

CHILD VICTIMS ACT

Tutor at Jewish temple, North Tonawanda nun named in initial wave of Western New York lawsuits

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Dozens of Catholic priests were named in the initial wave of Child Victims Act lawsuits filed in Western New York.

In addition to clergy working in the Diocese of Buffalo, the cases also count among the accused a tutor at a Jewish temple in Buffalo.

Approximately 115 lawsuits have been filed since a one-year "look back" window opened at 12:01 a.m. Wednesday, at least 104 of which name the diocese as a defendant.

While many of the accusations date back three or four decades, some of the lawsuits involve alleged abuse as far back as the late 1940s.

Two pastors named in a lawsuit Wednesday were placed on administrative leave Thursday by the diocese, which said it would examine and investigate all new allegations.

The News attempted to reach individuals accused of abuse. The News does not identify sexual abuse victims without their consent.

Below is a look at some of the lawsuits filed.

Former St. Francis High principal accused of molesting student

A former student at St. Francis High School in Achol Springs alleges in a lawsuit he was molested over several years in the 1950s by the school's principal, the late Rev. Marion M. Tolezyk.

The former student, now living in Wayne County, Mich., says he was 16 when the abuse began and that it continued until he graduated in 1969.

Tolezyk, who also had been a pastor at St. Stanislaus, died in 2013 at age 86. The diocese has not identified him as credibly accused of molesting a child.

Allegations made for 1st time against Monsignor

A monsignor who was the pastor of Holy Cross Church for more than 50 years and died in 1975 was publicly accused for the first time of being a child molester in a lawsuit filed Thursday.

The lawsuit alleges Monsignor Joseph Gambino sexually abused a 5-year-old student from 1948 to 1949. The Buffalo Diocese has not identified Gambino as a priest credibly accused of child sex abuse.

The suit against the Buffalo Diocese, Holy Cross Church and Holy Cross School identifies the plaintiff as an Erie County resident born in 1943. He was allegedly brought to Gambino one day by a nun "presumably for disciplinary reasons," the suit says. The lawsuit alleges that when the boy was alone with Gambino, the monsignor abused him in the rectory, sacristy and other secluded areas in the church and school.

Gambino "admonished" the plaintiff not to tell anyone about the abuse, saying it would be a "sin," and said his grades and records could be affected if he did, the suit said.

Man whose allegations launched scandal files suit

The man whose public accusations against the Rev. Norbert Orsoltis in February 2018 helped start a flood of clergy abuse allegations in the Buffalo area filed a lawsuit Wednesday against the diocese and St. John Vianney Church in Orchard Park.

Michael F. Whalen Jr. accused Orsoltis of "unpermitted sexual contact" in 1979 or 1980, when Whalen was about 14.

Orsoltis admitted to a News reporter that he had abused "probably dozens" of teenage boys in the late 1970s and early 1980s.

Priest who advised U.S. presidents accused of abuse

A Buffalo priest who advised U.S. presidents on youth issues has been accused of molesting a boy in his rectory office at a Town of Tonawanda church and school 50 years ago, according to a lawsuit.

An Erie County man is accusing Monsignor Joseph E. Schieder of abusing him at St. Andrew's Parish on a weekly basis while school was in session from November 1968 through June 1970, according to the suit filed against the diocese, the parish and St. Andrew's Country Day School.

Schieder used to have the boy regularly called to his office for a "checkup," accord-

ing to the suit. Schieder died in 1996. The diocese said in 2018 that he had been credibly accused of sexual abuse of minors.

Jewish temple named as defendant in suit

An Angola woman alleges that she was molested "once a week" for nine months by a tutor while taking Hebrew lessons at Temple Beth Zion in Buffalo.

The woman's lawsuit said she was 12 when the alleged abuse began in 1970. Her attorney, Frank M. Boguski, identified tutor Martin Roth-child as the alleged abuser who "forcibly touched" the child and "exposed himself" to her.

Jeff Clark, executive director of the temple, told The Buffalo News that temple officials take the allegation "very, very seriously" and are going through old records to determine what happened.

