

Confidential Report to Bishop Pelotte - 3/18/89

In 1974 I heard the confession of a 16-year old boy. The matter was very serious, and had made a profound negative impact on him. Subsequently, the boy came to me several times for counselling relating to the same matter. I was concerned for his spiritual and psychological well-being, and especially that there be no lasting wounds in his relationship to God, to the Church or to priests. Over the years he and I have developed a close personal friendship. From time to time while he was in college he would allude to the matter of the confession, and we talked about it at length at least once while he was in college.

Upon graduating from college in 1980, he was hired by an international computer-parts manufacturer, with whom he is still employed. He has a successful career, is at the junior-executive level, and at this time is probably earning between \$50,000.00 and \$70,000.00 a year. He was married in the Church, and he and his wife are expecting their second child. Their marriage is a strong one. I last saw him about six months ago, when I stayed overnight with him and his family in the Phoenix area.

Last Wednesday night (3/15/89) he called me, and after some preliminary conversation indicated to me that there was a purpose to the call. He thereupon began to read to me a statement which he had written out shortly before the phone call. As nearly as I can recall the various points made, they were as follows:

- The matter which he had first talked to me about in 1974 was still bothering him, and, as far as he is concerned, has never really been resolved. He feels an "empty place" in an otherwise happy life, and wonders how different a person he might now be if he had not had this experience.

- The most troublesome factor to him was that a certain priest had never been brought to account over what had happened. He bears a great animosity towards this priest.

- He has reason to believe that there have been others victimized as he was, and strongly feels that something must be done to protect future potential victims.

- He has decided that something must be done in order to resolve this once and for all. He wanted to inform me of his intentions, "more as a friend than as a priest", because of the likelihood of "lawyers and the media" being involved in what he plans to do, and of my name being brought into the case as the priest he first turned to.

- He is committed to the Church, but feels that "this type of thing" is so widespread (he understands that as many as 5% of the clergy may be involved in similar activity), that it is his responsibility to do something to help clean it up. He is dismayed that no action was ever taken against the individual priest.

involved in his case.

When he had finished reading the statement, I said something to the effect that when he had something important to talk about he didn't kid around. I then reminded him that the matter he had brought to me was under the seal of confession, and that I could not inform anyone because of that seal - and in fact had never discussed it with anyone other than him. I had only talked with him about it at those times when he had brought up the subject.

I then said that before he did anything in a public or civil forum on this that he should have recourse to the Bishop. He expressed scepticism as to whether Bishop Hastrich would do anything but try to cover it up. He finds it impossible to believe that over the years evidence has never been brought to the Bishop about that priest's involvement in similar activities.

[[I know - from the priest himself - that allegations were made against him after 1974, and that the Bishop knew of them. I also have reason to believe that there was at least one other incident which resulted in the man's abrupt transfer from one parish to another, and which presumably therefore the Bishop knew of. This second episode, however, I do not have any first-hand knowledge of. I obviously did not share this information with the man who called me.]]

He asked me why I had never encouraged him to take the matter to the Bishop. I replied that it was basically a judgment call on my part: we had talked about it for the most part during his adolescence, when my concern was his healing and normal development into manhood. I did not judge it at the time to be in his best interest to so focus his attention and energy on this one matter, when there were so many other concerns for him as he approached adulthood. I had not realized that, in spite of his overall success in making the transition to adulthood, this incident (which had in fact taken place some years before he first told me about it) had so traumatized him. His response to this was, "You still have the right answer for things, don't you?" I believe that he meant that to be taken at face value, and was not being sarcastic.

I asked him to do me one favor, as a friend: not to do anything about this until we had a chance to sit down together and talk about it. He said that would be good, if it could be done soon. I told him that the very earliest I could get down to see him would be Easter Sunday night. At first he said that that was too long, but after realizing the impossibility of his being able to come to see me before then and my being unable to get down there during Holy Week, he agreed to wait until Easter.

