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Four Priests Named in Suit

John Doe' Seeks \$600k, Alleges Abuse

By Jill Bryce
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SCHENECTADY - Four priests, three from the Roman Catholic Diocese of Albany, were named in a lawsuit filed Wednesday in state Supreme Court seeking \$600,000 in damages for a man who said he was sexually abused by each of the priests and stalked by one of them.

Attorney John Aretakis, of Manhattan, filed a lawsuit naming the Rev. Alan D. Jupin, the Rev. Louis E. Douglas and the Rev. Donald Ophals, all active within the diocese, and the Rev. Neil Cawlings, who was visiting from England when the alleged abuse occurred in the 1970s.

Bishop Howard J. Hubbard, the Rev. Kenneth Doyle, the diocese chancellor, and the diocese itself were also named in the lawsuit. The causes of action specified in the lawsuit include negligence, emotional distress and civil harassment.

As of late Wednesday, the diocese had not removed the priests from ministry.

"There is no determination that sexual abuse occurred," said Doyle. He said priests can be removed only if the allegations are proven or if the diocese's sexual misconduct panel concludes there is reasonable grounds to remove them.

Hubbard was not available Wednesday to respond to media inquiries.

According to the lawsuit, Jupin stalked the plaintiff, who is identified in court papers as "John Doe," in February 2003 and spoke with him in an attempt to prevent him from coming forward with abuse allegations against Jupin and the other priests.

Meanwhile, hours after the lawsuit was filed Wednesday, the Roman Catholic Diocese of Wilmington, Del., suspended Douglas from his duties in two separate parishes in Delaware. Douglas, though retired and working in Delaware, is still part of the Albany Diocese.

John Doe, the 42-year-old Schenectady man who filed the lawsuit, claims he was the victim of inappropriate sexual contact when he was younger than 18 years old. The city native said he was abused from 1975 through 1979 by Jupin, Douglas, Cawlings and Ophals.

The abuse allegedly occurred at the rectory of St. John the Baptist Church in Schenectady, where Jupin was pastor. Jupin now serves at Our Lady of Fatima in Delanson and could not be reached Wednesday to comment.

Aretakis, who represents dozens of plaintiffs against priests in the diocese, said his client came forward to prevent future abuse of minors.

According to allegations in the 18-page lawsuit, John Doe was a victim of date rape in 1976 when Jupin gave him alcohol. He was then "passed around" and used by priests of the diocese.

The suit alleges John Doe first reported the abuse to the diocese in 1990 or 1991, but diocese officials took no action. He had no attorney present during the meetings and was not offered a

settlement.

After the clergy abuse scandal surfaced in Boston in early 2002, John Doe decided to come forward again. At that point, Jupin started stalking him in May and June 2002 and again in February 2003, according to the lawsuit.

Jupin also threatened he would harm himself if John Doe pursued criminal or civil charges against him, the lawsuit alleges. "Jupin admitted the sexual molestation and the sodomy of the victim and his real intent was . . . to harass, annoy, intimidate or dissuade the plaintiff from pursuing his criminal and or civil rights and humiliate the plaintiff," the suit papers state.

In February 2003, Jupin said: "I'm not like all those other priests who go after little children," according to court papers.

No similar communication had taken place in the last 25 years between Jupin and John Doe.

Because the victim's allegations involve so many priests in active duty, the diocese, Hubbard and Doyle tried to discourage the victim from pursuing his rights, the lawsuit alleges.

John Doe first met Douglas at St. Margaret of Cortona Church in Rotterdam Junction. The lawsuit claims that Douglas made inappropriate sexual advances toward John Doe. It also provides additional background on Douglas and said he had inappropriate sexual relationships with young males while he worked at St. Catherine of Siena in Albany and taught at an Albany seminary.

Ken Goldfarb, a diocese spokesman, said Wednesday the diocese had received a complaint against Douglas involving a minor at St. Catherine of Siena in the early 1990s. It investigated at the time and, based on evidence, determined no sexual abuse occurred. Douglas was allowed to continue in active ministry.

"Nevertheless, the diocese provided counseling to the individual who made the complaint. The individual did feel upset by whatever had occurred," said Goldfarb.

The lawsuit says the diocese paid out a legal settlement for the sexual abuse committed by Douglas.

"Hubbard and the diocese found the contact did not rise to the level of sexual abuse because there was no sexual self-gratification by Douglas," the lawsuit said.

Douglas was asked to leave St. Catherine's by parishioners or the parish council, but Hubbard allowed him to remain a diocesan priest in good standing, according to the lawsuit. Doyle, who is now the pastor at St. Catherine's, said Hubbard informed the diocese in Wilmington about the allegations against Douglas before he went to Delaware.

Douglas moved to Delaware and has been working at Christ Our King Church and St. Elizabeth's Church.

Doyle also said Wednesday that the diocese received another complaint in February 2003 against one of the priests named in the lawsuit, which is being investigated, but he refused to say which priest.

The two other priests named, Ophals and Cawlings, made inappropriate advances toward the victim, according to the lawsuit.

Ophals, who currently serves at St. Francis de Sales in Troy, allegedly made the advances when he was visiting Jupin at the rectory center of St. John The Baptist. He could not be reached to comment.

Cawlings' whereabouts are unknown.

Doyle said Wednesday that Cawlings was never a priest in the Albany Diocese.

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