The Rev. Joseph Rappi accused in lawsuit

When he was working at St. Peter Roman Catholic Church in Lewiston, the Rev. Joseph Rappi began sexually abusing a 12-year-old child in 1978, according to a lawsuit. The abuse continued for two years.

This is not the first time Rappi has been publicly accused of sexually abusing a child. Jeffrey M. Shaw told diocese officials last year that Rappi had abused him at the Lewiston church in 1981, when he was 11. Shaw, who lives in Maryland, applied to the diocese last year for compensation for his pain and suffering, but he was told he was not eligible. The attorney who represented Shaw, Mitchell Garabedian, told The News that he had another client who had accused Rappi of abuse and had received compensation from the diocese.

The diocese said in November that Rappi had been credibly accused of abusing children.

Rappi, who resigned from the priesthood in 1999, lives in North Carolina.

Suit: Priest abused boy sent to him for counseling

A Cheektowaga man said that he was 8 when he was sent to counseling with the Rev. David M. Bialkowski at St. John Gualbert Church in Cheektowaga. Over the course of the next eight months, Bialkowski forcibly touched him and exposed himself to the boy, according to a lawsuit against the Buffalo Diocese, St. John Gualbert and Kolbe Catholic School in Cheektowaga.

The alleged abuse took place between 1999 and 2000. In 2011, a former altar server accused Bialkowski of inappropriate touching. Two more accusers came forward shortly after that, and Bialkowski was put on leave from St. John Gualbert and ordered not to perform any priestly duties.

Buffalo Bishop Richard J. Malone said in 2018 that Bialkowski was credibly accused of sexual misconduct with a minor.

Convicted priest accused

The only Buffalo Diocese priest in the past 50 years convicted of molesting a child in Western New York is named



From left, Kevin Koscielniak, diocese whistleblower Siobhan O'Connor, who was the former executive assistant to Bishop Richard J. Malone, Chris Szufita and Angelo Ervolina watch as cases were filed early Wednesday morning.

in a Child Victims Act lawsuit that accuses him of abusing a different child a decade before his arrest.

The Rev. Gerald Jasinski engaged in "unpermitted sexual contact" with an altar boy in the 1970s while he was a priest at St. John Gualbert Church in Cheektowaga, according to the lawsuit.

Jasinski was a priest at St. Mary of the Assumption Church in Lancaster when Wyoming County sheriff's deputies arrested him June 7, 1986, on felony charges of first-degree sodomy and first-degree sexual abuse and a charge of unlawfully dealing with a child. He was accused of having sexual contact with two boys, ages 15 and 18, at a cabin in the Town of Sheldon.

Jasinski pleaded guilty to a misdemeanor charge of attempted sexual abuse and was sentenced to five years' probation.

The lawsuit alleges Jasinski had sexual contact with a boy who was 11 to 14 years old at the time. The plaintiff was an altar boy, parishioner and religious education student at St. John Gualbert when Jasinski abused him between 1972 and 1975, the suit says.

The diocese said in March 2018 that Jasinski had been credibly accused of sexual misconduct with a minor.

Suit: Rev. Richard Judd molested teen

The Rev. Richard Judd sexually abused a 14-year-old parishioner of the Nativity of the Blessed Virgin on Buffalo's West Side from 1977 to 1978, a lawsuit alleges. That parish has since been absorbed into Our Lady of Hope Church.

This is not the first time Judd has been publicly accused of sexually abusing a child. In 2002, a man told Niagara Gazette reporters that the priest had abused him when he was a student at St. Teresa Elementary School in Niagara Falls in 1975.

Last year, the diocese said Judd had more than one credible abuse allegation made against him. He died in 1988.

Nun accused of abuse in Lancaster

A nun identified only as Sister Anne is alleged in a lawsuit to have sexually abused a 7-year-old child from about 1973 to 1974 at Assumption of the Blessed Virgin Mary in Lancaster. The church is now known as St. Mary of the Assumption.

In addition to naming the church and the Buffalo Diocese as defendants, the lawsuit also names the Sisters of St. Francis of the Neumann Communities.