I asked him if he had discussed this with his wife. He said that he had, and that she supported his decision. I again assured him that I had never broached the subject with the Bishop, and that I strongly believed that he should seek redress within the Church

before "going public" - for his and his family's sake, as well as for the sake of the Church.

In setting this in writing, my prime concern is for the sanctity of the seal of confession. For that reason I cannot reveal the name of the caller, or of the priest. Whatever concrete details I have disclosed in this report have come from conversations not bound by the seal. I have disclosed no details revealed to me within the sacramental forum.

I am also very concerned about the justice of this man's claims, and about his spiritual well-being and continued commitment to the Church. I strongly advise that this matter be treated with the utmost seriousness. This man is a mature, committed Catholic. He is highly intelligent and well educated. He has the financial resources to pursue civil litigation if he judges that the Church is unwilling to do anything.

At the same time, we are talking about an alledged incident that took place a long time ago - some sixteen to twenty years (I really do not know the exact time, or how old this man was when it happened).

It is my intention to go and see him on Easter Sunday night, and spend a few days with him and his family. I would appreciate some advise and assistance in how I should approach this. It is quite clearly an extremely delicate matter, all the more so for me since it involves the seal of confession. It is my concern for the integrity of the seal that has prompted me to put this in writing; I was fearful that in an oral presentation the seal might be compromised. I have tried to be very careful in presenting the facts of the case, and feel that the above account provides the necessary information and preserves the inviolability of the sacramental forum.

1989

THE DIOCESE OF GALLUP
CHANCERY
Post Office Box 1338
Gallup, New Mexico 87301

PLEASE TYPE OR PRINT YOUR REPLIES AND RETURN TO CHANCERY
TOGETHER WITH A RECENT PHOTOGRAPH OF YOURSELF THAT CAN BE
USED FOR PRINT. Thank you.

SSN* 046 24 9020

1/ NAME JAMES MATTHEW BURNS
First Middle Last

2/ DATE OF BIRTH 15 JUNE 1933
Day Month Year

3/ PLACE OF BIRTH BRIDGEPORT, CONN.

4/ PARENTS: Living _____
Mother: [REDACTED] Deceased x
(Maiden Name)
Father: [REDACTED] Living _____
Deceased x

5/ Name and Address of person to be notified in case of accident, sickness
or death:

[REDACTED]

P.O. Box 131 Wickenburg, AZ 85358

602-684-2733

(Notify CHANCERY whenever a change of address or name is made)

6/ Do you carry Accident or Life Insurance? Company's name and address:

NO

7/ Have you made a WILL recently? Is it in Chancery or where?

NOT RECENTLY

NO

ECCLESIASTICAL STATUS

8/ Date and Place of Baptism 1933, St. James Church, Stratford, Conn.

9/ Date and Place of ORDINATION May 26, 1962 - Bridgeport, Conn.

By Whom Bishop Walter W. Curtis

For What Diocese Gallup

Parish at time of Ordination Our Lady of Guadalupe, Flagstaff, AZ

*Social Security Number

- 10/ Date of entrance into Diocese of Gallup 1953
- 11/ Date of Incardination 1961 By whom Bishop Espelage
- 12/ Have you been a member of a Religious Order or Community? NO
Give name and address of same _____
Are you still a member? _____
- 13/ Have you been secularized? NO Date of Rescript _____
- 14/ If you have not been incardinated, who is your present Bishop?

