

BishopAccountability.org

Fordham Apologizes to Alleged Abuse Victim after Years of " Evasions"

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In 1968, when Richard Cerick was 13 and growing up on Long Island, he was invited to go skiing with several of his friends who knew Fordham Prep students. The trip was organized by Rev. Roy A. Drake, S.J., who had previously taught at the Prep and was living in Jesuit housing on Fordham's Rose Hill campus. The night before they left for the trip, Cerick said, Drake raped and sodomized him in his apartment, a claim the lawyer for Fordham University and Fordham Prep deemed "credible," Cerick said.

Cerick remained silent until 2005, when he finally informed Fordham University, Fordham Prep and the New York Jesuit organization of his allegations. At the time of the alleged assault and until 1970, Fordham was legally associated with Fordham Prep.

In addition, in the three years since Cerick made his claims known, none of the institutions involved have been willing to acknowledge their responsibility in the matter or to issue an apology to Cerick.



Richard Cerick alleges that he was raped on Fordham's campus in 1968. He says that the University ignored his claims and treated him unfairly.

Photo by Craig Calefate

On Dec. 9, as the Observer was going to press, a Fordham spokesperson quoted Rev. Joseph M. McShane S.J. as saying, "We are deeply sorry for the damage done to Mr. Cerick as a young man and for his pain and suffering. We have been in frequent contact with his attorney and continue to seek a just resolution of his case."

"It would have been nice for him to say that to me," Cerick said. "The notion of human compassion and empathy would suggest that you would say to 'I'm sorry' someone who [went through what I went through.]" Cerick mentioned a short letter from McShane dated May 16, which the Observer obtained. In

the letter, McShane "[acknowledges]" Cerick's complaints but "respectfully [asks] that you confer with your counsel regarding their discussions about an amicable resolution to this matter." Cerick said, "They have never said anything closely approximating an apology to me."

He continued, "What [McShane] doesn't say in that statement is 'We believe him'—they're still not giving any [public] validity to my allegations or accepting [responsibility]."



Richard Cerick alleges that, as a thirteen-year-old boy, he was raped by a Fordham employee on an overnight ski trip.

Photo by Craig Calefate

Mitchell Garabedian, Cerick's lawyer, confirmed that he has been in contact with attorneys for Fordham University, Fordham Prep and the New York State Province but stated, "It is not a matter of how often we contact each other as much as the substance and productivity of discussions. [Fordham University, Fordham Prep and the New York State Province] are not interested in doing the 'right thing' in this matter. The results of discussions have been inadequate and insulting to Mr. Cerick."

Cerick said, "As bad as what happened to me was, for the past three years, I feel as though they have made it so much worse intentionally by the way they've treated me...they made me feel like a piece of trash...[because] they couldn't care less."

On Nov. 3, Bob Howe, Fordham's director of communications, released the first statement on behalf of the University in response to the allegations. The statement reads, in part, "Since October of this year, Richard Cerick has been quoted in the media regarding allegations that he was sexually assaulted in 1968 by a priest of the Society of Jesus. The abuses Mr. Cerick alleges are unconscionable and indefensible. Some of Mr. Cerick's...statements, however, have blurred the distinction between the University and Fordham Prep, and the University and the New York Province of the Society of Jesus. Fordham Prep and Fordham University have been independent institutions since 1970...the University is not responsible for the actions of his alleged abuser nor for ignoring his claims."

Garabedian said, "Since the sexual abuse happened on Fordham University's grounds, Fordham University and its supervisors cannot change their legal responsibility by attempting to distance Fordham University from Fordham Prep."

Cerick points to Michael Berardino, the attorney who conducted the investigation into his claims, as proof of the connection between the organizations. "Berardino stated in our meeting that he represented Fordham Prep, Fordham University, the New York Jesuit Province and Drake... Also, Thomas DeJulio, Fordham University's general counsel, appeared at that meeting, and he did not deny that he was representing both the Prep and the University."

According to the Official Catholic Directory, an annually published book that lists the whereabouts of every American priest, Drake was an employee of Fordham University, as opposed to an employee of Fordham Prep, at the time the alleged sexual abuse occurred in 1968; however, he was generally indexed as having been "assigned" to Fordham Prep from 1965-1971.

Rev. Kenneth Boller, S.J., president of Fordham Prep, said, "From what I understand, Drake was not an employee of Fordham Prep." When pressed further, Boller said, "He only worked at Fordham Prep for one semester—from September 1965 to January 1966."

The Official Catholic Directory listings confirm that Drake was listed as an employee of Fordham Prep during the time period Boller indicated.

However, Terence McKiernan, the president of BishopAccountability.org and a 1971 graduate of Fordham Prep, said that the fact that Drake was "yanked in the middle of the school year" is a "red flag." "Who's going to assign a priest for only half a year, then move him? Why was he transferred to the University? Did the Jesuits know that he was bad news back then? It could be that maybe they thought he wouldn't bother the older college students," McKiernan said.

McKiernan said that he has no memories of Drake from his time as a Fordham Prep student. He said, "Students a few years older than I remember that his apartment was a place where alcohol was an offer, and you didn't go there alone."

Boller said that the Prep does not plan to issue an apology to Cerick. He said he believes it is the responsibility of the New York Province to respond to Cerick's claims, especially to Cerick's claim that Drake continued to live on campus even after Fordham Prep, Fordham University and the Province were notified about the alleged abuse in October 2005. A Jesuit newsletter verifies that Drake was still a resident of Murray-Weigel Hall as recently as the fall of 2006. The building is on the Fordham campus and is owned by the New York Province.

When asked to comment on Cerick's accusations, Rev. Thomas R. Slon, S.J., of the New York Province, would only say that the Province affirms the following portion of the University's first statement: "Mr. Cerick... fails to report the fact that attorneys for the Province, the Prep and the University have been in frequent communication over the past two years with his attorney, Mitchell Garabedian, in an earnest attempt to resolve this matter...Mr. Cerick's allegations are painful to contemplate, and while his anger is understandable, the University is not responsible..."

In response, Cerick said, "In their statement, Fordham and the New York Province continue to re-victimize me, as they have done for the past three years. They still completely refuse to [publicly] acknowledge the validity of my allegations (despite deeming them credible), or apologize for the monstrous crimes that one of their priests inflicted on me..."

McKiernan said, "Drake's alleged...sexual misconduct occurred within a Prep/University relationship, both in a legal and a practical sense. That the Prep and the University now have a different relationship is not relevant. In its statement, the University has 'blurred the distinction' between the legal situation now and the legal situation at the time of the alleged abuse."

He continued, "The evasions and callousness of the University's statement about Mr. Cerick are not consistent with the University's mission or its Jesuit tradition."

Cerick said, "The words of Fordham and the New York Province's statement could not be more evasive and heartless and demonstrate once again that these institutions and their leaders have no shame, humanity or compassion towards their victims."

"Not one day of my life ever went by where I didn't think about [the abuse]," said Cerick. "It was mentally and emotionally debilitating."

Cerick said his initial goal in contacting Fordham was not to go public. "I wanted them to understand and know what happened and I assumed they would want to do the right thing—investigate it, and if they believed me, take Drake away from Fordham and then have him disciplined in the church. My assumption, which, in hindsight, was incorrect, was that they cared. They don't care."

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