- (5) ■■■ remains a practicing Catholic (attending both Latin-rite and Byzantine-rite parishes in Columbus). He gave no indication of wishing to hurt either JB or the Church, although he was relieved when I informed him that JB no longer can function as a priest. There was no indication (at least at this time) that he was seeking any kind of financial compensation. We ended the conversation by my making a general offer to help him through prayer, and counseling (via telephone) whenever he felt the need. He thanked me once again for the call.

Went to
Jason -

October 23, 1974

Most Reverend Francis J. Green,
Bishop of Tucson,
192 S. Stone Street, Box 31
Tucson, Arizona 85702

Dear Bishop Green,

This is to inform you that while I was in Rome, Father James Burns came back to the Diocese and asked for an appointment. He was given the pastorate of Saint Mary of the Angels, Pinetop, Arizona. It was my hope that he had the courtesy to inform you that he was leaving Fort Grant.

With every best wish, I am

Sincerely yours in Christ,

Bishop of Gallup

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Copy to
Parish
info

September 11, 1974

Reverend James M. Burns
St. Mary of the Angels Parish
P. O. Box 819
Pinetop, AZ 85935

Dear Father Burns,

This will notify you that for the good of religion and welfare of souls, Bishop Hastrich has appointed you as Pastor, St. Mary of the Angels Parish, Pinetop, Arizona, effective September 5, 1974.

Enclosed is a copy of the Profession of Faith which you are to take in the presence of Father Wilson as our delegate. Kindly return the completed copy to this office.

It would be well to arrange with Father Wilson for the exchange of books and the accounts that belong to St. Mary of the Angels Parish.

Assuring you of my best wishes as you assume this new duty on behalf of the souls of the Diocese of Gallup, I am

Sincerely yours in Christ,

Very Reverend Dunstan Schmidlin, O.F.M.
Chancellor

cc: Rev. Samuel J. Wilson

September 11, 1974

Reverend James M. Burns
St. Mary of the Angels Parish
P. O. Box 819
Pinetop, AZ 85935

Dear Father Burns,

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Sincerely yours in Christ,

Very Reverend Dunstan Schaidlin, O.F.M.
Chancellor

cc: Rev. Samuel J. Wilson

March 13, 1974

Reverend James M. Burns, ✓
Catholic Chaplain
Fort Grant Correctional Institution
Fort Grant Rural Station
Willcox, Arizona 85643

Dear Jim:

Hope all is well with you and that you are well into your program. You are daily in my prayers because I know that your new challenge is tough. I admire your willingness to accept such a position.

Jim, I want to truly thank you for cooperating so excellently with our Minor Seminary Program. As the Bishop mentioned at your fare-well dinner, you of all the priests have ~~always~~ ^{ways} cooperated with this program. You have always sent us good boys.

Jim do you want to continue to be included in our Blue Cross Blue Shield insurance or does the institution offer you one together with your job. If you could let us know by the end of the month, I would be most grateful. Jim, we will be more than happy to continue your insurance but we just don't want to duplicate things.

Jim be good and God love you. You are daily in our prayers here at CRS.

In His Son,

March 2, 1974

C
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The Most Reverend Francis J. Green, D.D.
Bishop of Tucson,
192 South Stone Avenue, Box 31
Tucson, Arizona 85702

Dear Frank,

Thank you very much for your kindness to Father Burns.

If I can possibly make the meeting with Dick Smith, you may be sure I will be there. As you know, I am very much interested in the Indians.

After Easter I am going to Rome with a pilgrimage for my "Ad Limina" visit. I hope the meeting will be before or after that.

With every best wish, I am

Sincerely yours in Christ,

Bishop of Gallup



OFFICE OF THE BISHOP

BF

DIOCESE OF TUCSON
192 SOUTH STONE AVENUE
P. O. BOX 31
TUCSON, ARIZONA 85702

February 26, 1974

MAR 4 REC'D

Most Rev. Jerome J. Hastrich
Bishop of Gallup
P. O. Box 1338
Gallup, New Mexico 87301

Dear Jerry:

I thought you would like to have a copy of the letter which I have sent to Father Burns, welcoming him to the diocese. The priests in the Vicariate in which he will be living are very friendly and I am sure will welcome him as one of the members of the Vicariate.

