

## Archdiocese appeals Derby priest abuse case

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HARTFORD – The Archdiocese of Hartford is asking the state Supreme Court to overturn a \$1 million verdict for a man who claimed he was abused by a Roman Catholic priest at a Derby school in the early 1980s.

Among other claims, the archdiocese contends the law that extended the statute of limitations for such lawsuits is unconstitutional.

A hearing on the case has been scheduled for Sept. 22.

“I don’t think any of the issues they have raised have any merit but this is no surprise,” said New Haven lawyer Thomas McNamara, who represented the complainant in the case.

A Superior Court jury returned the verdict in February 2012 for the local man who claimed he was 13 when he was abused by the Rev. Ivan Ferguson at St. Mary’s grammar school in Derby between 1981 and 1983.

Ferguson died in 2002.

According to testimony and evidence during the trial, in 1979 a mother complained to then-Archbishop John F. Whealon that Ferguson had abused her two young sons in Simsbury. Whealon confronted Ferguson, who admitted the abuse but blamed his behavior on alcohol abuse.

Whealon ordered Ferguson to undergo four months of treatment at the St. Luke Institute, a church clinic in Massachusetts that treated alcoholic clergy.

In 1981, Ferguson was assigned principal of St. Mary’s grammar school in Derby, where the lawsuit claimed he abused the complainant, then an altar boy.

In 2002 the state legislature voted to extend the statute of limitation on sex assault cases to 30 years from when a complainant reaches 18. The law was made retroactive.

Both of the statutory amendments have been deemed to apply retroactively. Previously such lawsuits had to be filed two years after the complainant reached 18.