The Rev. James P. Hayes accused of molesting girl

A woman who says she worked in the All Saints Parish rectory when she was a young teenager alleges she was sexually abused there in the 1970s by the Rev. James P. Hayes.

The woman said she was attending Catholic school at the time and got the job as a

way to help with the cost of tuition. The sexual abuse continued until she quit the job months later, the lawsuit says.

Hayes, who died in 1988, was a longtime pastor of All Saints Parish, in Riverside, serving there from around 1972 until his death. He was named in 2018 on the diocese's list of priests credibly accused of sexual misconduct.

Suit names Catholic school teacher in prison on child porn charge

A Niagara Falls woman has filed a new lawsuit under the Child Victims Act alleging a teacher at a Catholic middle school stalked and tried to seduce her when she was in eighth grade.

Vanessa DeRosa, 29, who filed a similar lawsuit earlier this year, accused Christian M. Butler of sexually targeting her during the 2007-08 school year, when she was 13, in a suit filed against the diocese, Saint Dominic Savio Middle School and the Niagara Falls Catholic School Network.

Butler was sentenced in 2017 to 25 years in federal prison for attempted production of child pornography in Florida.

William A. Lorenz Jr., DeRosa's attorney, explained that the earlier lawsuit was filed to avoid potential dismissal motions by the diocese but was voluntarily discontinued.

Monsignor accused child for a decade, lawsuit says

A former Fredonia man alleges that he was molested for a decade, beginning when he was 12, by the late Monsignor Edward J. Walker at St. Joseph Church in Fredonia.

Attorney Jordan K. Merzon filed court papers alleging that Walker would insist that the plaintiff sit on his lap and that he would touch his genitals. The incidents allegedly began in 1953.

Walker, who died in 2002, is on the Buffalo Diocese's list of credibly accused priests.

Suit: The Rev. Roy K. Ronald is accused

A plaintiff from Belmont accuses the Rev. Roy K. Ronald of "unpermitted sexual contact" from 1982 to 1986, when the victim was 11 to 14.

The lawsuit says the plaintiff came into contact with Ronald while engaged in youth programs at St. Mary Parish, which was later absorbed into Holy Family Parish in Belmont.

Ronald died in 2013 and was placed on the diocese's list of credibly accused child molesters in 2018.

Abuse in Niagara Falls alleged

A lawsuit alleges that the Rev. Florian A. Jasinski, a priest at St. Stanislaus Kostka in Niagara Falls, engaged in "unpermitted sexual contact" with a plaintiff who was 8 to 9 in 1982 to 1983. The plaintiff participated in church and youth activities at St. Stanislaus.

In 2018, the diocese said Jasinski was credibly accused

of molesting minors. Jasinski died in 1983.

Rev. Gerald P. Sheehan accused in suit

The late Rev. Gerald P. Sheehan is accused of molesting a 7-year-old victim in 1973 while at St. Martin of Tours in South Buffalo, a lawsuit alleges.

Sheehan, whose name has surfaced before as a likely abuser, died in 2006. He had spent 42 years as a priest.

The diocese in 2018 said Sheehan had been credibly accused of sexually abusing minors. Sheehan died in 2006.

Another lawsuit targets the Rev. Norbert Orsoltis

A lawsuit alleges the Rev. Norbert Orsoltis sexually abused a plaintiff who was 13 or 14 in 1968 and attending St. John the Evangelist in Buffalo.

Orsoltis in 2018 admitted to a Buffalo News reporter that he had sexual contact with minors over the years — "probably dozens," he said — but said it was consensual.

3 people accuse Rev. Joseph Friel of abuse

The Rev. Joseph Friel preyed on a series of children at two churches in the middle to late 1960s, according to lawsuits filed on Wednesday by three different people.

Friel abused a 13-year-old parishioner at Our Lady of Victory National Shrine in 1966, one plaintiff alleges. The same year and into 1967, Friel abused a child about 12 years old at Fourteen Holy Helpers in Cheektowaga, according to another lawsuit.

