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Board Pulls Priest Accused of Sex Abuse

James C. McNerney Put on Leave after Adverse Review; Panel Clars Rev. Jupin

By Leigh Hornbeck and Mike Goodwin
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Albany The pastor of St. Peter's and St. Paul's churches in Troy was placed on administrative leave Sunday after a diocesan review board ruled that allegations of sexual abuse against him may be true.

The Rev. James C. McNerney, 56, has been accused of sexually abusing a minor in the 1980s. Ordained in 1981, McNerney has served at a half-dozen institutions since then. He has been pastor at St. Paul the Apostle Church and St. Peter's since 2000.

Bishop Howard Hubbard, acting on the recommendation of the diocesan Sexual Misconduct Review Board, made the decision to place McNerney on leave effective immediately, according to a statement released by the diocese.

The review board also cleared a Schenectady priest, the Rev. Alan Jupin, pastor of Our Lady of Fatima parish.

Regarding the McNerney decision, the Rev. Kenneth Doyle, spokesman for the Albany Diocese, said he did not know where McNerney was assigned when the alleged abuse occurred. The accusations surfaced last year.

McNerney strenuously denies the allegation, Doyle added. No criminal charges have been brought against him.

But the review board, which received the complaint in 2003 and began its investigation immediately, found there were "reasonable grounds" for the allegation. Members of both parishes were advised of his removal at Masses on Saturday and Sunday.

Attorney John Aretakis, who represents dozens of people with complaints against local Catholic priests, said he believed McNerney was suspended because of the priest's conservative beliefs, which he said differ from Hubbard's, and his friendship with the late Rev. John Minkler.

"He was one of Minkler's best friends," Aretakis said.

While Aretakis said he believes that McNerney abused one of his clients, he questioned the timing of the suspension, noting that allegations are pending against dozens of other priests.

Before his Feb. 15 suicide, Minkler had been linked to a 1995 letter to then-New York Archbishop John O'Connor accusing Hubbard of homosexual behavior and theological transgressions. The former VA chaplain's death came two days after he signed a statement for the Albany Diocese denying he wrote the letter.

Doyle acknowledged that McNerney was friends with Minkler, but added "that has no connection whatsoever in the decision with the McNerney case."

"If there are reasonable grounds to believe a priest has abused a minor, he's removed, whether he's got a lot of friends or no friends," Doyle said.

In the other investigation, Aretakis decried the decision to return Jupin to active ministry.

In January, state Supreme Court Judge Barry D. Kramer dismissed a \$600,000 lawsuit brought by Aretakis' client Timothy Sawicki against Jupin. Sawicki claimed Jupin stalked him in early 2003 to intimidate him into not filing a complaint with the diocese.

But Aretakis said he has two other clients who have not yet come forward to air their complaints about Jupin.

"We have not heard the last of Father Jupin," Aretakis said.

Jupin, who had been on voluntary leave since May 2003, resumed his duties as pastor during a Mass on Saturday at Our Lady of Fatima parish.

Meanwhile, McNerney is the responsibility of the diocese while he is on leave. He will continue to receive his salary, about \$20,000 a year, and health benefits, Doyle said.

Three other priests, Joseph Romano, John Connolly and James Kelly, also are on leave pending the outcome of the review board's investigation in those cases. Doyle said the investigations could take weeks or months.

In addition to serving at St. Peter's and St. Paul's, McNerney has served at: Our Lady of the Assumption in Latham, Pyramid Lake Camp in Paradox, St. Mary's in Ballston Spa, Saratoga Catholic Central High School, Crosier Seminary in Minnesota and St. Patrick's Church in Catskill.

After becoming the pastor of both St. Peter's and St. Paul's, McNerney began celebrating the old Latin Mass at St. Peter's, home to a conservative congregation that sought solace in ancient rites in the wake of the priest sex scandal. The church is the only one in the diocese authorized to celebrate the Latin Mass.

The noontime Latin Mass will continue under the Rev. William Gorman, who will serve as administrator of the two parishes in the interim.

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