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Cleared Priests Return to Fold

As parishioners celebrate, victim advocate decries decision of diocesan review board

By Michele Morgan Bolton
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Albany - Two priests have been cleared of allegations they sexually abused minors in the Roman Catholic Diocese of Albany and one priest was removed from ministry following an investigation into separate claims announced Sunday.

The news prompted tears of thanksgiving from the Rev. Donald Ophals, the 30-year pastor of Troy's St. Francis de Sales church, who was restored to his post at an 11 a.m. Mass celebrated by Bishop Howard Hubbard.

It produced outrage from Mark Furnish, director of the Capital District chapter of the Survivors Network of those Abused by Priests, who railed against the diocesan review board that he said cleared the priests without ever talking to the victim, who learned of the latest move on the news.

Returning accused priests to the community was announced "in a pep rally atmosphere at Mass," Furnish said. But nothing is known about what went into the decision, he said.

"Today is a shocking blow to the capital region survivors of clergy sexual abuse," he said. "And that is tragic."

Ophals and the Rev. Louis Douglas, a retiree now living in Delaware, were accused of making sexual advances to Timothy Sawicki, a 44-year-old special education teacher, who said he was sexually abused in a Schenectady rectory during the 1970s.

The Sunday announcement clearing their names brings to 15 the number of accused priests who have been exonerated.

A diocesan review board, however, found reasonable cause to believe a claim against the Rev. Robert S. Shinos, pastor of Sts. Anthony & Joseph parish in Herkimer, Bishop Hubbard said.

A new pastor will be appointed to lead that parish, Hubbard said.

Shinos was recently accused in a 1960s incident in Albany. He was ordained in 1963, served as pastor in Herkimer since 1977 and was also affiliated with St. Bernard's in Cohoes and St. Patrick's in Watervliet.

He becomes the 19th priest removed from ministry since 1950, according to the diocese.

Each case is considered individually, Hubbard said. And it is a priority to help and to remember people who are victims of sexual abuse by priests, he said.

Hubbard said the review board did its work and the process worked.

But a fax from attorney John Aretakis, who represents Sawicki, said his client is "deeply saddened, hurt and discouraged by Bishop Hubbard's decision" to allow the two priests back into public ministry.

"I need to say that I have been left out of this entire process," Sawicki is quoted as saying. "The bishop never contacted me, nor did anyone from the misconduct panel about these two priests."

Jubilant shouts and standing ovations met Ophals in the Congress Street church, draped in lenten purple, as Hubbard gave him back his parish.

Ophals worked to describe the shock of being accused before he embraced longtime parishioners and kissed babies.

"I was stunned," he said. "For the first two months I was having trouble getting through each day. But I knew I was innocent."

If given the chance to confront his accuser, Ophals said his response would be: "I forgive you."

Ophals, Douglas and two other priests are named in a \$600,000 lawsuit filed on behalf of Sawicki. A query is still ongoing against the Rev. Alan Jupin, who is pastor of Schenectady's Our Lady of Fatima.

Jupin remains on voluntary leave.

A fourth individual identified in the lawsuit as a priest is not affiliated with the Albany diocese and his identity and location are unknown, diocese spokesman the Rev. Kenneth Doyle said.

Investigations are ongoing in claims against 11 current and former clerics, including Hubbard, who was recently accused of participating in homosexual relationships.

The 64-year-old spiritual leader of 400,000 Catholics has denied breaking his sacred vow of celibacy. A diocese-financed investigation into the claims is being conducted by former federal prosecutor Mary Jo White.

Douglas, whose name was cleared Sunday, was suspended from his part-time position with the diocese of Wilmington, Del., at the time the allegations were raised.

The diocese received an unrelated complaint against Douglas in 1992, involving an alleged incident in the 1960s.

The allegation was investigated twice in 1992 by the diocese, and again in 2002 by the diocesan review board, Doyle said.

Both investigations reached the same conclusion that, based on the evidence, no abuse occurred, Doyle said.

Acting State Supreme Court Justice Barry Kramer dismissed the Sawicki lawsuit in January.

Ophals requested a leave of absence when the charges against him were raised in May. He lived for close to a year in the rectory of St. John the Evangelist Church in Schenectady, as well as in Albany in diocesan housing.

"I was practicing retirement, but God knows I'm not ready for that," Ophals said. "It's a great feeling to be greeting all these people I haven't seen in 10 months."

Sherry Butler and her daughter Kara fought tears on the sidewalk outside the Congress Street parish as they realized their pastor had come home.

"It means everything," Sherry Butler said. "We're happy and joyous to have him back."

"It's so good to see him," Bill Finnen added.

Ophals beamed as he clapped backs, energetically shook hands and repeatedly thanked his flock for their diligent support and prayers in hard times.

He paused with Hubbard at the back of the 137-year-old church to gather himself before a processional down the center aisle.

"Are you ready for this?" Hubbard whispered to the priest he's known for 40 years.

"More than ready," Ophals replied.

Later, Hubbard told the congregation that Ophals was "a man tested by fire and a man who has been fully exonerated. ... I restore him to you as a good shepherd."

During the prayers of the faithful, lector Joe DeGeorgio prayed aloud for Hubbard so he will know the strength of the support and prayers behind him.

Parishioners streamed to him after church, attesting to their disbelief of the homosexuality allegation.

"I promise you it isn't true," he said, as he clasped their hands.

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