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Convicted Priest at Syracuse Residence Ex-Pastor, Who Pleaded Guilty to Child-Pornography Charge, Is at St. Pius X Hall.

By Mike McAndrew
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A priest convicted 16 years ago of receiving pornographic pictures of a 12-year-old boy in the mail is living at a Syracuse diocese home for retired priests.

The Rev. John J. Fallon, 73, who was pastor of a church near Plattsburgh in the Ogdensburg diocese when he was arrested, said he moved about a year ago into the St. Pius X Hall at 714 E. Brighton Ave.

Fallon's 1986 felony conviction occurred before New York enacted a law requiring convicted sex offenders to register their residency with state officials and local police.

If he were convicted of the same crime today, he would be required to register as a sex offender, said Scott Steinhardt, a spokesman with the state Division of Criminal Justice Services.

Syracuse diocese Auxiliary Bishop Thomas Costello said last week that he had not been aware of Fallon's conviction.

"I'm not sure if anyone was aware of the conviction when he came," Costello said.

Fallon told a reporter he did not remember being convicted of any crimes, but the conviction was confirmed by Assistant U.S. Attorney William Pericak.

Fallon said he moved to Syracuse to be closer to his only living relative, a nun in the Syracuse diocese.

Syracuse diocesan officials have not taken any steps to alert people living near Pius X of Fallon's background.

"I don't think it's necessary. I don't think he's a threat," said Costello, noting Fallon's age.

Federal agents arrested Fallon in 1985 after a film-processing lab notified authorities that Fallon had sent them images of a nude boy in sexually explicit poses. A U.S. postal inspector said at the time that Fallon took photos of the boy in Fallon's Plattsburgh home.

Investigators at Fallon's home seized pornographic photos of other boys from Altona, the village where Fallon served at Holy Angels Church, the inspector said.

Since his conviction, Fallon has remained a priest but has not been permitted to serve in any priestly ministry, said the Rev. Terry LaValley, chancellor of the Ogdensburg diocese.

The Ogdensburg diocese listed Fallon as absent on sick leave, living in New Mexico, from 1989 to 2000. Fallon's latest residence, Pius X Hall, is home to 15 priests.

One of the residents is the Rev. Chester Misercola, 64, whom the Syracuse diocese permanently removed from ministry in June because of a former altar boy's allegation that Misercola had molested him.

A third priest who resides at Pius, the Rev. Robert J. McKay, was accused last year in a civil suit of sexually harassing a former Pius worker. McKay denied any wrongdoing. The case is pending.

Costello said he isn't aware of any other Pius residents being accused of sexual offenses.

"Pius X is not a prison," Costello said. "It's not a reform school. It's a place for retired priests."

Fallon pays the Syracuse diocese room and board to live at Pius X, said Danielle Cummings, diocesan spokeswoman.

In New York, state law requires people convicted after Jan. 21, 1996, of committing sex crimes against children - including possession of a photograph of a child under 16 engaged in sexual conduct or lewd exposure of their genitals - to register as a sex offender with the state Division of Criminal Justice Services and local police.

Federal law required all states to enact the so-called Megan's Law to protect communities because of the high rate of repeat offense among certain types of sex offenders.

The Syracuse diocese does not warn Pius X workers when a priest who has allegedly committed a sexual offense becomes a resident of the home, according to Laury Lindsley, a former housekeeper at Pius X.

"They should tell their employees," she said.

Costello said the diocese may consider doing that.

Fallon pleaded guilty in December 1985 in U.S. District Court to receiving child pornography. Judge Howard Munson sentenced him to five years on probation, including six months of psychiatric therapy in a secure facility.

Fallon said Wednesday that the charge against him didn't amount to anything. "I think it was all a mistake," he said.

Rev. John Fallon

The Rev. John Fallon served in five North Country parishes until he was convicted in 1986 of receiving child pornography in the mail.

His postings were:

1956-60: Holy Family Church, Watertown

1961: Holy Name of Jesus Church, Tupper Lake

1962-68: St. Mary Church, Ticonderoga

1969-75: St. Matthew Church, Black Brook

1975-1985: Holy Angels Church, Altona

Source: The Official Catholic Directory