A third plaintiff, Chris Szufita, alleges that Friel abused him at Fourteen Holy Helpers from 1967 to 1969, starting when he was 14. Szufita in 1994 unsuccessfully sued the diocese, seeking \$2 million in damages for the harm caused by Friel. But he dropped his case after diocese attorneys argued that it violated the state's statute of limitations.

Nun accused of molesting child

A victim identified in court papers as AB 128 Doc claims that he or she was repeatedly molested by a North Tonawanda nun in the 1950s.

The lawsuit charged that a nun, identified in court papers only as Sister Claudia, SSI, with the Sisters of St. Joseph, molested the child from 1956 through 1958, beginning when the child was 6. The nun served in programs working with youngsters at Ascension Church in North Tonawanda, the suit says.

Former pastor at Most Precious Blood accused

A lawsuit alleges that Monsignor J. Grant Higgins, who served as pastor from 1983 until 1997 at Most Precious Blood Church in Angola, sexually abused a child.

The lawsuit alleges Higgins engaged in "unpermitted sexual contact" with the plaintiff in 1990 to 1991 when

the plaintiff was 9 and 10 years old.

Higgins, who died in 2016, was identified by the diocese last year as being credibly accused of sexual misconduct with minors. He was one of four former priests at Most Precious Blood in that category.

Ex-Lockport school priest publicly accused for first time

A man from Santa Rosa, Calif., has alleged he was sexually abused in the early to mid-1970s by a priest and wrestling coach at what was then St. Francis DeSales Catholic High School in Lockport, according to a lawsuit.

The lawsuit against the diocese, DeSales Catholic School and the Oblates of St. Francis de Sales accuses the Rev. Leir Barkenquest of abusing the teenager, including during wrestling practice. The man alleges that he told a school administrator about the abuse when it started, but nothing was done to stop it.

Barkenquest died in January, according to an obituary on mlive.com. He started teaching in Lockport in 1968, later becoming school principal. He also taught in Toledo, Ohio, and was a pastor in Clarklake, Mich., according to his obituary.

The Rev. Edward L. Kazmierczak named in suit

Monsignor Edward L. Kazmierczak is accused of sexually abusing a 12-year-old parishioner of St. Casimir Church in Kaisertown for about a year, starting in 1975. A lawsuit names the Diocese of Buffalo and St. Casimir as defendants. Kazmierczak died in 2001.

Diocese sued over alleged abuse from 1955

The Rev. Francis X. Baumgarten is accused in a lawsuit of sexually abusing a 13-year-old child from 1955 to 1956. The lawsuit does not indicate where the alleged abuse took place, but says Baumgarten was employed by Nativity of Our Lord in Orchard Park and by the Diocesan Preparatory Seminary at the time.

Baumgarten died in 1989 after 53 years as a priest, much of it teaching at the seminary. The lawsuit names the Diocese of Buffalo, Nativity of Our Lord and the seminary as defendants.

Former altar boy files lawsuit

A North Buffalo man who says he was sexually abused by a priest for about a year starting when he was 8 is suing the diocese, St. Edmund Church and St. Christopher Church.

David J. Harvey, who was an altar boy at the time, alleges that the Rev. David J. Peter molested and raped him from around 1978 through 1979 in the Town of Tonawanda church then known as St. Edmund, according to the lawsuit.

Jesuit priest accused

The Rev. James Gould, a Jesuit priest, was accused in a lawsuit of molesting a 13-year-old child at St. Ann's Church in Buffalo in the mid-1970s. The Jesuit Northeast Province last year identified Gould as a priest who has been credibly accused of molesting a child.

The Rev. Bernard M. Mach accused in suit

A lawsuit accuses the late Rev. Bernard M. Mach of molesting a 7-year-old child in 1974 at the old St. Gerard's Church in Buffalo.

Attorney Steven Boyd said the plaintiff came from a "devout Catholic family" that trusted Mach. Mach, who died in 2004, is on the Buffalo Diocese list of priests credibly accused of molesting children. The diocese previously settled a \$8-million lawsuit filed in 1993 that accused Mach of sexually abusing a 12-year-old boy in the rectory of St. Mary's Church in Lockport.