

BishopAccountability.org

Alleged Abuse Victim Adds Claim of Libel

Albany Man says diocese defamed him after he filed lawsuit

By Andrew Tilghman
Times Union
August 26, 2003

A man who said he was sexually abused by several priests took a new legal tack with the Roman Catholic Diocese of Albany on Monday, claiming church officials wrongly vilified him when they publicly said they did not believe his story.

The 37-year-old Schenectady man sued the diocese, Bishop Howard Hubbard and the church-run weekly newspaper, the Evangelist, claiming libel, slander and defamation for remarks made in May, when he filed his initial lawsuit.

After the man filed a \$600,000 lawsuit accusing three Albany priests of sexual misconduct in the late 1970s, church officials in May said they "believe these claims are false." In his complaint, the man said one of the priests "date raped" him at age 16 and the other two made improper sexual advances.

Several Capital Region lawyers said the new claims filed by the man's attorney, John Aretakis, are almost entirely without merit, starting with the fact the man was referred to only as John Doe in court papers and in news reports.

"In order for his reputation to be damaged, he has to be identified," said Albany attorney Peter Danziger.

In addition, church officials appeared to be exercising their right to free speech and could seek protection under the First Amendment, said other attorneys familiar with issues of free speech.

The Albany Diocese called the new legal claims "utterly false and without legal merit," according to a statement released Monday.

"They have been doing this a lot, calling victims liars," Aretakis said. "One of the reasons for this litigation is to get them to stop doing that. It's harmful."

The three priests named in the lawsuit, the Rev. Alan Jupin, the Rev. Louis Douglas and the Rev. Donald Ophals, were placed on leave by Bishop Howard Hubbard shortly after the lawsuit was filed in May.

The lawsuit was not based on the alleged sexual abuse itself, which the alleged victim occurred far beyond the state's three-year statute of limitations. Instead, it accuses the priests and others at the diocese of working together to intimidate the alleged victim from coming forward or filing a lawsuit.

Any original material on these pages is copyright © BishopAccountability.org 2004. Reproduce freely with attribution.