

Former Kearney teacher accused of sex abuse

By Lee Strong
Senior staff writer

ROCHESTER — A Rochester woman has filed a \$7 million lawsuit accusing a former Bishop Kearney High School teacher — and a member of the Congregation of Christian Brothers of Ireland — of sexually abusing her over a 28-year period.

The suit by Nancy Maher, now 40, claims that Brother John Laurence Heathwood began abusing her in 1965 when she was 12, and that incidents of abuse occurred as late July, 1992.

Brother Heathwood taught mathematics at Bishop Kearney, 125 Kings Highway South, from 1964 to 1974. He also directed the school's drama program, with which Maher was involved while a Kearney student from 1966-70.

Also named in Maher's suit were the Christian Brothers, the high school and the Diocese of Rochester.

Diocesan officials have said they will ask to be removed from the suit, because Bishop Kearney is controlled by the Christian Brothers' congregation, not by the diocese.

In papers filed with New York's State Supreme Court July 1, 1993, Maher alleges that the abuse included a variety of sexual acts, lewd comments, harassment and threats. She claims that even after Brother Heathwood left Bishop Kearney in 1974, the incidents continued during his frequent return trips to Rochester.

As a result of the abuse, court papers allege, Maher has suffered physical injuries that have rendered her incapable of having children. Her suit also claims that she suffered psychological injuries, including post-traumatic stress disorder, nightmares, suicidal feelings and panic attacks.

The court papers claim that, due to Brother Heathwood's alleged actions, Maher "suffered from a psychological condition whereby she repressed, blocked and dissociated herself from the acts being committed on her."

While undergoing therapy during the fall of 1992, however, Maher reportedly began to recall details of the alleged abuse and to understand its consequences, the suit claims.

Maher's husband, Martin, jointly filed the suit, asking for \$1 million in damages for loss of intimate companionship of his wife.

Brother Heathwood, who retired in June 1993 after teaching at Bishop Hendrickson High School in Warwick, R.I., was not available for comment.

Brother James Roepke, consultant for the Eastern United States American Province of the Christian Brothers, headquartered in New Rochelle, N.Y., told the *Courier* in a phone interview that lawyers have advised members of the congregation to decline answering questions about the case. However, he did read a prepared statement.

"We acknowledge that one of our members, Brother J.L. Heathwood, has been accused of sexual improprieties while at Bishop Kearney High School 20 years ago," Brother Roepke read from the statement. "We are genuinely concerned for the accuser and the accused. The accused will not be assigned to active ministry until the matter has been resolved."

Meanwhile, Father John M. Mulligan, vicar general of the diocese and Pastoral Center moderator, told the *Courier*, "We are extremely saddened by any reports of allegations involving sexual misconduct involving teachers because of the great trust that naturally exists between parents, students, and those in the educational mission.

"We cannot comment in detail about matters in litigation," Father Mulligan continued. "However, it is our understanding that the accused in this case was a teacher at Bishop Kearney High School approximately 20 years ago. Bishop Kearney High School, similarly to all Catholic high schools in the Diocese of Rochester, is separately owned and operated — in this case by the

Irish Christian Brothers. We are certain that the Irish Christian Brothers will do all in their power to deal in a responsible way with the matter currently under investigation."

Richard Kaul, the lawyer representing Maher, was unavailable for comment about the case because he is involved in a current trial.

However, Marvin J. Rosenthal, managing partner in Kaul's firm — Fulreader, Rosenthal, Sullivan, Clifford Santoro & Kaul — agreed to speak with the *Courier*.

Rosenthal said the firm investigated Nancy Maher's claims in detail before agreeing to pursue the suit. "We have made sure that each and every allegation of the complaint is absolutely accurate," Rosenthal said.

Some of the details of the alleged abuse surfaced while Nancy Maher was undergoing therapy, Rosenthal acknowledged.

"This is not unknown," Rosenthal said of individuals recalling repressed memories through therapy. "We have seen it in many cases."

Prior to filing the suit, Rosenthal

said that Kaul and the Mahers met with the Christian Brothers in New Rochelle. The goal of that meeting was to inform them of the allegations.

In addition, Rosenthal said some discussion of an out-of-court settlement took place. "Our client is not looking to relieve all of this on the front pages," he explained.

Rosenthal said he was not part of the discussions, but according to his understanding, that settlement offer was rejected by the congregation, although the congregation apparently did offer to pay for psychological counseling for Nancy Maher — an offer that was rejected, he speculated, because it was felt to be "so minuscule that it did not make sense."

In naming the diocese in the suit, Rosenthal said the firm was following the common practice of listing in legal papers "who all of the players are." He added, however, "We're not looking to keep anybody in the case who is not involved in the case."

The case has not yet been assigned to a judge, Rosenthal said. Consequently, no trial date has been set.

Couple overlooks personal loss to assist Missouri flood victims

By Mike Latona
Staff writer

ODESSA — Glenn and Pat Larison know only too well the awful feeling of seeing one's possessions suddenly be snatched away.

Yet after losing their poultry processing plant to fire this January, the Larisons made the best of a bad situation. Rather than dwell on their own losses, the couple decided to reach out to others similarly touched by disaster.

The Larisons set out July 19 with their 19-foot trailer — packed with donated items — for Hannibal, Mo., where they assisted some of that city's 16,000 residents stricken by flooding from the Mississippi River.

In addition, the Larisons have loaned their trailer for as long as necessary to a Hannibal family forced by flooding to leave their own home.

Glenn Larison has been glad to assist, even in the aftermath of his own difficult loss earlier this year.

"For a long time I'd had the feeling that I wanted to do something for somebody else, but I was tied down to my business seven days a week," remarked Larison, who owned the poultry processing operation for 43 years. "I feel the Lord is finally putting me to use."

Prior to their July 19-24 excursion,

the Larisons, parishioners at Odessa's St. Benedict Church, rounded up approximately \$4,000 worth of goods and cash from churches and private donors in their native Schuyler County.

Glenn Larison said that during his 24-hour stay in Hannibal, about 20 percent of the city was under water. Although he and his wife did not observe the most extensive flood damage (those areas have been closed off to the public), Larison noted that Hannibal's Salvation Army office was receiving a steady flow of stranded residents.

"People were coming in and out of there all the time. Those places (where they live) are in such terrible shape that they're going to have to start all over," remarked Glenn Larison.

Heavy rain over a period of several weeks has resulted in severe flooding in nine Midwestern states. Through Aug. 1, the ongoing disaster had caused 45 deaths, damage or loss of 37,000 homes, and \$10 billion in overall damage.

Glenn Larison said that his recent experience was spiritually gratifying, yet in a way that's difficult to articulate. Rather, he quoted the words spoken to him by Father John Gromer, pastor at Hannibal's Holy Family Church.

"He said that unless you give from your needs, you haven't given anything," Larison recalled.

Summer fun continues



S. John Wilkin/Staff photographer

Camps celebrate longevity

Kristin Battaglia (left) and Tina Ferrel (lower right) have their hands full as camp counselors at Camp Silver Birch. Operated on the grounds of Our Lady of Mercy High School in Brighton, the camp is in its 23 year. Camp Maplewood at Notre Dame High School in Elmira — and its director, Sister Mary Lou Seitz — is celebrating its 25th year. Sister Seitz has been Camp Maplewood's director since it opened in 1969.

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