I have just returned from an ecumenical meeting in Casa Grande in which it was suggested that you and Dick Smith might be willing to serve as a committee to evaluate the different Indian programs that have sprung up in the area. At any rate, you will be hearing from Hank Cultertson regarding this, but I thought I might alert you so that if possible you could arrange to accept.

With kindest good wishes and warm personal regards,
I am

Very sincerely yours in Christ,

Most Rev. Francis J. Green, D.D.
Bishop of Tucson

FJG:gb

Enc.



Diocese of Tucson

CHANCERY OFFICE
192 SOUTH STONE AVENUE
P. O. BOX 31
TUCSON, ARIZONA 85702

February 26, 1974

Rev. James M. Burns
Fort Grant Correctional Institution
Fort Grant Rural Station
Willcox, Arizona 85643

Dear Father Burns:

I am happy to welcome you to the Diocese of Tucson and hereby approve of your appointment as Chaplain at Fort Grant. I officially extend to you the faculties of this Diocese, even though though you already enjoy them as a priest of the Province of Santa Fe. For canonical purposes, you are hereby appointed Associate Pastor at Sacred Heart parish, Willcox, effective February 26, 1974. Fort Grant is in the territory of the Willcox parish.

From correspondence with [REDACTED], Director, Department of Corrections, I understand that you will also be Chaplain to the State Correctional Institution in the Safford area. Father John M. Fahey, Pastor of St. Rose of Lima parish, Safford, is Vicar of the Graham-Greenlee Vicariate, and is aware of the fact that you will be chaplain to both institutions.

We are placing your name in our Diocesan mailing list so that you will be kept informed of what is going on in the diocese. Be assured that we are eager to make you welcome in every way and to do all we can to make you feel at home with us. I look forward to the opportunity of visiting with you if you get a chance to come to Tucson. I want you to know that I am quite willing to come to Fort Grant for any occasion at your invitation. I am most grateful to you and to Bishop Hastrich for allowing you to come to work in our diocese.

With an assurance of my prayers for the success of your priestly ministry, and with my best personal wishes, I am

Very sincerely yours in Christ,

Most Rev. Francis J. Green, D.D.
Bishop of Tucson

FJG:gb

cc: Most Rev. Jerome J. Hastrich ✓
[REDACTED]

Rev. John M. Fahey

Rev. John Debski

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DOG.BURNS.00011



SAINT PETER'S CHURCH

BOX 108

SPRINGVILLE, ARIZONA 85938



Feb. 12, 1974

Most Rev. Jerome J. Hastrich
Bishop of Gallup
Gallup, New Mexico

Dear Bishop Hastrich,

As requested during our telephone conversation, I am writing this letter to request permission from you to accept an assignment in the priesthood outside the Diocese of Gallup. I wish to serve the men in the new Correctional Institution at Fort Grant as well as assume the duties of Chaplain at the adult Conservation Camp in Safford, Arizona. These positions would be within the Diocese of Tucson and has been approved by the Bishop of Tucson in a letter to [REDACTED] Director to the Dept. of Correction for the State of Arizona.

I will say my last Mass (Sunday) the last Sunday in February and should be leaving the parish by the end of the month at the latest. In my new position I would like to remain a priest of the Diocese as I have been a member of this Diocese since I was ordained.

I wish to take this opportunity to thank you for all that you have done for me and my parishes since you have been the Bishop of Gallup. Although I have not always agreed with you on all matters I have tried my best to be a dutiful priest in all matters for the good of the Diocese. Your task has indeed been a very difficult one and your love of God has been made manifest in your actions. I congratulate you for all that you have accomplished and wish you the best of everything in the Lord in the days to come. I feel privileged to have served under you and will continue to seek your help and prayers in my new assignment.

