

AFFIDAVIT

STATE OF IOWA)
) ss:
COUNTY OF SCOTT)

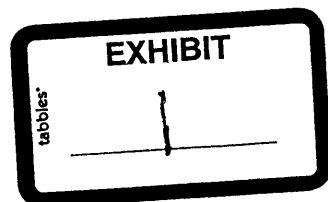
I, James Wells, D/O/B: 10-5-48, first being duly sworn under oath, states as follows:

1. The molestation at the hands of my uncle, priest and namesake began on Thanksgiving Day 1953. I was 5 years old. After dinner in our family home in LaGrange Park, Illinois, he took me with him to take a nap. He fondled me while he masturbated. He told me that it was our secret. As a result of my humiliation and shame, I secured this secret. The abuse continued for approximately 9 years until I reached puberty at age 14.

2. Between 1953-1958, while living in Chicago with my family, my uncle would take me on trips into the city. He would fondle me at River View Amusement Park on a roller coaster, specifically "The Bob's".

3. He would also take me and several other Boy Scouts from Iowa to the morgue in Cook County. I was under 10 and was shown horribly disfigured, decayed bodies, including children.

4. In 1954, he took me and a group of Boy Scouts to Tennessee. On that occasion, I was abused. We would stay at various Catholic Schools and would sleep in the gyms. He would position my sleeping bag next to his, since I was so young. During the night, he would reach over and fondle my penis and would also put my



hand down his pants and on his penis. I was 6 years old at that time.

5. In 1954, we had a garage attic that at one time was used as servants' quarters. I was abused there several times and also witnessed the abuse of the Boy Scouts he would bring with him. It would consist of wrestling and grabbing crotches.

6. As his namesake, I received special attention from him over my other siblings. He would often bring me very nice gifts when he would visit. Over the years, he gave me a new ten speed bike, a full size trampoline and a pool table. He would give me gifts and fondling would occur.

7. In 1956, he gave me a very nice Army surplus tent and fondled me in it while he masturbated.

8. As a child, my uncle would come into the bathroom while I would be bathing and he would fondle me and masturbate.

9. While we were living in Chicago, the abuse occurred 6-8 times per year. When we moved to Davenport in 1958, the frequency of the abuse escalated, due to proximity.

10. My uncle would often take me from my house to get a treat. On the way, he would stop on E. 46th Street west of Jersey Ridge, which at that time, was an isolated dirt road. He would fondle me while he would masturbate. The abuse occurred on that road many times. Once a police officer stopped and asked what was going on. My uncle responded that he was a priest and he was hearing my confession. He would wear his collar while we were parked.

11. He would often take me to the BelAir Drive-In in Davenport. He would

fondle me and once again, he would masturbate.

12. The abuse occurred in many locales: at a Fort Madison rectory, my room, the bathroom, on country roads in his car...wherever he chose.

13. In 1961, on numerous occasions, he would take me swimming at the Lend-A-Hand pool with a group of students from St. Alphonsus. He placed his hands in our swimsuits. He referred to them as the "Rod Knockers". The abuse would occur even at the pool. After swimming at the Lend-A-Hand pool, he would take the other boys home and drop me off last so he could take me to E. 46th Street and fondle me on the dirt road.

14. He would often abuse me right in my parents' home. He would excuse us saying he was going to hear my confession and take me to my room where the abuse would occur.

15. He once took me to a cabin on the Mississippi River which was owned by the Optimist Club. Many other children were also present. He would have us swim naked and fondling would occur. One boy, after the first night of a two night weekend stay, got up and was upset and said he was sick and demanded that he be taken home.

16. He would take me for the weekend to Fort Madison where he would have me sleep in his bed in the rectory with him. He would masturbate me then he would have me masturbate him. He would also let me drive his Oldsmobile '98 alone, even though I was too young to have a driver's license.

17. He often asked me if I wanted to play what he referred to as the "skin

game". This was oral sex. I always refused to do that, but I know that other Fort Madison children were coerced into having oral sex.

