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 TMJA  
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**Sr. Judith Davies**

**From:** Fr. Joseph Tapella [REDACTED]  
**Sent:** Tuesday, February 06, 2007 1:34 PM  
**To:** Judith  
**Subject:** FW: Burnett

-----Original Message-----

**From:** Fr. Joseph Tapella [REDACTED]  
**Sent:** Saturday, February 03, 2007 11:08 AM  
**To:** [REDACTED]  
**Subject:** Burnett

Bishop, I've been doing some thinking and, honestly, some parental consulting in a general way, and I have the following comments about Jim Burnett's situation.

1. A child, especially a nervous child, which [REDACTED] mother said he was on that day, do not sit still on an adult's leg. [REDACTED] said he sat on Jim's right leg, not both legs, and that Jim's right hand was underneath his buttocks. I don't imagine having a child on my right leg and not having my right hand on his right arm or back to keep him from toppling off, especially if the child is sitting only on one leg.

2. There is no mention that [REDACTED] then feared Jim or that he never again wanted to go to confession. He didn't drop out of CCD from my understanding.

3. A mom has told me that children can have a vivid imagination. The mother said that her boys gave each other "wedgies". It is possible that [REDACTED] said Jim told him to take his pants off (down) and was just kidding or just imagining it. She scolded him and the matter never came up again until 2005 for her and he didn't mention it further since he had been scolded. [REDACTED]

[REDACTED] His lawyer asks him on p. 41, "was there ever a time during your sophomore year that you said something to the effect, gee, that MIGHT (my emphasis) have happened to me, referring to sexual abuse by a clergy?"

Answer: "Yes." Such matters were in the news [REDACTED] Perhaps [REDACTED] did sit on Jim's lap, perhaps he did go home and say that his pants were down (in his imagination or in a kidding way), but the circumstances of being able to have a child on one's right leg only and to be able to maneuver one's right hand around and about under his "bottom" is not reasonable.

Thus, in relation to what is possible in the manner which [REDACTED] "vividly" recalls, I'm very sure it could not have been done. I know that Jim might seem like he's not fighting in his defense, not responding to your calls, etc. However, the style I have seen him portray goes along with that type of behavior. He is wonderful when he is ministering to someone, but he is avoidant also and that includes avoidant of children. Having spoken to a classmate of Jim's who talked about Jim's early days in the priesthood, he hasn't changed. Depression, which I imagine must have hit him hard by now, would possibly make him "give up" and be avoidant all the more in the sense of "what's the use."

As for the Board, it seems like we need a solid "normal" person, who is not a lawyer and not a therapist, but someone who is simply experienced as a parent, who can look at things objectively and understand how it is in relation to what kids might say, imagine, and even how they sit on an adult's lap.

I think that exhausts my observations for today. I do think that the manner in which [REDACTED] describes what happened is not possible, physically, or in light of the 1st confession procedures. I don't see how Jim could be kept from ministry if the same procedures as are being used for [REDACTED] are in place for Jim, in light of what is, to me, more evident that nothing really happened in the way of abuse.

Joe