EDUCATIONAL RECORD

- | | | | |
|-----------------------|--|------------------------|-----------------|
| 15/ Grade School | <u>Garden School</u> | <u>Stratford, Conn</u> | <u>1948</u> |
| | Name | Place | Graduation Date |
| High School | <u>Stratford High</u> | <u>Stratford, Conn</u> | <u>1952</u> |
| | Name | Place | Graduation Date |
| College | <u>Immaculate Conception Seminary,</u> | <u>Conception, MO</u> | <u>1957</u> |
| | Name | Place | Graduation Date |
| Philosophical Studies | <u>Imm. Conception Seminary</u> | <u>1957</u> | |
| | Where | Dates | |
| Theological Studies | <u>Immaculate Conception Seminary</u> | <u>1958-1962</u> | |
| | Where | Dates | |

- 16/ DEGREES: Please list and from where obtained:

B/A Philosophy

- 17/ My present major, official assignment is Pastor
at St. Joseph since July 1982
Month Year

- 18/ My other official assignments were (inside & outside the Diocese of Gallup):

<u>Our Lady of Guadalupe, Flagstaff, AZ</u>	from <u>62</u> to <u>63</u>
<u>Navivivity, Flagstaff AZ</u>	from <u>63</u> to _____
<u>Our Lady of Guadalupe, Holbrook, AZ</u>	from <u>63</u> to <u>64</u>
<u>St. Lawrence, Humbolt, Camp Verde, Meyer, Grand Canyon City</u>	from <u>64</u> to <u>65</u>
<u>St. Peter, Springerville, Quemada, Alpine</u>	from <u>65</u> to <u>72</u>

(Other official assignments -- continued):

<u>Ft. Grant Prison, Chaplain</u>	<u>from</u>	<u>72</u>	<u>to</u>	<u>73</u>
<u>St. Mary of the Angels, Pinetop</u>	<u>from</u>	<u>73</u>	<u>to</u>	<u>81</u>
<u>Immaculate Heart, Page AZ</u>	<u>from</u>	<u>81</u>	<u>to</u>	<u>82</u>
<u>St. Joseph, Winslow</u>		<u>82</u>		<u>Present</u>

18/ In addition to my official assignment(s), I am currently engaged in the following Priestly activities:

Vicar Forane - Navajo Deanery

Chairman, Golden Jubilee Committee

19/ Do you hold any office in the Diocese outside of parochial ministry?

Chairman Priest Council

20/ Name BUILDINGS erected under your management:

<u>NAME</u>	<u>PLACE</u>	<u>DATE</u>	<u>COST</u>
<u>St. Philip Benizi</u>	<u>Black Canyon City</u>		<u>100,000</u>
<u>St. Mary of the Angels</u>	<u>Pinetop (finished)</u>		<u>250,000</u>

21/ Please describe any special experience, training (e.g., degrees or non-degree studies) and talents that should be considered in assigning your work in the Diocese:

NONE

22/ How is your health at the present time? Good Fair x Poor

Comment:

23/ My personal preference with regard to Parish work would favor my assignment to:

(Mark as #1 -- the parishes you have the deepest interest;
#2 -- those in which you have a moderate interest;
#3 -- those in which you have a little interest;
#4 -- those in which you have no interest.)

<u>2</u> No Special Preference	<u>3</u> Bilingual Parish (Specify)
<u>1</u> Arizona Parish	<u>2</u> Changing Parish
<u>1</u> New Mexico Parish	<u>2</u> Experimental Parish
<u>2</u> Mission Parish	<u> </u> Other(Describe)
<u>2</u> Town Parish	

24/ I am interested in the following SPECIALIZED fields:

Please mark according to your order of preference:

- #1 -- Deep interest
- #2 -- Moderate interest
- #3 -- Little Interest
- #4 -- No interest

<u>1</u> Adult Education	<u>2</u> Newman Apostolate
<u>2</u> CANA	<u>3</u> Radio and TV
<u>2</u> CFM	<u>2</u> Religious Education(CCD)
<u>4</u> Chancery	<u>2</u> Retreats and Days of Renewal
<u>3</u> Catholic Charities	<u>2</u> Seminary
<u>1</u> Counselling	<u>3</u> Sacred Music
<u>4</u> Diocesan Mission Band	<u>3</u> Urban Affairs
<u>3</u> Ecumenism	<u>2</u> Vocation Work
<u>4</u> High School Teaching	<u>2</u> Youth Work
<u>4</u> Hospital Chaplain	<u>3</u> Migrant Workers
<u>2</u> Interracial Work	<u>2</u> Mexican-American Apostolate
<u>3</u> Journalism	<u>3</u> Further graduate work
<u>2</u> Liturgy	What field _____
<u>4</u> Marriage Tribunal	_____ Other (Specify):
<u>4</u> Military Chaplain	