18. While he was in Fort Madison, he and another priest of the Davenport Diocese, Father Geerts, would have card parties with everyone unclothed with myself, Father Geerts and Father Janssen and other young boys in attendance. Father Geerts did nothing to stop this perverted behavior. Wine was also served at these card parties.

19. While at Sugar Creek, Father Janssen held a raffle for a mini bike. He sold chances for the mini bike, palmed my ticket and declared me the winner. He then took the mini bike, sold it and kept the money.

20. In the summer of 1962, Father Janssen took myself and 2-3 other boys from Fort Madison to Daytona Beach, Florida. Beer and wine were available to us on this trip. While on this trip, he took me out to a nice restaurant. While there, we saw a man send a woman a \$100 bill with a note written on it. He mentioned that she was a prostitute and was repulsed by it. Nonetheless, back at the hotel room, he masturbated me and had me do the same to him. While in Daytona Beach, he would take turns taking me and another child from Fort Madison to the room alone.

21. During the 1962 trip to Daytona Beach, on the way, we stopped and picked up another priest, Father Murphy. On this occasion, he offered me to Father Murphy. Since I had never been abused by anyone but my uncle, I refused. After we returned from that trip, the abuse ceased to occur.

22. I am aware, however, of my uncle's sexual interest in other children after

that time. While he was at Sugar Creek, our family held a picnic there. A friend of ours went into the rectory to use the bathroom and discovered a few young boys naked in an upstairs bedroom.

23. I believe that I have had a mental illness since I was abused as a child. On December 6, 1985, I went to the Vera French Community Mental Health Center with mental health problems. At that time, I mentioned that between the ages of 5-14, I was sexually abused by my maternal uncle and priest, James Janssen.

24. I next saw a psychiatric social worker again on January 28, 1986 at the Vera French Center and while still suffering mental illness, wondered what to do about my knowledge of sexual misconduct of my uncle and priest and was concerned that he may be abusing young boys today. I was concerned if I shared any of this knowledge with my mother, it would hurt her and at that time, I could not formulate the mental intent as to what to do and whether to talk to the Bishop.

25. On February 20, 1986, I received a psychiatric evaluation by a psychiatrist at the Vera French Community Mental Health Center. At that time, I had a very poor memory regarding my early childhood, including being very shy and not being able to speak out and being very indecisive. I reported that I was sexually abused by my uncle, the priest, and that it continued 2-3 times a year over a long period of time until I reached puberty and my priest/uncle left me alone. I underestimated the abuse to minimize it. I was still suffering under mental illness as of February 20, 1986.

26. On February 25, 1986, I reported to my psychiatric social worker that

I had reported to an Assistant of the Bishop the story of the sexual abuse with my uncle and told him I felt relieved about sharing the information. In fact, this was incorrect in that I was indecisive and could not face reporting the abuse by my uncle to the Assistant of the Bishop because of my ongoing mental illness.

27. On February 23, 1987, I wrote a letter (attached as Exhibit A) to my uncle and priest, Father James Janssen. At the time I wrote the letter, I was suffering from significant mental illness. I had a loss of self esteem, pain and significant mental disturbances at the time of my letter. I wrote the letter in part as an effort to avoid ever seeing my perverted uncle again or even talking to him over the phone. At that time, I needed extensive therapy for my mental illness. I was told by a therapist to turn him in to the police, but I could not do so because of my fear that the complaint or he would hurt my mother.

28. That on or about February 25, 1987, while still suffering from mental illness, I received a letter from Father Janssen's attorney, Edward N. Wehr (attached as Exhibit B). The letter stated that Father Janssen "steadfastly denied" that he sexually abused me. Janssen also, through his attorney, threatened to sue me for damages. At about this same time, my mother received a similar letter where similar threats were made against her that Janssen would sue her for damages. I had no money at the time, my mother was a widow with 8 children at the time. I was worried about my mother's mental health, as well as my own mental health, and, as a result of the duress and coercion by Janssen and Mr. Wehr, and my mental illness, I could not pursue the matter further.