Your priest in Christ,

Rev. James M. Burns

FB

February 18, 1974

Reverend James M. Burns,
St. Peter Church,
P. O. Box 103,
Springerville, Arizona 85938

Dear Father Burns,

Thank you for your kind letter asking for permission to be away from the diocese for an indefinite period of time while working for the State Department of Correction in the Diocese of Tucson.

I have written Bishop Green as you will see by the enclosed copy informing him of your presence in his diocese.

I want you to know that you will be receiving all the communications from our diocesan offices, and are welcome at any and all diocesan functions. It is my hope that you will make the Annual Retreat with the priests of our diocese, and attend general convocations, at least.

With every best wish, I am

Sincerely yours in Christ,

Bishop of Gallup

Encl.

(Handwritten initials or mark)

February 18, 1974

COPY

The Most Reverend Francis J. Green, D.D.
Bishop of Tucson,
192 South Stone Avenue,
Tucson, Arizona 85702

Dear Bishop Green,

This is to inform you that Father James Burns is accepting a position with the State Department of Correction, with my permission. Since he will be living in your Diocese, I would appreciate your granting him faculties, and I hope you will welcome him, and encourage your priests to do so, at various Diocesan and Vicariate Meetings. He wishes to remain a priest of the Diocese of Gallup.

Any kindness you show him will be considered a personal favor to me.