25/ I am familiar with the following modern languages.
(Please indicate degree of fluency):

<u>LANGUAGE</u>	<u>HIGH</u>	<u>MODERATE</u>	<u>LOW</u>
<u>English</u>	<u>x</u>		
<u>Spanish</u>			<u>x</u>

26/ Would you welcome at this time the responsibility of the office of
Pastor of an existing parish: Yes n/a No _____

Would you welcome at this time the responsibility of the office of
Pastor of a parish to be formed: Yes _____ No _____

ADDITIONAL REMARKS

N.B. For your own future reference, an extra form has been enclosed
so that you may have a copy of the more important information
you have provided in this data form.

DATE

8/7/89

SIGNED

Rev. James M. Burns

July 3, 1989

Very Reverend James M. Burns
St. Joseph Parish
300 West Hillview
Winslow, Arizona 86047

Dear Father Burns,

In accord with the wishes of the priests of the Navajo Vicariate, I herewith reappoint you, Vicar of the Navajo Vicariate for a three year period, beginning July 1, 1989.

May God grant you His graces in leading the priests in this area.

With every best wish, I am

Sincerely yours in Christ,

Most Reverend Jerome J. Hastrich, D.D.

SOMETIMES IT IS VERY DIFFICULT TO
CONTINUE TO RECEIVE PUBLIC CONDEMN-
NATIONS BUT ONLY PRIVATE APOLOGIES.

Jim

DAY / BURNS
Files

January 13, 1989

Very Reverend James M. Burns
St. Joseph Parish
300 West Hillview
Winslow, Arizona 86047

Dear Father Burns,

Regretfully, I have to inform you that we are taking away your Parochial Vicar, Father William Day. Bishop Pelotte and I are both agreed that for the good of his soul and the good of the ministry, he should be moved at this time.

It is my hope that we will be able to give you a new assistant in the not too distant future. In the meantime, it is my hope that Father Forman can assist you with your various parochial tasks.

This will be effective, February 1, 1989.

May God bless you.

Sincerely yours in Christ,

Most Reverend Jerome J. Hastrich, D.D.

Burns, James (1990)

1990

BURNS

BA

1990

Famil, Hx OEPW Burns 1/26/90
Jim Burns

Feb 2, 1990

Phone call to me 8:30-10:15

Feb 15 Call Lucio Burns
Caballos re

March 5 - Burns to
Jemez re Evaluation

Mar 9 Call Burns

Mar 29, 1990

Meet Foreman & Hall

May 9, 1990 Jemez
Discharge for Roy M
Visit Burns

? Sept 29 Jemez
Visit Burns

Memo

Phone Call from Jim Burns
8:30-10:15 P.M. Feb. 2, 1990

Spoke to J.B. - Review reasons for called meeting.

- Concern over his health - Stuttering, strokes.

- Business management funds. Bings.

Assume most everything is ok & if investigated would prove ok except for \$1000.00 which he owes & feels guilty about (Parents mobile home up for sale.)

Linda very honest. Accuses J.B. for every penny Finance Committee, Parish Council don't have business knowing everything. Pastor should run the parish without giving an account of everything.

- A lot of blaming on Foreman & Hastuch & a bit on Farrell

- Would have been open to Meals Park program. Would be open to something in future.

