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Diocese Clears Priest of Charges

By Carol Demare
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ALBANY - The Albany Roman Catholic Diocese announced Friday it has cleared the pastor of a city parish on allegations he molested an altar boy 32 years ago.

The Rev. Daniel J. Maher of Holy Cross Church was accused in May by a Colonie man of sexually assaulting him twice in 1973 at a camp on Saratoga Lake.

Thomas G. Clements III, 44, claimed the incidents occurred when he was 12 and an altar boy at St. Francis De Sales Church on Exchange Street in Colonie, where Maher served at the time.

The diocese "has found no reasonable cause to believe allegations of sexual misconduct against (Maher)," according to a statement from Bishop Howard J. Hubbard.

"The diocese's Sexual Misconduct Review Board ... oversaw the investigation and made the finding of 'no reasonable cause,' " the statement said. "Father Maher remains a priest in good standing."

The two allegations were investigated by Thomas Martin, a retired State Police senior investigator who works for the diocese.

Martin interviewed individuals "who were reported to have witnessed or had knowledge of the alleged incidents," the statement said. "None except the original complainant recalled them. Father Maher denied the allegations."

Clements accused the priest at a news conference outside the church on Western Avenue. He was with his attorney, John Aretakis, who had filed a summons against the diocese in state Supreme Court in Saratoga County but never followed it up with a complaint.

"Once again the Albany Diocese has conducted an incomplete and false conclusion regarding pedophile priests," Aretakis said in a statement Friday.

"Rather than accept these findings, we will continue to move forward with our lawsuit," he said. "Bishop Hubbard continues to protect pedophile priests, both still in ministry and also those who have been removed from ministry."

Aretakis and supporters have demonstrated outside Holy Cross Church during Sunday Masses. On at least two occasions, there were confrontations with parishioners. The lawyer filed complaints in Albany City Court against two elderly men, alleging one spit at him and the other shouted and punched him in the arm. Both cases are pending.