

BishopAccountability.org

Family, Diocese Settle Lawsuit the Deal Ends One Child Molestation Case against a Priest, Who Still Faces a Trial after Another Family Refuses a Settlement Offer

By Jim O'Hara and Melanie Gleaves-Hirsch
Post-Standard (Syracuse, NY)
August 11, 1998

A former Oswego County couple and their son have agreed to accept a cash payment from the Roman Catholic Diocese of Syracuse to settle their molestation lawsuit against the church and a former priest.

But a second lawsuit involving the same priest and similar allegations from another Oswego County family remains ready to go to trial in state Supreme Court in Syracuse next week.

Both cases had been on the verge of being settled just before a scheduled trial last month, but the deals fell apart at the last moment.

The former Oswego County family accepted a deal that is reportedly worth about \$325,000, according to the lawyer for the second family, whose case will be tried. Paul Hanrahan, the lawyer for the diocese, confirmed there was a settlement with the first family, but he declined to comment further about it.

The family could not be reached for comment.

THE FAMILY HAD accused the Rev. Daniel Casey of molesting the then-11-year-old boy twice between Aug. 1, 1988, and Jan. 31, 1989, at Laker Hall, on the campus of the State University College at Oswego. Casey was associate pastor at St. Paul's Church in Oswego and director of religious instruction at the parish's elementary school. He has since resigned from the priesthood, the diocese said.

The lawsuit claimed the parish and diocese had known or should have known Casey posed a risk to children.

Mark David Blum, the lawyer for the second family proceeding to trial, referred to the payment as an attempt by the church to buy the silence of victims.

Blum contends high-ranking diocesan officials were aware of problems with Casey. Several witnesses are scheduled to testify at the upcoming trial that they had conversations with Bishop Thomas Costello about Casey in which Costello admitted knowing that the priest was a pedophile, Blum said.

State Supreme Court Justice William R. Roy signed an order last week authorizing the testimony of one of those witnesses, Susan Sweet, after the defense objected to her being called as a witness. In a July 10 videotaped deposition, Sweet testified she had at least three conversations with Costello in which he admitted knowing about Casey having a problem with children.

Sweet, a commissioned youth minister for the diocese, claimed in her testimony that Costello said officials had tried to help Casey for 15 years without any success.

COURT PAPERS indicate Sweet's friend, Christine Zilnick, and the mother of the boys involved in the case going to trial are expected to testify they witnessed some of those conversations with Costello.

In a May 28 deposition, Costello denied knowing anything about any problem Casey had with children. He also denied ever telling anyone the church was aware of any such problem.

"I don't know that's a fair commentary on that subject," Hanrahan, the diocese's lawyer, said when asked about Sweet's deposition.

In the case headed to trial, Casey is accused of engaging in improper conduct with two brothers - then 10 and 12 - after taking them on an outing to Laker Hall in 1987. The boys and their mother claim Casey touched and kissed them, disrobed and had the boys remove their clothes in a pool shower room.

The boys and their mother refuse to sign a settlement document absolving the church of any wrongdoing and agreeing to keep silent about any deals, Blum said. The family rejected a settlement offer that involved payments of \$15,000 to each of the boys and \$25,000 to their mother, he said.

"The Catholic Church knew this guy (Casey) had a problem," Blum said. "Instead of dealing with it, they put everyone in the community at risk by cycling this priest around instead of reporting him to the police."

IN A recent interview before the lawsuit settlement, the former Oswego County couple said diocesan officials had told them Casey had been reprimanded several months before the alleged incidents with their son for allegedly kissing at least one other child.

The couple said the lawsuit caused rifts in their extended family that led to a long estrangement that still exists today. They are so disenchanted with the church, they added, that they have joined another faith. And their relationship with their son is also strained, they said.

"I feel I've lost my son. Yes, I have," the young man's mother said. "The way I look at it, they took this innocent child from me, and now I have this stranger. His siblings also say, 'My brother is a stranger.'... I want people to realize what has happened to this family."

Before the alleged incidents, the couple said, their son was a well-adjusted student and an accomplished athlete involved in several sports. After the incidents, he attempted suicide and a long struggle with drug and alcohol abuse began.

"My son spent his 12th birthday in Hutchings (Psychiatric Center) after putting his head through a window (in a suicide attempt). He thought it was his fault," the mother said of the alleged abuse.

The financial pressures of paying a portion of the medical costs and other factors led to her husband's heart attack and nervous breakdown, the mother said. Also, the family lost its home and declared bankruptcy because of financial strains related to the boy's care, the mother said. "We couldn't keep up with our mortgage," said the mother, who now lives with her family in Syracuse.