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## **Priest Accused in Second Sex Lawsuit Boys Claim the Rev. Daniel W. Casey Jr. Molested Them at Swimming Pool**

By Jim O'Hara  
Wednesday City Edition  
October 28, 1992

A multimillion dollar lawsuit charging a Roman Catholic priest with molesting two young brothers was filed Tuesday.

The lawsuit against the Rev. Daniel W. Casey Jr. accuses him of sexually abusing two brothers, aged 10 and 12, in December 1987 while on a recreational outing to the Laker Hall swimming pool on the State University College at Oswego campus.

Another lawsuit pending in state Supreme Court accuses Casey of molesting an 11-year-old boy in the same area of Laker Hall twice between Aug. 1, 1988, and Jan. 31, 1989.

Both lawsuits accuse Casey, then associate pastor at St. Paul's Church in Oswego, of touching and kissing the boys, disrobing and having the boys remove their clothes in a shower room area off the pool.

Both lawsuits also accuse St. Paul's Church, St. Paul's Elementary School and the Roman Catholic Diocese of negligence in hiring Casey and not monitoring his activities since officials knew or should have know of his "propensity" to engage in offensive sexual conduct with young boys.

In addition to his pastoral duties at St. Paul's Church, Casey was director of religious instruction at the parish's elementary school, according to the two lawsuits.

Casey has not been stationed at St. Paul's for several years, and diocesan officials have refused to discuss his current assignment or the allegations being levied against him.

Irwin Birnbaum, the lawyer handling both lawsuits against Casey, would not say Tuesday whether school and church officials were aware of the December 1987 incident involving the two brothers before the later incidents.

Birnbaum did say the December 1987 incident apparently was not reported to the police. The later incidents with the other boy were reported to Oswego police but no criminal action was taken against Casey, the lawyer said.

The lawsuit filed Tuesday in the Onondaga County Clerk's Office seeks \$16 million in damages from Casey, the school, the church and the diocese for the priest's alleged conduct with the young brothers. The other lawsuit is seeking \$14 million in damages.

According to the new lawsuit, Casey is accused of taking the brothers to the swimming pool area of Laker Hall when he knew or should have known that the pool was closed.

In addition to kissing and embracing the boys, he is accused of "speaking words of sexual endearment" to them. The boys' mother - a newly hired employee at the school at the time - had allowed the youths to accompany Casey to Laker Hall because of his position with the parish church and school, the lawsuit charges.

Once at Laker Hall, Casey removed his clothes and had the boys remove theirs in the shower area, the court papers charge.

He then led them to the pool, found it locked, returned them to the locker room to get dressed and took them out for ice cream before taking them home, the lawsuit charges.

The lawsuit charges Casey with intentional indecent assault and abuse of trust, sexual abuse and assault, sexual misconduct and breach of trust, battery and assault and violation of trust.

It says St. Paul's school and church and the diocese should be held responsible for Casey's conduct because they failed to properly investigate his background in hiring him and knew or should have known he was unfit to be entrusted with young boys.

The lawsuit contains additional allegations that the church, school and diocese did not provide adequate rules and regulations for priests having contact with children.

The actions of the defendants showed "a gross disregard of the rights, safety and well being of infant children," causing emotional, mental and physical harm to the boys involved, the lawsuit charges.

It also accuses Casey of "clergy misconduct" and contends the other defendants should be held responsible for his conduct as his employers. Similar allegations in the earlier lawsuit were dismissed recently in a pre-trial ruling by state Supreme Court Justice William R. Roy.

Birnbaum Tuesday again said he did not wish to discuss the facts of the cases while the matters are pending in court. But he said he was not handling any other lawsuits stemming from the sexual allegations against Casey.

Casey was ordained in 1975 and has been assigned at various points in his career at St. Mary's parish in Auburn, St. John's Church in Liverpool and Blessed Sacrament Church in Johnson City.

Birnbaum has declined to say what, if anything, church and school officials knew about Casey's background before the priest was assigned to St. Paul's in Oswego.

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