With every best wish, I am

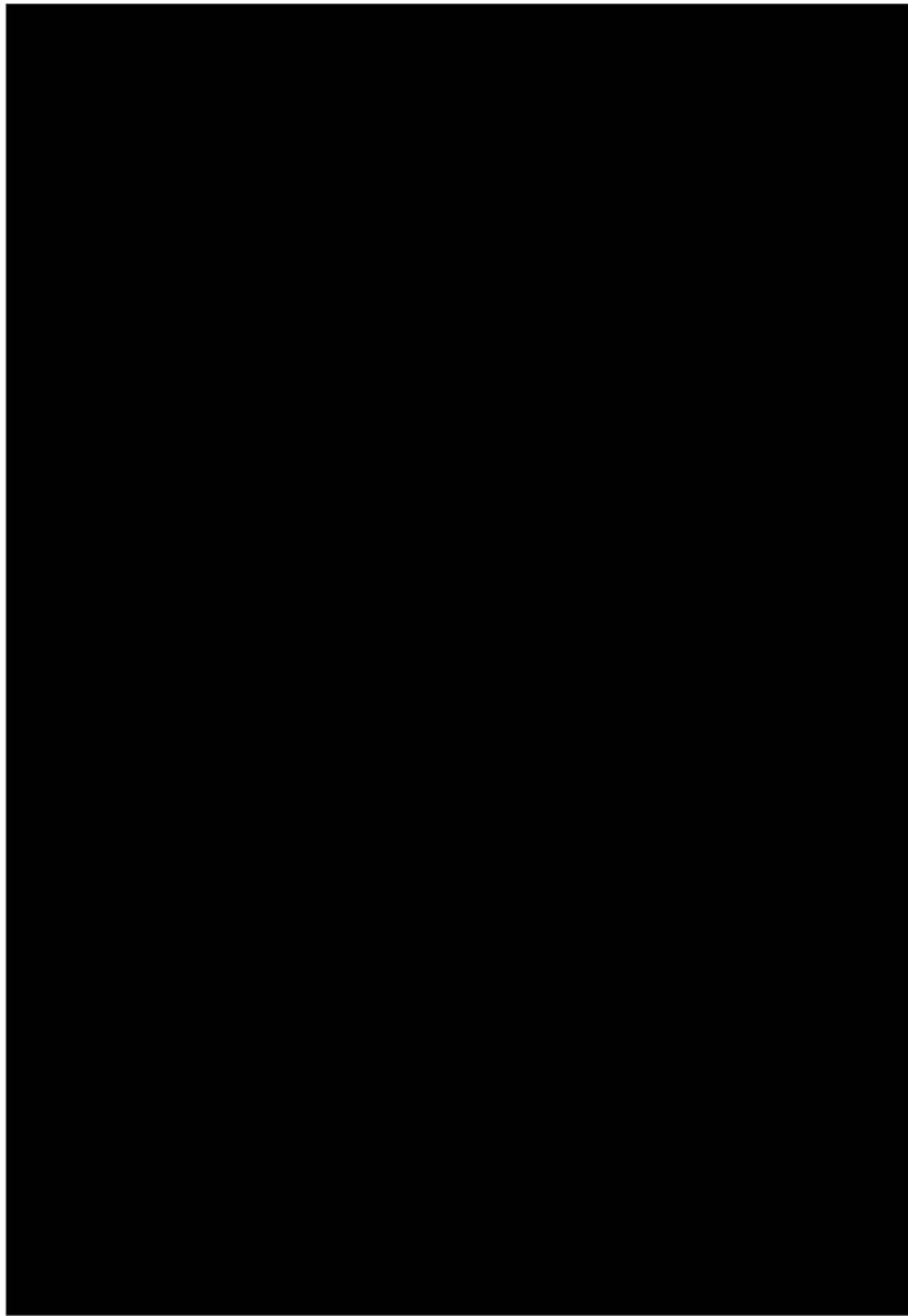
Sincerely yours in Christ,

Bishop of Gallup

Burns, James 1968-1988

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Rev. James Burns
P. O. Box 2155
Wickenburg, AZ 85378

Saint Joseph's Church

300 W. Hillview
Winslow, AZ 86047
(602) 289-2350

28 May 1987

Most Reverend Donald Pelotte
Bishop of Gallup
P.O. Box 1338
Gallup, New Mexico 87301

Dear Bishop,

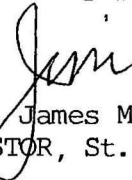
I cannot tell you how much I appreciate your sincere and helpful advice which I sought during this time of decision making. I am sorry if it appears that I am ignoring the advice that you gave me but that is not the case. I weighed your advice very much.

I did not choose Bloomfield because of the time element. There is no way we could leave the projects we wish to start and go to Bloomfield by July 1, 1987. I feel a strong alligence to the people of St. Joseph's and the projects that must be accomplished. We at St. Joseph's have the largest parish with a church that by all rights should structurly be condemned as unsafe. It would cost to much and would probably be impossible to make it safe. To stop the projects, today, would probably mean that the parish would not be moving toward a solution for many more years which would be a terrible serious situation. I feel it imperative that this be accomplished. I would feel freer to leave St. Joseph's if I could think of a successor who had the desire or the willingness or the ability to carry this out. I am sorry to say that anyone with these capabilities is already happily employed or out of the Diocese.

Maybe in the future, God will see fit to have a Bloomfield or a similar assign-ment available and we will be more prepared to ship on out of here.

Thank you once again. I value your advice very much.

