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Ex-Auburndale Priest Faces New Sex Abuse Allegations

By Cynthia Koons
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The child of a former St. Kevin's Roman Catholic Church employee is the latest accuser in the legal actions that have been building against the Rev. James Smith, who served in several Queens parishes for more than four decades, and the Diocese of Brooklyn.

On Nov. 4, the 17-year-old and her mother filed a suit alleging that Smith sexually abused the minor from the time she was 10 and until she was about 14 during his tenure at St. Kevin's in Auburndale.

They are seeking \$30 million in compensatory, punitive and pain and suffering damages from Smith, the diocese, former Bishop Thomas Daily, Monsignor Andrew Vaccari, Monsignor Otto Garcia and St. Kevin's Roman Catholic Church, where he was serving at the time the alleged abuse took place.

In October, 26 others accused Smith of abuse and joined the largest church-related suit in New York City's legal history. A group of more than 35 accusers filed a \$300 million lawsuit in State Supreme Court against the Diocese of Brooklyn, which covers Roman Catholic churches in Queens.

The Brooklyn Diocese could not be reached for comment.

Since the 1950s, Smith served churches in Howard Beach, Middle Village, Whitestone and Astoria before joining St. Kevin's parish in Flushing in 1989. He was asked to leave there in April 2002 in response to allegations he sexually abused three boys while serving at Holy Trinity Roman Catholic Church in Whitestone in the early 1970s.

The 17-year-old and her mother named church officials in the suit because of "their intentional acts, omissions, negligence, knowing and willful failures to act affirmatively to prevent, detect, report or investigate ... Smith," according to the civil complaint filed in the State Supreme Court in Queens.

The suit contends that church officials had "actual notice of Smith's sexually abusive behavior" prior to the alleged incidents involving the 17-year-old girl.

Her mother was working as a secretary, parish manager, cook and tuition bookkeeper when the girl began attending St. Kevin's parish school.

At the time, children stayed after school until 7 p.m. in the church rectory, where some of the alleged sexual abuse occurred, according to the suit. The girl also accused Smith of abusing her on a trip to Amityville, L.I.

Manhattan attorney Michael Dowd, who represents the 35 plaintiffs in the joint suit against the diocese, is also representing the girl and her mother. He could not be reached for comment on the suit.