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Abuse Cases

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Judge dismisses two more lawsuits against Diocese, others

In less than a week, a New York State Supreme Court judge has dismissed two more lawsuits against the Diocese of Albany and others in matters related to sexual abuse:

* This week's case involved a complaint from three women who maintained that their allegations of clergy sexual abuse were not handled appropriately by the Diocese;

* last week's case involved a claim of abuse by a priest who has been dead for nearly 20 years.

Dismissal

In dismissing the women's complaint against Bishop Howard J. Hubbard, the Diocese, its misconduct panel and Victims/Survivors Assistance Coordinator Theresa Rodrigues, acting State Supreme Court Justice Christian Hummel said, "The Court finds, as a matter of law that none of the allegations in the complaint constitute a cause of action."

In January, the women voluntarily visited the Diocesan Pastoral Center in Albany for separate meetings in order to present their claims of abuse.

They alleged in their lawsuit that, among other things, they suffered emotional distress as a result of seeing portraits of bishops and religious artifacts at the Pastoral Center.

'Inherently incredible'

Judge Hummel said, "A court need not accept as true conclusions that are inherently incredible."

He specifically noted that neither the women nor their attorney, "objected to the location of the meeting prior thereto or requested the meeting be held elsewhere and the meeting was entirely voluntary."

Ken Goldfarb, spokesman for the Diocese, said, "Officials of the Diocese have acted and continue to act properly and compassionately in the treatment of all persons who feel they have been the victims of sexual abuse by clergy. Indeed, diocesan representatives have met and are willing to meet all victims in non-Church settings which are mutually agreed upon.

"We continue to offer pastoral, spiritual and psychological support and counseling to all such individuals and urge them to come forward so we may provide support and healing."

Second dismissal

Last week, another clergy sexual abuse lawsuit against the Diocese of Albany was dismissed by the same judge.

That lawsuit claimed that abuse by Rev. John Mea occurred at St. Joseph's Church in Fort Edward in the early 1960s, at a time when he was not assigned to that church.

In his order to dismiss the lawsuit, Judge Hummel said that "based on the unrefuted documentary evidence that Father Mea was not associated with St. Joseph's Church during the time-frame of the alleged abuse, this forms an independent basis for the dismissal of the complaint against St. Joseph's Church."

In addition, Judge Hummel found no legal or factual basis to support the claims against the Diocese and Bishop Howard J. Hubbard of "fraud, duress or coercion."

Rest in peace

Mr. Goldfarb said, "This claim was the first and only one concerning Father Mea, and it came nearly 20 years after his [death]. All that we know suggests that Father Mea served as a highly regarded priest in ministry with the Albany Diocese. We hope that this court decision will in some small way allow Father Mea to now rest in peace."

The dismissal of these two matters follows a third dismissal of other charges against Bishop Hubbard and the Diocese in a separate case also connected with clergy sexual abuse.

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