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Priest Moved from Post Diocese Takes Steps against Hospital Chaplain

By Renee K. Gadoua
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A Syracuse priest was removed from his position as Community General Hospital chaplain because of a past allegation of sex abuse.

The Rev. James Hayes, 63, was removed at the end of May after a person came forward about abuse that was first reported more than a decade ago, said Danielle Cummings, spokeswoman for the Roman Catholic Diocese of Syracuse.

Hayes' removal comes as the diocese responds to three \$20 million lawsuits against a retired Utica priest and acknowledges a second accusation against another pastor.

"He is not serving in any ministry," Cummings said of Hayes. "He has not been dismissed from the priesthood."

Hayes served as chaplain at Community General since 1991. He was ordained in 1965 and served at Our Lady of Good Counsel Church, Warners; Holy Family Church, Fulton; St. John the Baptist Church, Syracuse; St. Anne Church, Parish, and St. John Church, North Bay. He also taught at Oswego Catholic High School and Catholic Central High School, Binghamton.

The action is based on an old allegation, Cummings said.

"When the bishop wrote his letter in February, this person came forward," she said. "The bishop decided it was in the best interest of everyone involved for (Hayes) to no longer serve in ministry."

The allegation was first reported in 1990 and Hayes went for evaluation and treatment at St. Luke Institute, she said. St. Luke is a Catholic psychiatric center in Maryland that treats people with problems including drug and alcohol abuse and sexual dysfunction.

Cummings was unaware of the nature of the abuse, calling it "inappropriate behavior." It is unclear if the incident involved a minor.

She said the diocese has received no other allegations of misconduct by Hayes. She said experts at St. Luke told diocesan officials Hayes could return to ministry.

"The diocese relied on the expertise of the facility in deciding if the priest could return," she said.

The Hayes case brings to six the number of priests the diocese has acknowledged investigating on allegations of sexual abuse.

Bishop James Moynihan refuses to release the names of all priests accused of misconduct.

"He does not believe in his role as bishop he needs to give a full reporting of allegations being brought to him," Cummings said. "His role is to assist the individuals with their healing, to take appropriate action and to ensure that this type of incident never occurs again."

Cummings also confirmed more details in cases involving two other priests.

She said the diocese has learned through media reports three people filed \$20 million civil lawsuits against the diocese, Moynihan and Monsignor H. Charles Sewall.

The suits allege Sewall sexually abused the men when Sewall was principal at the former 002 . 0038.02Notre Dame High School in the 1970s, according to The Associated Press.

In May, the diocese confirmed it paid a victim in 1988 to settle a sexual abuse complaint against Sewall. In a statement released May 3, Sewall admitted to some sexual misconduct and apologized to the community.

Cummings said the diocese had not received a copy of the lawsuits as of Wednesday afternoon. She said she could not comment on the amount sought in damages or the nature of the allegations until she sees the lawsuits.

The diocese's lawyer has spoken several time with Utica lawyer Frank Policelli, who is representing the alleged victims, she said.

The suits are the first legal action against the diocese involving sexual abuse of a minor since the priest sexual abuse scandal began. The diocese has acknowledged settlements in three other cases involving two priests.

Cummings also confirmed Wednesday the Rev. Albert Proud is undergoing treatment at St. Luke Institute as the diocese investigates two allegations against him.

The diocese removed Proud from his position at Annunciation Church, near Clinton, Oneida County, after Easter because of an allegation of sexual abuse, she said.

In late May, the diocese received word that a second man, Ernest Keller of Jacksonville, Fla., accused Proud of sexually abusing him while he served at Christ the King Church, Liverpool, in the 1970s.

The latest revelations come a week before about 300 U.S. bishops meet to discuss a universal policy on handling allegations of sex abuse by priests.

A committee of the United States Conference of Catholic Bishops on Tuesday released a draft of the policy to be discussed next week in Dallas. Included are guidelines for establishing local lay review boards to advise bishops on how to handle cases of sex abuse.

Cummings said the Syracuse Diocese will finalize the structure and members of its lay advisory board after the USCCB meeting.

The diocese had planned to hire a full-time advocate and name a lay advisory board by the end of May. "There are specific guidelines on the role of the advisory board, who should be on the advisory board and the term," Cummings said. "We want to follow those guidelines in our own diocese."