

CONFIDENTIAL

**IN THE SUPERIOR COURT FOR THE
STATE OF RHODE ISLAND**

SUPERIOR COURT

PROVIDENCE, SC.

STATE OF RHODE ISLAND :

VS.

INDICTMENT NO.: P1-2021-3378A

**JAMES SILVA, :
alias John Doe :**

INDICTMENT

The Statewide Grand Jury of the State of Rhode Island charges:

Introduction

At all times material to this Indictment:

1. According to Diocesan records, the defendant James Silva (Defendant) was ordained as a priest on June 3, 1967.
2. Based on witness testimony and Diocesan records, Defendant served as the Interim Director and Assistant Director at the Office on Ministerial Formation, in Providence, Rhode Island, from July of 1986 until July of 1991.

COUNT 1

(Second Degree Child Molestation Sexual Assault – R.I. Gen. Laws § 11-37-8.3)

3. The Grand Jury realleges and incorporates by reference paragraphs 1 through 2 of this Indictment.

4. Defendant on or about a day or date between April 6, 1989 and April 6, 1990, the exact day or date unknown by the Grand Jury, in the City of Cranston, in the County of Providence, did engage in sexual contact (defendant's hand/victim's penis) with [REDACTED], who at that time was a person fourteen years of age or under, in violation of § 11-37-8.3 and § 11-37-8.4 of the General Laws of Rhode Island, 1956 as amended (Enacted in 1988).

COUNT 2

(Second Degree Child Molestation Sexual Assault – R.I. Gen. Laws § 11-37-8.3)

5. The Grand Jury realleges and incorporates by reference paragraphs 1 through 4 of this Indictment.

6. Defendant on or about a day or date between April 6, 1989 and April 6, 1990, the exact day or date unknown by the Grand Jury, in the City of Cranston, in the County of Providence, did engage in sexual contact (defendant's hand/victim's buttocks) with [REDACTED], who at that time was a person fourteen years of age or under, in violation of § 11-37-8.3 and § 11-37-8.4 of the General Laws of Rhode Island, 1956 as amended (Enacted in 1988).

COUNT 3

(Second Degree Child Molestation Sexual Assault – R.I. Gen. Laws § 11-37-8.3)

7. The Grand Jury realleges and incorporates by reference paragraphs 1 through 6 of this Indictment.

8. Defendant on or about a day or date between April 6, 1989 and April 6, 1990, the exact day or date unknown by the Grand Jury, in the City of East Providence, in the County of Providence, did engage in sexual contact (defendant's hand/victim's penis) with [REDACTED] who at that time was a person fourteen years of age or under, in violation of § 11-37-8.3 and § 11-37-8.4 of the General Laws of Rhode Island, 1956 as amended (Enacted in 1988).

COUNT 4

(Second Degree Child Molestation Sexual Assault – R.I. Gen. Laws § 11-37-8.3)

9. The Grand Jury realleges and incorporates by reference paragraphs 1 through 8 of this Indictment.

10. Defendant on or about a day or date between April 6, 1989 and April 6, 1990, the exact day or date unknown by the Grand Jury, in the City of East Providence, in the County of Providence, did engage in sexual contact (defendant's hand/victim's buttocks) with [REDACTED] who at that time was a person fourteen years of age or under, in violation of § 11-37-8.3 and § 11-37-8.4 of the General Laws of Rhode Island, 1956 as amended (Enacted in 1988).

COUNT 5

(Second Degree Child Molestation Sexual Assault – R.I. Gen. Laws § 11-37-8.3)

11. The Grand Jury realleges and incorporates by reference paragraphs 1 through 10 of this Indictment.

12. Defendant on or about a day or date between April 6, 1989 and April 6, 1990, the exact day or date unknown by the Grand Jury, in the City of East Providence, in the County of Providence, did engage in sexual contact (defendant's hand/victim's penis) with [REDACTED] who at that time was a person fourteen years of age or under, in violation of § 11-37-8.3 and § 11-37-8.4 of the General Laws of Rhode Island, 1956 as amended (Enacted in 1988).

