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Rochester Diocese Gets Tougher on Sex Abuse Bishop's Handling of Cases Has Been Different from His Syracuse Counterpart

By Renee K. Gadoua
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Since 1993, neighboring Syracuse and Rochester Catholic dioceses have handled allegations of sexual abuse by priests differently. A recent revision makes Rochester's policy significantly more harsh than the Syracuse policy.

Bishop Matthew Clark has announced any priest against whom credible allegations of sexual misconduct are made cannot continue any ministry. As a result, three priests were asked to resign, and the diocese placed further restrictions on three priests.

Also new in Rochester is a policy of reporting to legal authorities any allegations of sexual misconduct brought to the attention of the diocese.

Both dioceses implemented policies in 1993, following guidelines suggested by the United States Conference of Catholic Bishops. Neither policy included reporting allegations of sexual abuse by priests to legal authorities, although both dioceses indicated they would cooperate with civil authorities.

At that time, the Rochester diocese appointed a victim advocate and a nine-member advisory board to investigate complaints. The Syracuse diocese recently announced it will implement similar groups by the end of May.

Changes to the Syracuse diocese's policy, announced April 29, do not include reporting allegations to legal authorities.

Both dioceses refuse to disclose how many allegations have been made, how many were found credible, or the nature of the complaints. Rochester officials, though, have reported the number of priests removed as a result of credible allegations of sexual abuse of minors.

The Rochester diocese has removed seven priests from ministry since 1993 because of credible allegations of sexual abuse of minors, and two cases involved criminal charges, said Michael Tedesco, spokesman for the Roman Catholic Diocese of Rochester.

Two of the seven priests served in Cayuga County, which is part of the 12-county diocese.

Among the seven priests removed are the Rev. Foster Rogers, the Rev. Thomas Burr and the Rev. David Simon. After a review of personnel records and the policy revision, Clark last week asked for and received their resignations.

Rogers served at St. Alphonsus Church, Auburn, from 1978 to 1998, Tedesco said.

Although the three remain priests, they will not be able to perform functions of a priest, cannot wear clerical clothing and will no longer live in diocesan or parish housing. They have been placed on indefinite administrative leave.

"I feel strongly that the action we have taken is the only one that is acceptable," Clark said in a news release. "While there has been no indication of repeat behavior on their part over the last 20 years, it

simply would not be reasonable to allow them to continue in their assignments."

Tedesco said response to the bishop's change has been mostly supportive, although some have questioned how forgiveness fits into the policy.

Tedesco conceded that's a difficult question.

"My interpretation is we can always give forgiveness," he said. "That doesn't mean we can continue to place people in places they might place people at risk."

Rochester officials said earlier decisions to return Rogers, Burr and Simon to parish ministry despite credible allegations were based on "prevailing contemporary literature and wisdom of the psychiatric community."

Tedesco said the resignations have been hard on the priests and their parishes.

As a result of the change in policy, Clark informed a retired priest, the Rev. Robert O'Neill, that he will be unable to continue in any form of ministry. Tedesco said the diocese is investigating new allegations of inappropriate behavior against O'Neill, who resigned as pastor of a Rochester suburban parish in June 2001 for health reasons.

The Rev. William Lum and the Rev. Thomas Corbett had been placed on administrative leave following allegations of sexual misconduct in the 1990s. They had been given nonministerial positions, but will no longer be able to continue in those roles, Tedesco said.

Corbett served at St. Mary Church, Auburn, from 1985 to 1987, Tedesco said.

Lum pleaded guilty to a sexual misconduct charge, a misdemeanor, in 1997. The charge related to incidents the victim said occurred from 1992 to 1993. A civil case against him is pending.

The Rochester diocese removed the Rev. Eugene Emo from ministry in January 1996. Emo pleaded guilty to a felony charge of first-degree sexual abuse in 1997. The incident occurred in Steuben County, Tedesco said.

Under the 1993 policy, Lum and Emo were allowed to continue working for the diocese despite the criminal charges. That would not be the case under the revised policy. Moynihan has said a criminal conviction in his diocese would lead to dismissal of the priest.

The Rochester diocese is investigating new allegations against three priests. Tedesco would not name the priests. He said all three involve incidents that occurred more than a decade ago. The state's statute of limitations in such cases is five years.

Officials in the Syracuse diocese will not provide the number or names of priests against whom credible allegations have been made. Nor will they say how many priests have been dismissed as a result.

They have confirmed the diocese recently reassigned the Rev. Donald J. Hebert from his position as pastor of St. Joseph/St. Patrick Church in Utica to an administrative position because he sexually abused a 14-year-old boy in 1990. Under Clark's new policy, Hebert would be dismissed.

Syracuse officials have confirmed they paid settlements in cases involving two priests. In 1998, the diocese paid a total of \$475,000 to two Oswego County families to settle suits accusing the Rev. Daniel W. Casey of molesting three young boys in the 1980s. In 1999, the diocese paid about \$75,000 to settle sexual abuse allegations against Monsignor Francis J. Furfaro, the longtime pastor of St. Joseph Church in Oswego. Three men last week publicly accused Furfaro of sexually abusing them. Wednesday, Moynihan apologized to one of the victims and said he plans to meet with Furfaro to discuss the new allegations. He may further limit Furfaro's functions as a priest as a result.

Officials have reported they are investigating "a few" new allegations of sexual abuse and have sent some priests for treatment since February. Officials would not name the priests accused.

Those actions followed a letter from Moynihan, read at Masses Feb. 23-24. In the letter, Moynihan outlined the diocese's policy and assured Catholics he will not tolerate sexual abuse by priests.

Danielle Cummings, communications director for the Roman Catholic Diocese of Syracuse, said Moynihan stands by his policy for now.

Tedesco and Cummings said the policies are likely to change after June, when the U.S. bishops meet at their biannual conference. The main topic of the meeting of the United States Conference of Catholic Bishops is expected to be a discussion of a national policy to handle allegations of sexual misconduct by priests. All 164 dioceses could be asked to implement the same policy.

"He (Moynihan) would prefer at this point to wait until June so he doesn't have to keep making changes," Cummings said.

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