Sincerely yours,


Fr. James M. Burns
PASTOR, St. JOSEPH CHURCH

JB/lg

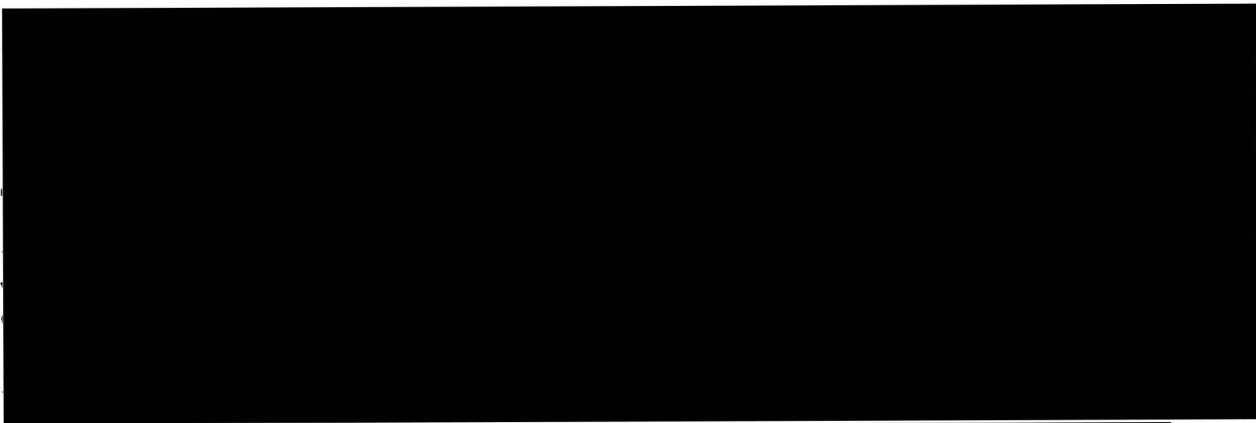
Saint Joseph's Church

300 W. Hillview
Winslow, AZ 86047
(602) 289-2350

28. May 1987

Most Reverend Jerome J. Hastrich
Bishop of Gallup
P.O. Box 1338
Gallup, New Mexico 87301

Dear Bishop Hastrich,



All of the priest that I consulted with [REDACTED] [REDACTED] advised me to go to Bloomfield. So, I figured the solution was very simple. I do believe that the Diocese of Gallup must send a working priest to Bloomfield in order to set a good example for the Diocese and the men since it is taking over a well run parish that has been in the hands of the Franciscans since it began.

The more I prayed and considered the more confused I got. St. Joseph's parish in Winslow in the past five years has continued to grow and it appears that many of the divisions within the parish that have plagued it in the past seem to be disappearing. We appear to be working as a single entity. Various programs, long range and short range, are moving along on schedule and need to be continued. We are at a stage, today, where it would be detrimental to change horses in the middle of the stream and thus have some of our major projects come to a shandstill.

Therefore, at least for the present, I feel that I must continue in my capacity as pastor of St. Joseph's. We have a very fine parish and we will continue to see it grow.

Sincerely yours,

Fr. James M. Burns
PASTOR, ST. JOSEPH CHURCH

JB/lg
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June 27, 1986

Very Reverend James M. Burns
St. Joseph Church
300 West Hillview
Winslow, AZ 86047

Dear Father Burns:

You are herewith appointed Vicar Forane of the Navajo Vicariate for a period of three years, effective July 1, 1986.

You are, also, by election of the priests of your vicariate, a member of the Presbyteral Council, which will hold its next meeting on Tuesday, September 2, 1986, at 11:00 a.m. MDT (10:00 a.m. MST).

May I thank you for sharing with ~~me~~ the responsibility for the priestly life and ministry for the ~~men~~ in your vicariate. It is my hope that you will keep a close watch to see the spiritual and material needs of the priests. If you cannot fill them, kindly inform me. It will also be your duty to take diocesan concerns to the priests of your vicariate for discussion and consultation, and in turn you will bring to the Presbyteral Council the concerns expressed by your priests.

May God grant you His graces in the new duties you are about to assume.

With every best wish, I am

Sincerely yours in Christ,

86-PT-6

October 21, 1985

Reverend James M. Burns
Saint Joseph's Church
300 West Hillview
Winslow, AZ 86047

Dear Father Burns:

In reply to your letter of October 11, 1985, if you will kindly let me know when you are ready to go to Mexico to study, I will write to the sisters and the school. Since we correspond in Spanish, it would be difficult for you before you have studied Spanish to be writing the letters.

With continuing education courses, one third is borne by the priest, another third by the Diocese and another third by the parish. If this is difficult for you, kindly let me know.