- Finally, after 1 1/4 brought up [REDACTED] issue. This is what he was expecting all along. Always afraid the # of kids involved, in reform school, etc. would seek him out and try to cash in for a million dollars, disgrace the Church & Diocese. As he gets older not so much a problem, but it is still there. Should leave parishhood, get out of here where he won't be known. Work in an kids hospital in Chicago.

Danger to use +H as an excuse to leave
the priesthood. While he protected me &
never broke confidentiality - always treated me
like shit & made me feel guilty.

Sex & \$12 gold - Live with stupid things
I did at an early age - Painful, hell all the time.

- Reform school person brought up all
recollections before [REDACTED]

- Relieved that he has finally been able to
share this with me. Will go away for 2
days to Phoenix to think things through.

Maybe visit sister. Take a motel. Ask him
to be prudent. Don't get depressed or let this
overwhelm him - I will do all I can to
help. Mentioned James as his only priest
friend. Suggested he phone him or come to
Gallup to visit him. No. Wants to be alone.

"I won't let you go, with +H as the excuse.
I value you v. much & will do all I can
to keep you in."

Revere that we would be responsible for
covering up. At my age - where could I
go. What could I do?

[REDACTED]

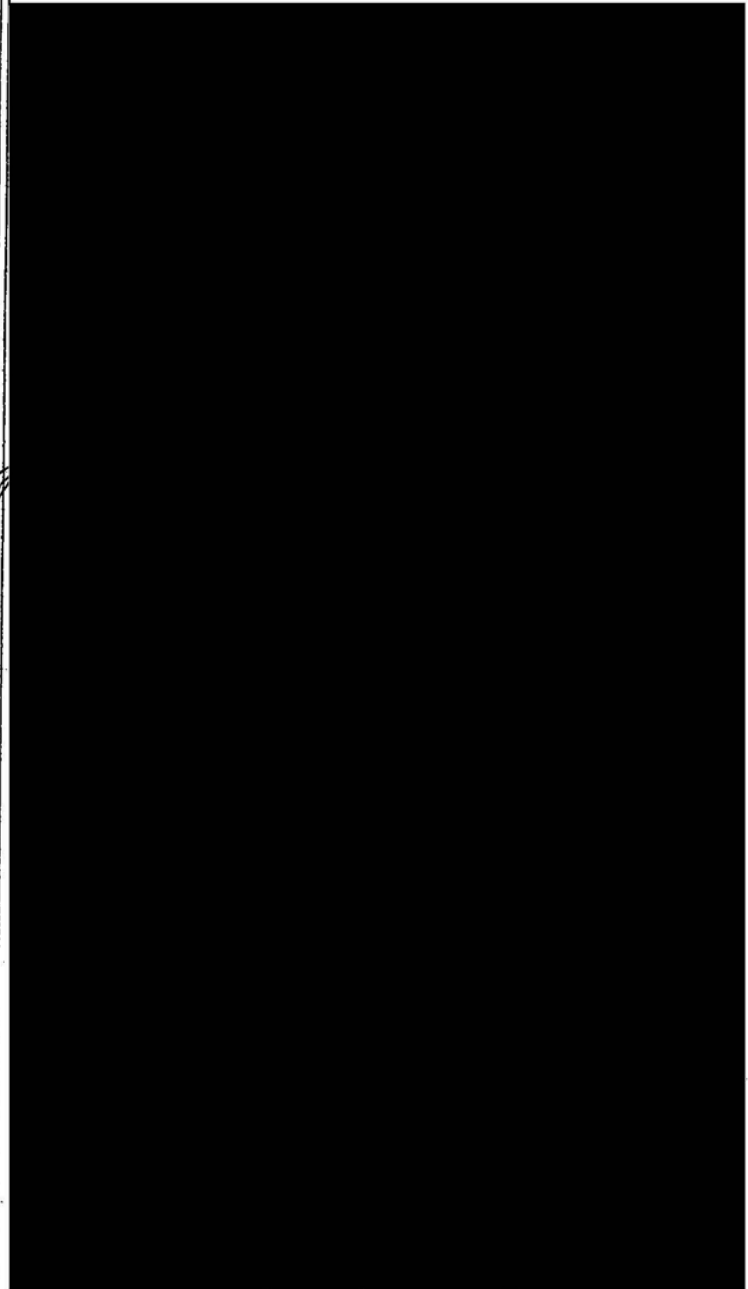
[REDACTED]

[REDACTED]

[REDACTED]

In times I've
seen - concern for kids,
family. She is honest
Not Extravagant. Nice
people.