COUNT 6

(First Degree Child Molestation Sexual Assault – R.I. Gen. Laws § 11-37-8.1)

13. The Grand Jury realleges and incorporates by reference paragraphs 1 through 12 of this Indictment.

14. Defendant on or about a day or date between April 6, 1989 and April 6, 1990, the exact day or date unknown by the Grand Jury, in the City of East Providence, in the County of Providence, did engage in sexual penetration (defendant performed fellatio) with [REDACTED] who at that time was a person fourteen years of age or under, in violation of § 11-37-8.1 and § 11-37-8.2 of the General Laws of Rhode Island, 1956 as amended (Enacted in 1988).

COUNT 7

(Second Degree Child Molestation Sexual Assault – R.I. Gen. Laws § 11-37-8.3)

15. The Grand Jury realleges and incorporates by reference paragraphs 1 through 14 of this Indictment.

16. Defendant on or about a day or date between April 6, 1989 and April 6, 1990, the exact day or date unknown by the Grand Jury, in the City of East Providence, in the County of Providence, did engage in sexual contact (defendant hand/victim's penis) with [REDACTED], who at that time was a person fourteen years of age or under, in violation of § 11-37-8.3 and § 11-37-8.4 of the General Laws of Rhode Island, 1956 as amended (Enacted in 1988).

COUNT 8

(Second Degree Child Molestation Sexual Assault – R.I. Gen. Laws § 11-37-8.3)

17. The Grand Jury realleges and incorporates by reference paragraphs 1 through 16 of this Indictment.

18. Defendant on or about a day or date between April 6, 1989 and April 6, 1990, the exact day or date unknown by the Grand Jury, in the City of East Providence, in the County of Providence, did engage in sexual contact (defendant's hand/victim's buttocks) with [REDACTED], who at that time was a person fourteen years of age or under, in violation of § 11-37-8.3 and § 11-37-8.4 of the General Laws of Rhode Island, 1956 as amended (Enacted in 1988).

COUNT 9

(Second Degree Child Molestation Sexual Assault – R.I. Gen. Laws § 11-37-8.3)

19. The Grand Jury realleges and incorporates by reference paragraphs 1 through 18 of this Indictment.

20. Defendant on or about a day or date between April 6, 1989 and April 6, 1990, the exact day or date unknown by the Grand Jury, in the City of East Providence, in the County of Providence, did engage in sexual contact (defendant's hand/victim's penis) with [REDACTED] who at that time was a person fourteen years of age or under, in violation of § 11-37-8.3 and § 11-37-8.4 of the General Laws of Rhode Island, 1956 as amended (Enacted in 1988).

COUNT 10

(First Degree Child Molestation Sexual Assault – R.I. Gen. Laws § 11-37-8.1)

21. The Grand Jury realleges and incorporates by reference paragraphs 1 through 20 of this Indictment.

22. Defendant on or about a day or date between April 6, 1989 and April 6, 1990, the exact day or date unknown by the Grand Jury, in the City of East Providence, in the County of Providence, did engage in sexual penetration (defendant performed fellatio) with [REDACTED] who at that time was a person fourteen years of age or under, in violation of § 11-37-8.1 and § 11-37-8.2 of the General Laws of Rhode Island, 1956 as amended (Enacted in 1988).

COUNT 11

(Second Degree Child Molestation Sexual Assault – R.I. Gen. Laws § 11-37-8.3)

23. The Grand Jury realleges and incorporates by reference paragraphs 1 through 22 of this Indictment.

24. Defendant on or about a day or date between April 6, 1989 and April 6, 1990, the exact day or date unknown by the Grand Jury, in the City of East Providence, in the County of Providence, did engage in sexual contact (defendant's penis/victim's buttocks) with [REDACTED] who at that time was a person fourteen years of age or under, in violation of § 11-37-8.3 and § 11-37-8.4 of the General Laws of Rhode Island, 1956 as amended (Enacted in 1988).

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By: /s/ Jonathan Burke
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