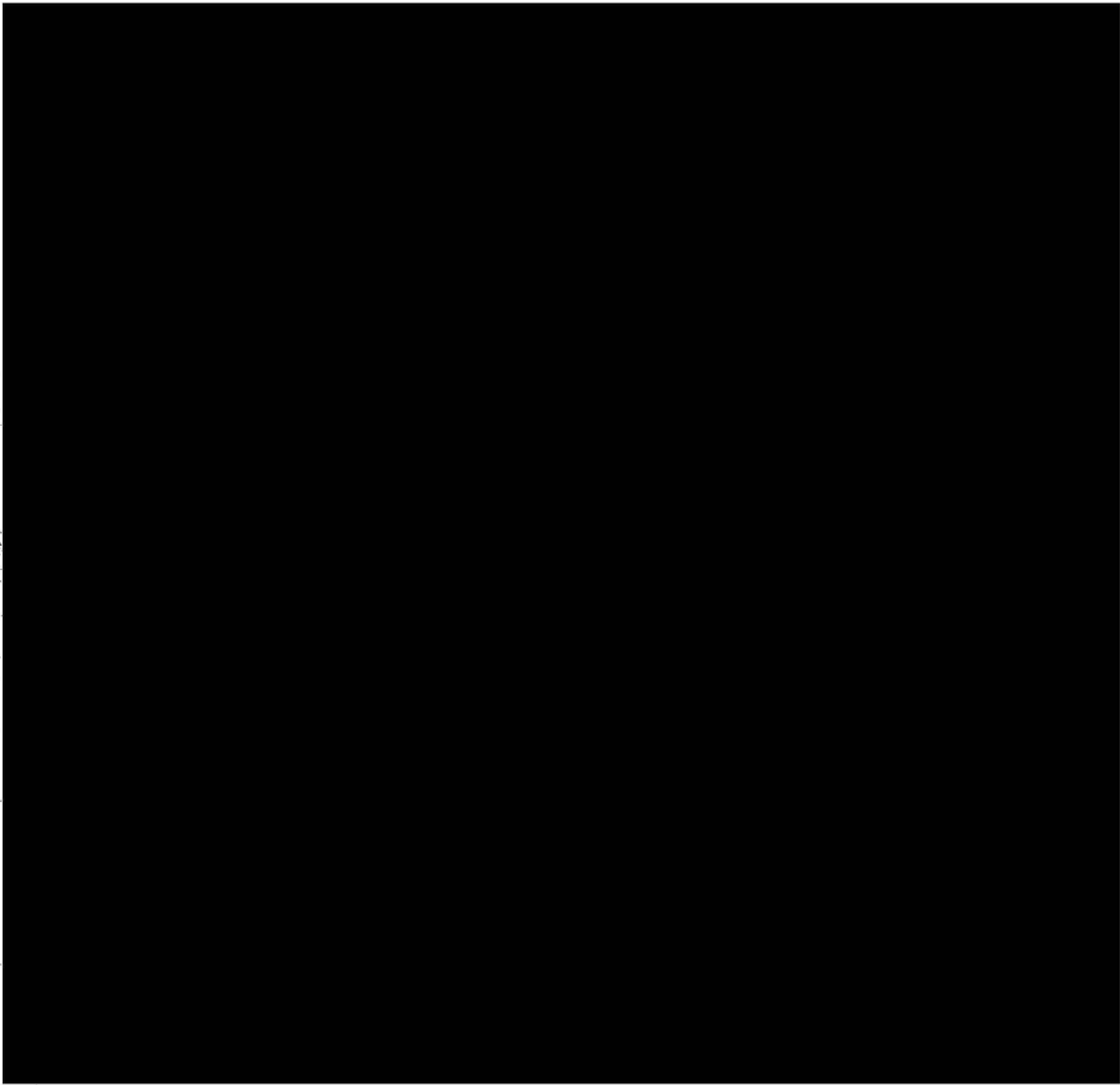
Ordinarily the course is from six weeks to two months, but if you would feel that three months would give you a better opportunity to really learn the language, I would be pleased to allow you to stay for three months.

