

REVIEW COMMITTEE RECORDS

ALLEGATIONS
-vs-
FATHER BURNETT

For
Meeting
of
April 28, 2010

Review Committee

**Allegations
of**

John Doe

-vs-

Father Burnett

CONFIDENTIAL MINUTES OF THE JOLIET DIOCESAN REVIEW COMMITTEE

April 28, 2010

PLACE Conference Room, Chancery Building

TIME 7:30 a.m.

PRESENT Members: Dr. Timothy Brown, Mr. Daniel Callahan, Mrs. Cathy Nusgart, Judge William Penn, Mr. William Plahm, Mrs. Cynthia Power, Mrs. Shirley Robinson, Dr. Alex Spadoni, Mr. Ernest Stark (Chair), Fr. Gerald Tivy
Others: Mr. James Byrne, Sr. Judith Davies, Fr. Joseph Tapella

OPENING The meeting opened at 7:30 a.m. with prayer.

HAYDEN Although the case of Mr. ~~OMITTED~~ ^{RIGHT OF PRIVACY} had been settled, he is seeking additional compensation, Mr. Stark formed a subcommittee consisting of Mrs. Cynthia Power (Chair), Dr. Timothy Brown and Mrs. Shirley Robinson, to consider the request.

BURNETT Prior to any discussion regarding the allegations of Fr. James Burnett, the Committee was informed that because of unique circumstances, the diocese settled with John Doe in advance of his case being brought to the Committee.

Mr. Byrne
OMITTED on basis of ATTORNEY PRIVILEGE

Because new information was presented to the Committee, including a third allegation of John Doe, Mr. [REDACTED] case was reconsidered.

After Fr. James Burnett was interviewed by the Review Committee, members discussed his responses and some particulars of the allegations.

The Committee voted that the allegation of [REDACTED] is substantiated. The allegation of John Doe is also substantiated.

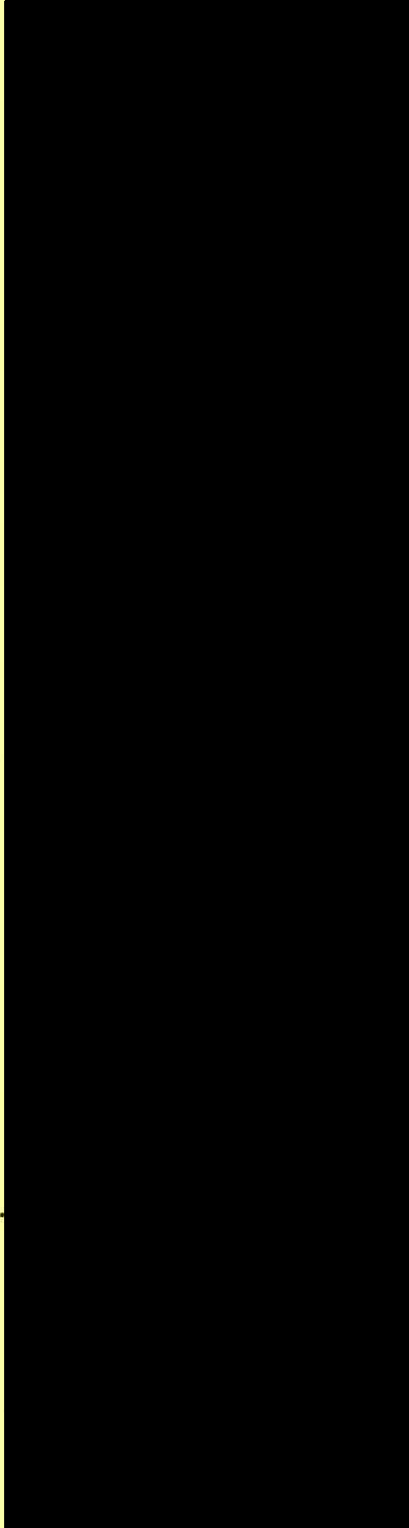
NEXT MEETING It was moved and seconded to adjourn. The meeting adjourned at approximately 10:15 a.m. The next meeting of the Review Committee will be held at the Chancery on July 21, 2010 at 7:30 a.m.

PRIVILEGE LOG

Re: Review Committee Records
of
April 28, 2010

Document

Privilege



**PROOF REQUIRED
FOR
A FINDING OF A CREDIBLE ALLEGATION**

In order to have a finding of a credible allegation there must be a "Preponderance of Evidence".

A "Preponderance of Evidence" has been defined by civil law and by the Review Committee as follows:

"The criteria for determining the credibility of an allegation is:

*Considering all the evidence presented whether it
(the allegation) is more probably true than not true".*

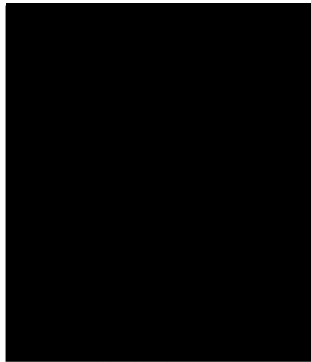
SUMMARY

PREPARED BY MR RUDOFSKI'S ATTORNEY



John Doe
Age 9-10

John Doe
Abused: Aged 9-10
1971-1973



Abused: Aged 8-12
1978-1982



Dave Rudofski
Abused: Aged 8
1983

Three individuals have reported that they were sexually abused by Fr. Burnett.
Each victim was between 8-12 years old at the time of the sexual abuse.

"Children rarely lie about sexual abuse."

*Diocese of Joliet, "Parent Guide: Understanding and Preventing Child Sexual Abuse",
signed by Chancellor, Sister Judith A. Davies, OSF and posted on the Diocese of Joliet's website.*

Similarities of Type and Location of Sexual Abuse

The type of sexual abuse, the location where the sexual abuse occurred, and the age of the victims are strikingly similar.

The sexual contact was genital or anal touching over or under clothes.

John Doe and [REDACTED] confirm repeated sexual abuse; whereas Rudofski can only recall one occasion (though he cannot rule out additional abuse occurred). John Doe also describes being the victim of fellatio.

Location: [REDACTED] and Rudofski describe sexual abuse during Confession, a Church crime called "Solicitation." Solicitation at or about the confessional has been recognized by the Church for centuries.

John Doe and [REDACTED] also describe sexual abuse taking place at other locations, including a private office.

Age of Fr. Burnett: Fr. Burnett was born in 1942. Therefore, Fr. Burnett was 29-31, 36-40, and 41 at the time of the sexual abuse described above.

REVIEW COMMITTEE

Past Actions and Decisions

On January 17, 2007 the Review Committee met to consider the allegations of [REDACTED] and David Rudofski.

The Review Committee by a majority vote decided that the allegation of David Rudofski had been substantiated by a preponderance of evidence.

The Review Committee by a majority vote decided that the allegation of [REDACTED] had not been substantiated by a preponderance of evidence.

Current Agenda

The Review Committee now is being asked to do the following:

1.) Resolve the allegations of John Doe

AND

2.) Reconsider and reevaluate the allegation of [REDACTED]

The request for the reconsideration of the allegations of [REDACTED]s by Bishop Sartain, which is pursuant to Diocesan Pastoral Policy Article X The Review Process, Part C Supplementary Review.