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Priest-Sex Suit Seeks \$300M Diocese of B'klyn Hit

By Barbara Ross and Dave Goldiner
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A new \$300 million lawsuit accuses top Brooklyn Diocese church leaders of "aiding and abetting" priests who allegedly molested 42 children over four decades.

The suit - filed yesterday in Queens Supreme Court - claims that Bishop Thomas Daily, his predecessor and a top aide covered up child-sex charges and shuffled accused priests from parish to parish without warning parents.

One Queens priest allegedly fondled dozens of boys and girls on the steps of the altar, in a parish school and even in a luxury box at Shea Stadium, the suit claims.

"This kind of abuse would have been impossible without the knowing silence of people high in authority," said lawyer Michael Dowd, who filed the suit on behalf of the alleged victims. "They allowed other children to be raped and sodomized over decades."

The suit avers that the diocese was negligent in failing to warn parents about alleged abuse.

Dowd charged that church leaders even maintained a secret bank account called the Good Shepherd Fund, with which they bought victims' silence.

"The men who have done this - not only the abusers but the facilitators - are outlaws who have attempted to hijack the Catholic Church," Dowd said.

Mugavero implicated

Dowd also dropped a bombshell accusation: That Bishop Francis Mugavero, Daily's predecessor, ignored the abuse allegations because he was gay.

Dowd charged at a press conference yesterday that Mugavero, who died in 1991, was "living in a glass house" and feared that his own sexual relationships with adult men might become public if he cracked down on abusive priests. That allegation was not in the court papers.

A spokesman for the diocese, which includes 1.6 million Catholics in Brooklyn and Queens, said he had not seen the lawsuit.

"The diocese follows its policy of cooperating with civil authorities," said Frank De Rosa, noting that the church had given prosecutors files about accusations against priests dating back 20 years.

De Rosa dismissed the claim that Mugavero was gay. "I'm sure it's not true," said De Rosa, who has worked for the diocese for 44 years. Victims trusted abusers The 60-page suit demands \$100 million in compensatory damages, \$100 million in punitive damages and \$100 million for pain and suffering.

It is the biggest sex-abuse suit ever filed in New York and the second-largest in the nation behind a suit against the Archdiocese of Boston.

Most of the victims - all are grown and one is dead - say they were molested or sexually attacked by 13 trusted priests in Queens and Brooklyn.

The Rev. James Smith alone is accused by 26 victims of abusing them during his 10 years in the pulpit of Holy Trinity Church in Whitestone, Queens.

He allegedly fondled children inside the church, the rectory, on his boat, in the nurse's office at the church school and even in the box at Shea.

Smith was finally pushed out of active parish duty in March when allegations against him hit the headlines.

Another priest named in the suit, the Rev. Romano Ferraro, was charged in April with abusing a child in suburban Boston and is awaiting extradition to Massachusetts.

Msgr. Otto Garcia, Daily's second, also is accused of covering up abuse.

Among the victims named are the Rev. Timothy Lambert, a New Jersey priest who says he was abused as a child in Queens, and Carol Poppito, 43, of Farmingville, L.I., who charges she was abused as a fifth-grader.

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