With every best wish, I am

Sincerely yours in Christ,

Bishop of Gallup

Saint



84-51-7
John Hunter
JCH:48

June 20, 1983

Very Reverend James M. Burns
St. Joseph Parish
300 West Second Street
Winslow, AZ 86047

Dear Father Burns:

In accord with the directives of the Revised Code of Canon Law, for the formation of the Presbyteral Council, you have been elected to represent the Navajo Vicariate in this Consultative Body. You are likewise herewith appointed Vicar of the Navajo Vicariate beginning June 30, 1983, for a period of three years. *July 14*

The first meeting will be held at the Diocesan Center at 11:00 a.m. MDT (10:00 a.m. MST) on Thursday, June 30, 1983.

With every best wish, I am *July 14*

Sincerely yours in Christ,

Bishop of Gallup

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March 18, 1982

Reverend James M. Burns
Immaculate Heart of Mary Parish
P. O. Box 1387
Page, AZ 86040-1387

Dear Father Burns:

For the good of religion and the welfare of souls, you are herewith appointed Pastor of St. Joseph Parish, Winslow. You are to report for duty at your new assignment on July 1, 1982.

May God grant you His graces in the new work you are undertaking.

Sincerely yours in Christ,

Bishop of Gallup

82-11-5

copy B.A.

December 10, 1981

Very Reverend James M. Burns, V.F.
Immaculate Heart of Mary Church
P. O. Box 1387
Page, AZ 86040-1387

Dear Father Burns:

In accord with the wishes expressed by the priests of the Navajo Vicariate, I herewith appoint you Vicar Forane of the Navajo Vicariate, effective December 15, 1981..

You may take the oath of office at your convenience. I have delegated the former Vicar, Father Valentine Young, to accept your oath.

With every best wish, I am

Sincerely yours in Christ,

Bishop of Gallup

CC: Very Reverend Valentine Young, OFM

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October 1, 1981

Reverend James M. Burns
Immaculate Heart of Mary Parish
P. O. Box 1387
Page, AZ 86040-1387

Dear Father Burns:

In reply to your letter of September 29, 1981, permit me to say that I have no objection to your acting as a Chaplain to the National Guard. I understand it might mean part of a day each month that you spend with them, and perhaps two weeks in the Summer. This, of course, would be part of your vacation.

It is my understanding that a Reserve Chaplain in the National Guard can be called to active duty. Before you would accept active duty, you would, of course, contact the Bishop again.

With every best wish, I am

Sincerely yours in Christ,

Bishop of Gallup

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IMMACULATE HEART OF MARY CHURCH
Post Office Box 1387
PAGE, ARIZONA 86040

Sept. 29, 1981

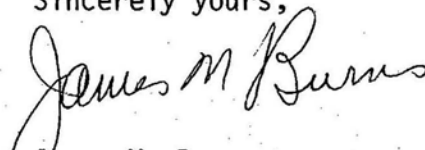
Most Rev. Jerome J. Hastrich
Chancery Office
Gallup New Mexico

Dear Bishop,

Having been asked to the the Arizona National
Guard several times in the past several years, I
have decided to pursue this further.

Having been in contact with the Adjutant of
the Guard (a former Parishoner) and having been
assurec by him that this would not interfer with
my pastoral office, I am hereby requesting church
endorsement so that I might further pursue this
endeavor.

Sincerely yours,


James M .Burns

January 21, 1981

Reverend James M. Burns
St. Mary of the Angels Church
P. O. Box 819
Pinetop, AZ 85935

Dear Father Burns:

For the good of religion and the welfare of souls, you are herewith appointed Pastor of Immaculate Heart of Mary Parish, Page, effective Monday, February 2, 1981.

May God grant you His graces in the new office you are about to assume.

Sincerely yours in Christ,

Bishop of Gallup