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## Ministry by Priest Broke Deal, Suit Says

By [A. G. SULZBERGER](#)

A woman from New York who says she was abused by a priest from the Jesuit order of the [Roman Catholic Church](#) has filed an unusual lawsuit accusing the Jesuits of breach of contract for allowing the priest to perform public ministry even though he was barred from doing so because of a settlement stemming from an alleged sexual assault.

The suit, filed on Wednesday in a Missouri state court, revolves around the Rev. Daniel C. O'Connell, a former president of [St. Louis University](#) who was accused of sexually assaulting a 20-year-old college student in 1983. [The Jesuits of the Missouri Province](#), which sponsors the university, found the accusation credible, and agreed in 2003 to pay the woman a \$181,000 settlement. The Jesuits also agreed to the stipulation that Father O'Connell be removed from a teaching post at another Jesuit institution, [Loyola University](#) in Chicago, and barred from public ministry.

The woman, now a 47-year-old lawyer whose name is being withheld because of the sexual nature of the accusations, said she learned last year that Father O'Connell had taught seminars at the Jesuit universities Fordham and Georgetown, and had worked in a parish in Germany. She said she wrote a number of letters to local church officials and those in Rome, stating that the appearances were in violation of the agreement.

“For the past year I’ve been ignored,” she said in an interview Thursday. “The only step available was to take it to court.”

The suit comes as the Catholic Church has faced increased scrutiny over its handling of priests accused of sexual abuse. As in some of those cases domestically and abroad, the central issue is a priest who was allowed to continue serving in a post after officials knew of misconduct.

The Jesuits of the Missouri Province declined to comment on the specifics of the lawsuit because they had not seen it. But in a statement, they said they believed they had “honored the terms and conditions of the agreement” reached with the woman.

The woman said the sexual assault occurred when she was a student at Holy Cross spending a semester studying abroad in Rome. During a weekend retreat, she said, Father O'Connell insisted on getting her a drink. Because she passed out, she said, she believes it was drugged. “I woke up on his bed as he was getting dressed,” she said.

As part of the 2003 settlement with the Missouri Province, the woman received a letter from its leader, the Rev. Frank Reale, saying that Father O'Connell had been "restricted from participating in public priestly ministry."

"I do find credible your allegation of abusive behavior," he wrote. "I deeply regret your suffering. My response is grounded on the hope that any future abuse can be prevented and that significant healing can continue to occur in your own life."

The new lawsuit charges breach of contract and includes a number of related charges; it seeks just under \$1 million in damages. (The suit also accuses Father O'Connell of harassing the woman over the Internet using a fake name, though neither the woman nor her lawyer would provide specific details.)

Father O'Connell apparently made at least two appearances at Fordham, one in 2008 and one in 2006 as the headliner at a symposium on scientific psychology versus religious faith, according to documents provided by the woman's lawyer.

Literature for the symposium described Father O'Connell as "one of the premier psycholinguists in the U.S.A. and abroad."

The woman wrote to the Rev. Joseph M. McShane, Fordham's president, who canceled another scheduled appearance by Father O'Connell, and informed the Missouri Province that he was not to return to the campus, said Bob Howe, a Fordham spokesman.

"Father McShane apologized to the woman," Mr. Howe said, "and he assured her that Father O'Connell would never speak at or appear at any Fordham event."

<http://www.nytimes.com/2010/04/30/nyregion/30jesuit.html?scp=1&sq=Father%20Daniel%20'Connell&st=cse>