

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss

SUPERIOR COURT DEPT.
OF THE TRIAL COURT
CIVIL ACTION NO.: 02-1296-H

JAMES M. HOGAN, ET AL
Plaintiffs,

v.

**ROMAN CATHOLIC ARCHBISHOP OF
BOSTON, a Corporation Sole, ET AL,**
Defendants.

AFFIDAVIT OF
MARY ELAINE (CARRETTE)
MC GEE

I, Mary Elaine (Carrette) McGee hereby depose and say:

1. One night in the Spring of 1970, just before Easter, my sister, Winnie Morton, came to my house at 11:30 p.m. She was very upset and told my husband and me that she had just come from talking to Mrs. Ann McDaid. Winnie told us that Ann McDaid told her about all the troubles her son, Bernie, was having regarding the behavior of Father Joseph Birmingham towards some of the boys and altar boys attending St. James School. Ann told Winnie that Father Birmingham had been molesting the boys in the sacristy and in his private room at the rectory. Bernie also told Ann that she should check with my son Michael, because he was the President of the class. Some of the boys had talked to Michael when they didn't know how to handle the situation.

2. That night my husband and I got Michael out of bed. I asked him "do you have anything to tell me about Father Birmingham?" He burst into tears and said "Mama, I'm so glad you know." His reaction convinced me that there was something that needed to be further investigated. We sent Michael back to bed.

3. In the morning I asked Michael what he wanted me to do about the situation. He told me to tell Sr. Grace Kenning, the Principal of St. James. I immediately went down to St. James School and told Sr. Grace that I had something very important to discuss with her in private. She told me to wait in her office. When she came in and saw the emotional state I was in, she said, "don't tell me he got to Michael too?" I told her what I knew and that Michael had given me the names of some of the boys that had approached him about Father Birmingham. They each thought they were the only ones who were molested. Sr. Grace told me that Father Birmingham had been transferred six weeks before because of these incidents. I remember a party was held for him after he left and several people lamented the fact that the "best priest" is gone.

4. Sr. Grace told me that she had gone to the Archdiocese in Boston as soon as she became aware of the situation with Father Birmingham. Sr. Grace spoke with Father John Jennings, the Personnel Director. She told Father Jennings that as long as she was Principal of St. James, Father Birmingham would no longer be allowed near any of her students. She told me that Father Jennings dismissed her as a meddling female. She suggested that I go to the Archdiocese with a group of the parents.

5. Until I met with Sr. Grace, I did not want to believe what I had been told and hoped that it was all a mistake. After my conversation with Sr. Grace, it really sank in and I came totally unglued. When my husband came home from teaching school, I was crying very uncontrollably and all I wanted to do was sleep, but I couldn't. I had my husband call my doctor at home as it was on a Wednesday and he wasn't in the office. Dr. Barry told my husband to bring me into his office the next day, as he wanted to talk to us. After we told him everything we knew about Father Birmingham, he told us to go to the Archdiocese in Boston and speak to John Jennings, the Director of Personnel for the Church. However, he wanted me to wait for a few days so that I could regain my composure. He said that if we went right away and I started to cry, they would dismiss me as an emotional female.

6. The following week, my husband and I had a meeting in our home with some of the parents involved and decided that a group of mothers would go with me to the Archdiocese so that we could tell Father Jennings what we knew. I called the Archdiocese and as soon as I told them what the subject was, we had no problem getting an appointment with Father Jennings.

7. The group consisted of myself, my sister Winnie Morton, Judy Fairbank, Ann McDaid and Mary Abraham. When we got into Father Jennings' office, I told him my name, address, my husband's name and that he was a school teacher at Saugus Jr. High. I told him that I wanted him to seek counseling for Father Birmingham, but Father Jennings would not say that he would do so. I also told Father Jennings that I wanted him to inform the Pastor at St. Michael's in Lowell, where Father Birmingham had been transferred, about Father Birmingham's molesting the boys. Father Jennings refused to do that as well.

8. The other ladies had a chance to speak and they told their stories. After about an hour of discussion, Father Jennings said "ladies, you have to be very careful of slander." With that, I completely lost my cool, jumped up and asked him, "where do you think my husband would be if he had been molesting children? He would never be allowed to get another teaching job." Father Jennings said he would get back to me and we left.

9. After not hearing from Father Jennings for about three days, I went to talk to Father John McCormack at Catholic Charities on Essex Street in Salem. He was a very good friend of Father Birmingham's and they served together at St. James. I told Father McCormack everything that happened. I also told him that my faith in the Catholic Church was severely shaken and that I no longer knew what religion was all about. Father McCormack said he would call Father Jennings. I left Father McCormack's office with the feeling that he was already aware of the problem and he was trying to get me to drop the subject.

10. That afternoon, I received a call from Father Jennings, and I honestly do not remember what he said. I was completely disgusted with the Church. I chose not to pursue the matter as it was beginning to effect my health and well being.

11. I asked my son Michael why he didn't tell me about what was going on and he replied "Mama, I was afraid you would have him arrested and he is a very sick man."

12. On Sunday morning during the mid 1970's, my husband wanted me to read an article that was in the Sunday paper. The article was about the police needing help to find a man that had been trying to pick up young boys in the Tewksbury area. They gave a description of a man that they were looking for. As I read the article, I immediately realized that it fit the description of Father Birmingham. Knowing that Father Birmingham had been transferred to St. Michael's in Lowell, I thought that I should report it to the police. We were living in Lynnfield at the time, and my husband and I went to the State Police Barracks on Route 1 in Lynnfield. We asked to speak to the officer in charge. I don't remember his name, but it should be on record that we were there. It was a Sunday around 8:30-9:00 a.m. We identified ourselves and told him about the incident in 1970 leading to our trip to the Archdiocese and about our talk with Father John Jennings. This brought back a lot of very unpleasant memories and I asked him to investigate what we told him.

SIGNED UNDER THE PENALTIES OF PERJURY THIS 10 DAY OF

MARCH, 2003


MARY ELAINE (Carrette) McGEE