

INSTANTER

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Video Instanter Incorporated

180 North LaSalle Street
Suite 2424
Chicago, Illinois 60601
Phone 312-641-3605
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In re:)
Archdiocese of Joliet)

Investigation Regarding Sexual Abuse of)
[REDACTED] then a minor and)
Fr. James Burnett, then Pastor at)
St. Mary's Catholic Church, Mokena, Illinois)

and)

[REDACTED] v. Fr. James Burnett etc. et al.)
In the Circuit Court of Will County)

RECEIVED
OCT 10 2006
TERRENCE M. JOHNSON, ESQ

**Transcript of
Videotaped Affidavit
of**

[REDACTED]

Date Recorded: Wednesday, October 4, 2006

**Submitted by
Terrence M. Johnson, Esq.
North Pier Chicago
455 E. Illinois, Suite 361
Chicago, Illinois 60611
(312) 922-4022,**

Attorney for [REDACTED]

Taken before [REDACTED] a Notary Public within and for the County of Cook
and State of Illinois, on the 4th day of October, A.D. 2006, at the hour of 4:58 p.m.,
at 455 East Illinois Street, Suite 361, Chicago, Illinois.

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THE REPORTER: For the record, my name
is [REDACTED] of [REDACTED] I'm the
video recording device operator and officer for
this affidavit. My business address is [REDACTED]

[REDACTED]

Today's date is October 4, 2006. The time is 4:57
p.m.

Please raise your right hand, [REDACTED]
(WHEREUPON, the affiant
was duly sworn.)

A-F-F-I-D-A-V-I-T

BY MR. JOHNSON:

Q. Okay. For the record, this is the
videotaped affidavit of [REDACTED] and for
the record, could you please state your full name?

A. [REDACTED]

Q. Alright. And how old are you today?

A. [REDACTED]

Q. Alright. And this affidavit is taken,
as was [REDACTED] affidavit of [REDACTED] mother
earlier this afternoon. It is being taken with
the knowledge of Jim Byrne, who is the attorney
for the Archdiocese of Joliet, and also it taken
in re the Catholic Review Committee of the

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Archdiocese of Joliet as it is investigating the claim of [REDACTED] with respect to the sexual misconduct of him when he was a minor by Father James Burnett and it also, at the request of Mr. [REDACTED] attorney, may be used in conjunction with that case, if the attorneys and the court sees fit.

I'm going to ask you a number of questions today and just try to keep your voice up. I forgot to tell your mom that but she did a great job in answering questions as best she could, but I first want to talk to you about the oath that you took.

A. Okay.

Q. You swore to tell the truth --

A. Mm-hmm.

Q. -- and nothing but the truth, so help you God. Right?

A. Yes.

Q. You understand the seriousness of a charge of sexual misconduct against a priest, any priest, but in particular Father Burnett. Is that fair?

A. Yes.

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1 Q. Alright. It's a serious charge. It's a
2 serious crime, and it's a serious transgression of
3 the Catholic Church, if true. Fair enough?

4 A. Fair enough. Yes.

5 Q. Alright. And you take your oath
6 seriously?

7 A. Yes, I do.

8 Q. And you're not going to try to fudge or
9 fabricate today?

10 A. No.

11 Q. You're going to try to testify to the
12 best of your ability as to what you remember and
13 what you don't remember. Fair enough?

14 A. Fair enough. Yes.

15 Q. And when you remembered certain things.
16 Right?

17 A. Correct.

18 Q. If I ask you a question that has a false
19 start or a false supposition, you're going to stop
20 me and say hey, wait now, that's not true, but if
21 I do ask you one of those -- a question and you
22 can answer it with a yes or no, you'll -- you'll
23 be happy to do that. Fair?

24 A. Yes.

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Q. Alright. The purpose of this -- One of the purposes of this affidavit is to give the Catholic Review Board and others a fair view of what you recall and also to take a look at you and see whether or not your testimony is credible, believable. Fair enough?

A. Fair enough. Yes.

Q. Alright. We have passed a detail letter to Mr. Byrne, on behalf of the Archdiocese of Chicago, with respect to your allegations of sexual misconduct of Father Burnett during your first confession. Fair enough?

A. Yes.

Q. And I believe we attached a photograph that we have here today that was taken at or about the time of your first confession and first communion. Fair enough?

A. Yes.

Q. Alright. I may want to ask you some questions about that. Before we do, let's ask you some easy questions.

A. Okay.

Q. I'm going to ask you some questions, as I did your mom, about your personal background,

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your interests, and hobbies.

A. Sure.

Q. Give me your birth date, when you were born and where?

A. [REDACTED]

Q. Okay.

A. [REDACTED]
Q. [REDACTED]

A. Yeah.

Q. Alright. And do you have a specific recollection of about what grade you moved out to [REDACTED]?

A. It had to be -- I don't think I was in school yet.

Q. Okay.

A. I think it was right before Kindergarten.

Q. The first recollections that you have of going to school are in the [REDACTED] area?

A. Yes.

Q. Right? And your mom told us today that you were in St. Mary's parish, though you went to the public schools. Fair?

A. Yeah.

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Q. Could you just describe for us a little bit of your educational background, not CCD yet, but just where'd you go to regular school and include grade school, high school, and college.

A. Sure. Elementary school was [redacted], and that was grades kindergarten through five. Then it was [redacted] which was in [redacted]. That was six through eight, and then high school was [redacted]. It's the [redacted]. That was for freshman and sophomore year, and then junior and senior year I was at [redacted] which is located in [redacted].



[redacted] Okay. And then you went to college for a while after high school?

A. Yes.

Q. Alright. Where'd you go to college?