

BishopAccountability.org

Diocese Granted Restraining Order against Aretakis

Empire Journal
September 9, 2005

A state Supreme Court Judge has granted the Albany Roman Catholic Diocese a temporary restraining order against John Aretakis, the Albany attorney who they say is harassing parishioners and neighbors of Holy Cross Church and School by his weekly protests at the church during Sunday Masses.

Judge Thomas J. Spargo signed the order and has scheduled a hearing in the matter for Tuesday, Sept. 13 at 11 a.m. in state Supreme Court.

Aretakis and his associates have been ordered to stay at least 100 feet away from the church and the school. Spargo also ordered that Aretakis is not to interfere with parishioners as they enter and exit the church.

A church spokesman says that Aretakis has been involved in at least three confrontations with parishioners and neighbors at the church since June when he and a group known as SNAP led by Mark Lyman, another claimant against the church, began picketing Sunday Masses including leafleting cars of parishioners.

Aretakis has publicly accused the Rev. Daniel Maher, pastor of Holy Cross Church, of engaging in sexual abuse of a minor over 30 years ago.

Maher has been exonerated by the Diocese's Sexual Misconduct Review Board which found following investigation that there is "no reasonable cause" to believe the allegations brought against Maher by Aretakis and his client, Thomas G. Clements of Albany.

Clements filed a \$2 million lawsuit in May in state Supreme Court in Saratoga County. A former altar boy at St. Frances de Sales Church where Maher was then assistant pastor, Clements claims that Maher abused him when he attended a church retreat at a Saratoga Lake camp in 1972 or 1973 when he was 13. Maher denies the allegations and Bishop Howard J. Hubbard said that Maher "remains a priest in good standing".

Lyman, co-director of the Albany chapter of the Survivors Network of those Abused by Priests (SNAP), has led the group's protests at the church for the past 17 weeks. The group has vowed to protest at the church until Maher is placed on administrative leave. Lyman, also represented by Aretakis, has also filed a \$2 million lawsuit against the Diocese alleging that he was sexually abused by a priest.

Aretakis has brought numerous other sex abuse claims against priests in the Roman Catholic Diocese.

Aretakis and Lyman complained that the Diocese were monitoring their weekly protests at the church which included picketing and placing flyers on parked cars of parishioners.

However, the Diocese says they had no choice because of safety concerns connected to the protests and because Aretakis has been involved in several confrontations with parishioners.

In a written statement issued Wednesday, the Diocese said that it sought the restraining order against Aretakis to "protect children, parents and parishioners from confrontations and intimidations. While we

have the utmost respect for the First Amendment rights of the picketers, the children and parents and parishioners of Holy Cross have a fundamental right to go to church and school without fear of intimidation or confrontation", the Rev. Kenneth Doyle said, chancellor for public information of the Diocese.

Aretakis and Clements made their accusations against Maher public in May when they filed their lawsuit but according to the Diocese, neither Aretakis nor Clements filed a formal complaint with the Albany Diocese despite the Diocese's numerous requests for information nor did they file any complaint through the Independent Mediation Assistance Program.

Although Aretakis is now claiming that the Diocese conducted an incomplete investigation, Martin said that Aretakis and Clements denied his three requests to provide the names of the other individuals whom Clements claimed were at the camp at the time of the alleged incidents. They also refused to provide the names of the friend and co-workers who they say Clements later told about the alleged incidents.

Although Aretakis filed a summons and notice against the Albany Diocese and others in connection with allegations in May, no detailed complaint supporting the allegations has ever been filed.

According to the Diocese, on two occasions in May before he filed the notice and summons, Aretakis barged into the rectory of Holy Cross Church and into Holy Cross School in an attempt to interrogate Maher on video. He and associates have placed leaflets and flyers on cars parked at the church and school and in the neighborhood. They have videotaped parents and students leaving the school since June.

Aretakis and others including members of SNAP have picketed Sunday Masses and publicly demanded Maher's removal with Aretakis being involved in confrontations with at least several Holy Cross parishioners of Holy Cross including at least one this past Sunday. 9-08-05

Any original material on these pages is copyright © BishopAccountability.org 2004. Reproduce freely with attribution.