Fr. Mulligan + School.
Bp Espelage



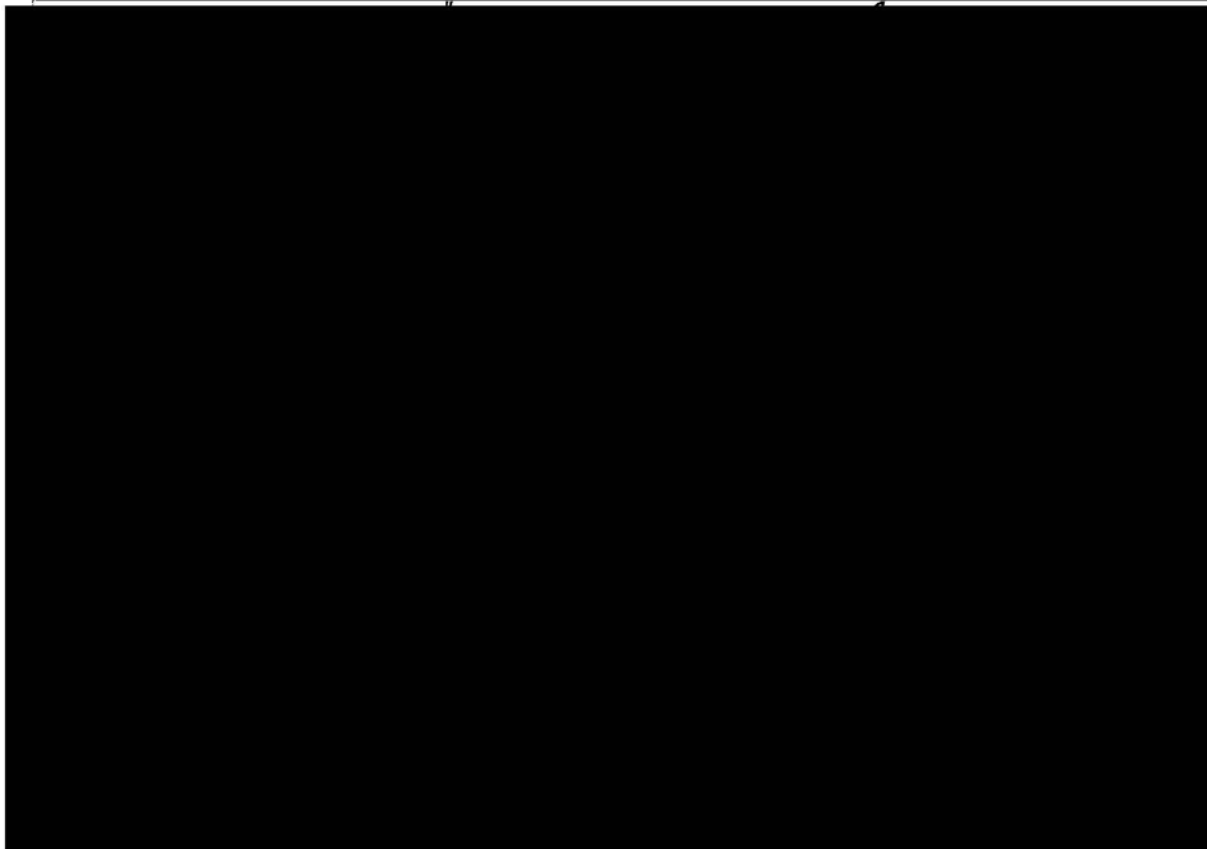
Mid-lact yr - minor
of house in Yacon.

