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Man Sues Diocese over Alleged Abuse

By Mike McAndrew
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A former Oswego man sued the Syracuse Diocese for \$20 million Thursday, claiming the Rev. Chester Misercola sexually abused him as a minor.

Sean Lyons, 29, of Tennessee is the fourth person known to have sued the diocese this year over alleged molestation by a priest.

Lyons also named as defendants Bishop James Moynihan and Misercola, a former pastor at Oswego's St. John Church and former teacher at Bishop Cunningham High School.

Lyons alleged that beginning in 1986, when he was 14, Misercola showed him pornographic movies, photographed and videotaped him in the nude, and got him drunk and performed oral sex on him.

Misercola was Lyons' teacher at Bishop Cunningham.

"Misercola presented himself as a benevolent, caring spiritual adviser whose intention was to help (Lyons)," the suit alleges. "In fact, their relationship was one of sexual abuse and exploitation."

The priest abused Lyons for five years, according to the suit.

The suit claimed the diocese conspired since 1986 to conceal criminal sexual conduct by priests, bribed victims to keep the crimes secret, and committed fraud against parishioners as part of a scheme to protect priests from criminal and civil prosecution, maintain charitable contributions and avoid public scandal.

It also alleges that the diocese and Moynihan knew, or reasonably should have known, of Misercola's exploitive propensities and failed to supervise Misercola properly.

Misercola declined in June to comment on Lyons' allegations. He and his lawyer, Emil Rossi, could not be reached Thursday afternoon.

Diocesan spokeswoman Danielle Cummings said Thursday the bishop and diocese were unable to comment on the suit because they had not been served with it.

In June, Moynihan removed Misercola from all ministry because of a credible allegation the diocese received in 1997 which accused Misercola of sexually abusing a minor, Cummings said. Since then, Misercola has not been permitted to celebrate Mass publicly, wear clerical garb or present himself publicly as a priest.

Lyons first publicly accused Misercola of molesting him in an article published July 1 in The Post-Standard.

He said he contacted the diocese in 1997 to complain that Misercola molested him and he wanted the diocese to destroy embarrassing videotapes and photographs that Misercola took of him.

The diocese responded to the 1997 allegation by removing Misercola in January 1998 from the St.

John parish and sending him for six months to St. Luke's Institute, a psychiatric facility for priests in Maryland, that treats priests for sexual disorders.

Since his release from St. Luke's in July 1998, Misercola has lived at St. Pius X Hall, a retirement home for priests at 714 E. Brighton Ave.

Until recent months, Misercola was permitted to occasionally celebrate Masses attended by children in St. Daniel's Church on Court Street, Monsignor Eugene Yennock said in an interview in July.

Yennock said he was not aware of the allegations against Misercola until they were reported July 1 in the newspaper.

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