29. On or about January 8, 1988, I went to see Monsignor Michael J. Morrissey, the Vicar General of the Diocese of Davenport. I was still suffering from mental illness and attempted to discuss the matter of abuse by my uncle. I needed extensive psychological therapy at that time, but could not afford it. I requested that he investigate my uncle's activities.

30. On or about January 12, 1988, my mother Margie Wells (who is Defendant Janssen's sister) wrote a letter (attached as Exhibit C) to Monsignor Morrissey asking that he send the results of his investigation to me while I was living in Scottsdale, Arizona.

31. On or about January 13, 1988, I received a letter written by Monsignor Michael J. Morrissey, who was the Vicar General of the Davenport Diocese (attached as Exhibit D). I was still suffering from mental illness at the time. This was the last documentation or information I received from the Diocese of Davenport that indicated that any type of investigation, compassion, care or concern would be shown to me as a victim of their priest's abuse. No follow-up report was ever made to me by Monsignor Morrissey and no offer of any pastoral concern, assistance or psychological assistance to help me overcome my mental illness was offered by the Diocese. In addition, the Diocese, at no time, had advised me that they had other complaints about my uncle from other victims of his sex abuse. They concealed from me, and continue to conceal from me, my uncle's history of sexually abusing young boys.

32. On March 14, 1988, while still suffering from mental illness, I sent the final letter (attached as Exhibit E) relating to the sexual abuse by my uncle to

Monsignor Morrissey. In the letter, I indicate that because of my mental illness, the matter is very difficult for me to discuss and impossible for me to act upon. I made Monsignor Morrissey aware that I was threatened by my uncle/priest Father Janssen if I pursued any further action. Because of my mental illness, I still required extensive therapy, but I could not afford it to help me get better. I requested the assistance of the Diocese of Davenport because of my long term religious, emotional and spiritual relationship and dependence upon the Diocese to assist me to overcome my mental illness. Although I threatened legal action, I was too mentally diseased and ill to be able to act upon it and I was soliciting the help of my trusted spiritual advisors and counselors to assist me in overcoming my mental illness.

33. On October 5, 1990, I continued to be treated by the Vera French Community Health Center and received a psychiatric evaluation. When I spoke to the psychiatrist, Dr. Chang, I advised that I had been sexually molested from age 5 until 12 or 13 and I did not tell anyone until coming to the Center five years ago. I believe the abuse continued until age 14. I told the psychiatrist I was not a pedophile and I denied that there was a relationship between Janssen's abuse and my depression. I was diagnosed and was suffering from a mental illness at the time and I had no financial resources to pay for any treatment for mental health.

34. I continued to be treated at the Vera French Mental Health Center from October of 1990 through December 15, 1998 and continued to take psychiatric medication to attempt to help me deal with the mental illness I was suffering. I continued to be mentally ill during this time period.

35. I received another psychiatric evaluation on February 7, 2000. I continued to have a diagnosis of mental illness, specifically, bi-polar affective disorder and depression. On February 7, 2000, I reported my bi-polar illness was the result of child sex abuse by my uncle between the ages of 5 and 12, but at the same time, I reported that my childhood was relatively happy, had lots of friends, lots of girlfriends and no homosexual activity. I was unaware, because of my mental illness, of the extent of the sexual abuse by my uncle, of the causal connection between the sex abuse and my mental illness and because of my mental illness, I was incapable of acting upon my knowledge of the sex abuse to protect my legal rights. Further, because of Father Janssen's threats against me, I was unable to pursue my legal rights because of coercion and duress.

36. From February 7, 2000, up until the present date, I have continued to be under the care and treatment of a psychiatrist at the Vera French Community Health Center taking daily medication for my mental illness up to and including the date of this Affidavit.