People asked them about
house. He brought it up to
P.C. J.B. says everything
appropriate - someone told
them otherwise.

10/10/10

April 5th 1990

Dear Bishop Pelotte;



AVOID VERBAL INSTRUCTIONS

TO +DEP DATE 7/26/90

SUBJECT: Forman, Burns, Winslow, etc.

Paul will need to talk with you, perhaps as soon as Saturday, (tomorrow) about all of this.

It seems that Farrell has been "feeding" Carl D. about alot of things that happened at Winslow prior to Jim Burns' leave-taking to go to Jemez and the Forman-Fiasco that followed.

Included in these remarks are:

--"what Farrel saw at 3AM in the morning" with the parade of folks in/out of the rectory and coming in/out of Jim's suite.

--the fact that Forman had made xerox copies of financial records that he now claims could prove damaging to Burns' reputation; he has also alluded to the fact that he might publish these reports in that weekly rag they publish in Winslow.

Is this the time to put Jay Mason on alert?

Paul said he realizes that Farrell feels "used" after-the-fact right now and I suppose that Carl is easy to talk with and a good listener.

Just some background to Paul's memo attached.

dt

FROM: _____

Aug. 31, 1990

Dear Jim:

I thought you would appreciate
& could use this strong letter of affirmation
which reached me yesterday. You should
know that you are truly loved and
the people are grateful for all that you
have done for them.

Thank you for being so open & flexible
during our meeting on Wednesday. You
look fine and we are proud of you.
Peace & love! + *Carole*

Aug. 29, 1990

Most Reverend Donald E. Pelotte, SSS
Bishop of Gallup
Gallup, New Mexico

Your Excellency,

Although I am not a spokesman for St. Joseph's Parish Council, I want to express my deep gratitude to you for taking time from your very busy schedule to come to our parish and talk to us about the problems we have had here at St. Joseph's. It gives us a feeling of really belonging to the diocese and also gives us a chance to get to know you as our Bishop.

The main reason for this letter though, is to express some thoughts on behalf of Father Burns. From what was brought out at the meeting on Aug. 28, I believe that you have received mostly negative comments about Father Burns and I would like to tell you some positive things to balance the scales, as it were.

First, I would like to tell you that I grew up here in Winslow. After being married at St. Joseph's with Fr. Eugene Mc Carthy officiating, I was away, returning after my husband retired from the Air Force. My husband [redacted] and I have been active in the parish, serving on the parish council several times. [redacted] was president when Fr. Lindenmwyer was our priest. [redacted] has been available for many building projects and did much of the work on the Holy Family Chapel. I have worked with CCD and presently am president of the Rosary Altar Society.

When Fr. Burns came to Winslow, parishioners were delighted to have him here. The people of St. Joseph's held Fr. Lawrence O'Keefe in the highest regard. He was leaving to study in Rome. Anyone who followed in the footsteps of this charismatic priest had a tremendous task of filling his shoes. But, Fr. Burns came with great recommendations and we were happy to have someone of such high caliber as our parish priest. He was sent here, by Bishop Hastrich, partly to rebuild the parish plant, a job for which he had an excellent reputation. With his enthusiasm and his sense of humor, he was well received.

Rebuilding and renovating the parish was not an easy task and some toes were stepped on, especially those of some people who had very strong ideas about what the priorities should be. However, Fr. Burns dug in and continued on. What he has accomplished in this parish has to be remembered and the parish must extend it, a gratitude to this man because he upgraded this parish and made it a place of which we could be proud. His ideas of insulating the buildings will be deeply appreciated in the future by those who will be paying the bills.

