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Albany Man Claims Priest Violated Him

By Robert Cristo
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ALBANY - Allegations of sexual abuse were leveled Wednesday against a priest from Holy Cross Church who also spent nearly 20 years at Sacred Heart Church in Watervliet.

Thomas Clements III, 44, of Albany, claims that Rev. Daniel J. Maher raped him twice in the early 1970s during weekend trips to a Saratoga Lake camp.

Clements was 12 years old when the alleged incidents took place, and said he first met Maher when he was an altar boy at St. Frances de Sales church in West Albany, where Maher spent 10 years as a priest before moving to Sacred Heart in 1974.

Clements' attorney, John Aretakis, filed a \$2 million lawsuit against the Albany Roman Catholic Diocese in state Supreme Court in Saratoga County this week.

Clements, an Albany native, said the media attention surrounding clergy sex abuse cases over the past few years reignited his pain.

"I had a breakdown and lost it after seeing all the stories on the news," said Clements, who left his job with the state in 2002. "It was really bad ... it brought back all these terrible memories and I was suicidal for two years."

Clements said that once he discovered that Maher was currently a pastor at a church that included a school with more than 200 children, he said he had to come forward.

"When I found out he was around so many young boys I felt compelled to make sure he didn't harm any more kids the way he harmed me," said Clements.

Even before going public, Clements went to the diocese's Independent Mediation Assistance Program that helps victims of clergy sex abuse, but said he never followed through with that process. Once he hired Aretakis, Clements said, IMAP wouldn't work with him.

However, Clements did sit down with IMAP officials and the information from that meeting was reported to the diocese. But according to Aretakis, Albany Bishop Howard Hubbard never once contacted Maher to speak about the allegations.

"You would think that Hubbard would immediately do something about it, but he never even bothered to talk to the guy (Maher)," said Clements.

In a May 5 video taped conversation Aretakis had with Maher at the priest's residence, Maher said he knew little about the allegations and had no plans to speak with the bishop about the allegations in the near future.

"Hubbard has all the power and he doesn't even go and ask this priest if he did it," said Aretakis. "It's absolutely irresponsible. ... He's in charge of altar boys and there's hundreds of kids who go to school there."

"It's not like he's a dead priest who can't hurt anyone anymore," he added.

Maher also told Aretakis he's been "wracking his brain" to try to remember Clements, and also denied the accusations.

He also admitted to being sent away by the church for alcoholism-related treatment, but not for any psychological counseling related to sexual assault.

After speaking with Maher at his door, Aretakis went to the adjacent church school on Rosemont Street to ask school officials if they knew anything about the allegations made against their priest.

School officials were not interested in speaking with Aretakis.

Diocese officials declined to answer any questions about the allegations or how Clements' first claim was handled, but they did release an eight-paragraph statement.

The statement said that in order for the diocese to "legitimately" remove a priest from ministry, the alleged victim involved is expected to follow an "established" and "reasonably appropriate" process.

"Until this individual approached IMAP in October of 2004 we had never heard of the allegation what we're hearing about today," said diocese officials. "To our knowledge, this individual failed to pursue the matter any further, declining to provide any direct notice of this complaint via our well-established process, either from this individual or legal counsel."

Diocese officials added that since the initial contact with IMAP, there was no known effort by Clements to communicate any of the specifics of the complaint to the diocese.

They also said they immediately questioned the priest, who they say "strenuously denied" the allegation.

"We currently believe that the Holy Cross community faces no threat from his presence and he continues to serve the parish as its pastor," said the diocese.

Diocese officials also say they still plan to investigate the allegations and urge Clements to come forward with specific information.

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