37. It was not until I read in the newspaper on or about May 20, 2003 that other victims had admitted sexual abuse by Janssen. I learned this when I read the newspaper story indicating that John Doe had sued Father Janssen for sex abuse. Prior to that time, my uncle and priest, Father Janssen, had concealed from me ever committing the abuse. He specifically denied it through an attorney when I accused him of it. Despite asking the Diocese of Davenport to conduct an investigation and advise me of complaints of my uncle's sex abuse in 1988, the Diocese concealed

from me any knowledge of complaints against Father Janssen regarding sexual contacts by Father Janssen with minor boys under the age of majority.

38. On November 17, 2003, I finally learned, for the first time, that the Diocese of Davenport had received complaints about Father Janssen of sexual contacts with minors before 1967 when they responded to a Request for Admission as follows:

"REQUEST NO. 13: The Diocese of Davenport admits receiving complaints about Father Janssen and sexual contact with minors under the age of majority before 1967.

RESPONSE: The records indicate that some allegations were made prior to 1967, but all persons with first hand knowledge of what allegations are made are deceased."

39. The fraudulent concealment by the Diocese of Davenport that there were complaints about Father Janssen and sexual contacts with minors before 1967 prevented me from attempting to vindicate any legal rights against the Diocese until I filed my lawsuit. The Diocese concealed the witnesses with knowledge of the abuse from me until these witnesses died, making it more difficult for me to prove my claim and helping the Diocese avoid liability.

40. Contrary to public statements by representatives of the Diocese, including the Bishop, no pastoral concern, care or offer of any assistance to pay for psychological or psychiatric treatment has ever been made to me.

41. I was baptized by Father Janssen at St. Anthony's Parish in the Davenport Diocese, attended catechism classes, served as an altar boy, and with my family attended weekly mass. Father James Janssen was my uncle and priest.

Father James Janssen was an ordained Roman Catholic priest, a representative and authority figure of the Diocese of Davenport and was my spiritual advisor. He was a person of great influence and persuasion as a holy man and authority figure in my life. I developed great admiration, trust, dependence, reverence and respect for the Roman Catholic Church, its agents, the Davenport Diocese, its Bishop and Vicar General. My uncle identified me, sought and gained the trust and confidence of my mother (who was Defendant Janssen's sister) to serve as a spiritual guide, pastor, confessor and priest to me. Janssen also sought and gained my parents' consent to participate in counseling and other activities, including out of state trips and unsupervised swimming trips to the Lend-A-Hand Swimming Pool where Janssen would encourage us to swim naked. Defendant Janssen also sought and gained my trust, friendship, admiration and obedience and conditioned me to comply with his direction and to look to him as an authority on all matters spiritual, moral, ethical and temporal.

42. On more than one occasion before improper sexual contacts with me, Janssen would tell me that his contacts with me would be "our secret". Janssen and the Diocese of Davenport conspired together to conceal from me the nature and extent of Janssen's activities and deprive me of the knowledge of my legal rights. I was a member of the Davenport Diocese and relied upon, trusted, depended and was counseled in educational, spiritual, emotional and psychological matters by representatives of the Davenport Diocese at the time of the abuse.

43. As a result of the sexual abuse and the concealment of the wrongful

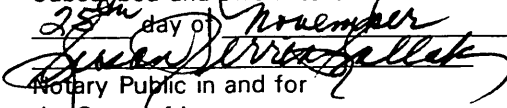
nature of it by the Diocese of Davenport, I believe I was mentally ill and developed various psychological coping mechanisms and symptoms of psychological distress. I admit that I am not an expert and do not completely understand how and to what extent my shame, guilt, self-blame, depression, repression and disassociation has affected me. However, I know that I was unable to discover the nature and extent of the abuse and the causal relationship between the extent of the sex abuse and my injuries until, at the earliest, 2003. I am still not fully aware of the nature and extent of the abuse and the nature and extent of the damages that I have suffered and it is my understanding that I am still suffering from a mental illness that dates from the time of the abuse.

Further, Affiant sayeth not.



JAMES WELLS

Subscribed and sworn to before me this
25th day of November, 2003.


Notary Public in and for
the State of Iowa