One of the most important matters which must be noted is the way Fr. Burns treated everyone equally. There was no favoritism of one group over the other. I watched as he brought this parish together and made everyone feel as though they had an important part in the

parish. When I was a child we had a priest here who was from Holland, Fr. Hootsmans. He was very dictatorial and scared most of us out of our wits. (Father Burns is mild compared to this priest but in those days you believed in obedience to the Church) Unfortunately, one of the legacies from his time here was a division between the Mexican-Americans and the "Anglos" (as we were designated). Fr. H. insisted that all the Anglos sit on the West side of the church and the Mexican-Americans on the East side where he had hung a tapestry of the Virgin of Guadalupe. Also in those days, the pews were rented. All of this created a lot of hostility about "my" pew and "your" pew and "our" side and "your" side. It must have been a dilemma for all the priests who followed. Fr. Burns, apparantly, decided this was intolerable. Because of his actions, the Mexican-Americans in our parish have taken their rightful place and fully participate in all activities. He has to be given full credit for accomplishing this monumental task. People in our parish now work together side by side because this man believed that all people should be treated the same. He did this in such a way, I don't think most people even notice what has happened.

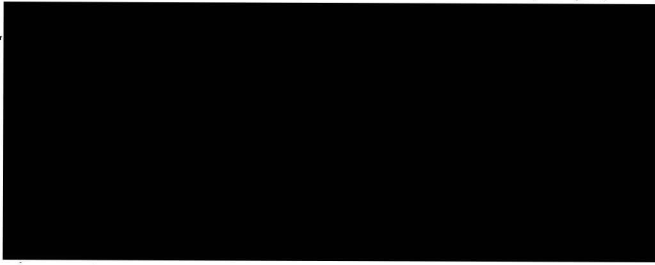
Most of the trouble in St. Joseph's Parish has been brought about by personality clashes. What an indictment against all that a priest has to struggle so hard against his detractors.

It is my humble opinion that Father Burns is a good and decent man and a holy priest. He gave himself totally to this parish. Sadly, he didn't get much back. To think that there are people who believe that he was guilty of almost criminal behavior is astounding.

Father Burns is perhaps hard-headed and strong-willed. I became aware early on that Fr. Burns was up-front in his dealings with everyone. He was not the type to play games. Sometimes he was brutally honest and probably offended a few. He may have made some inappropriate decisions for the sake of convenience but after all, he is human like the rest of us.

There are those of us in the parish who care about him and are praying for him through his difficult struggle.

Respectfully yours





DIOCESE OF GALLUP

711 SOUTH PUERCO DRIVE

P.O. Box 1338 • Gallup, New Mexico 87305 • Telephone (505) 863-4406

COPY

November 27, 1990

Rev. James Burns
St. Joseph Parish
300 West Hillview
Winslow, AZ 86047

Dear Jim:

With this letter I am appointing you pastor of St. Rose Parish in Blanco, New Mexico, effective December 5, 1990 and for a period of three years. Needless to say I am very pleased that you are willing to accept this assignment. I am confident that you will provide the kind of leadership which the parish needs just now.

I am fully aware that with this job comes an unusually high debt. It is not one that either of us incurred. But I shall do all I can in supporting you in this matter, even if it means making a special trip to Blanco to dialogue with the parishioners. Obviously it is important that the debt to the bank be paid off first. What is owed to the Diocese or the Franciscans can wait awhile.

Let me use this occasion to thank you for being so cooperative during your stay at Jemez Springs. I know how painful it was for you. I am certainly proud to see how much growth was accomplished and will continue to "strengthen you" as you embark on this new commitment.

Faternally in Christ,

Most Rev. Donald E. Pelotte, SSS
Bishop of Gallup



DIOCESE OF GALLUP

711 SOUTH PUERCO DRIVE

P.O. Box 1338 • Gallup, New Mexico 87305 • Telephone (505) 863-4406

November 27, 1990

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St. Joseph Parish
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