

9/13/07 – Jude Fay pleas guilty
By Donna Porstner, The Stamford Advocate

NEW HAVEN - A former Catholic pastor yesterday admitted in federal court he stole hundreds of thousands of dollars from his wealthy Darien church to buy a Philadelphia condominium and lead a life of luxury.

The Rev. Michael Jude Fay pleaded guilty to one count of interstate transportation of money obtained by fraud before U.S. District Court Judge Janet Bond Arterton.

By accepting a plea agreement, Fay prevents a grand jury from reviewing evidence in the case and avoids the possibility of a trial.

Fay faces as many as 10 years in prison and as much as \$250,000 in fines when he is sentenced Dec. 4.

Fay, who was pastor of St. John Roman Catholic Church on the Post Road from 1991 until his resignation last year, admitted he funneled parish donations into two secret bank accounts, which he used mostly for personal expenses.

Asked by Arterton to explain what crime he committed, Fay said he used "parish funds ostensibly for things other than parish needs."

He expressed no remorse.

Richard Schechter, senior litigation counsel for the U.S. attorney's office, told the judge that if the case were to go to trial, he could have proved Fay deposited about \$230,000 in church funds into an account at Summit Bank in Darien he dubbed "the Bridget fund" between 1999 and 2000. Fay spent most of that money on personal expenses, Schechter said.

From 2000 to 2006, Fay deposited at least \$750,000 in a separate account at Fairfield County Bank in Darien he called the "Don Bosco fund," Schechter said. Fay used that to pay his personal credit card bills and other expenses, Schechter said.

"Between 1999 and 2006, more than \$400,000 in parish funds were stolen, converted or taken by fraud by Mr. Fay for his personal benefit," Schechter said.

The government also said it had evidence that Fay ordered a church employee to transfer \$34,000 into his personal account for the down payment on a Philadelphia condominium.

Fay admitted he stole church money, but his court-appointed attorney, Lawrence Hopkins, said Fay disagrees with the amount. Hopkins did not state how much money Fay stole.

Prosecutors say Fay took a total of \$1 million to \$2.5 million. That amount could lead to a sentence of 46 months to 57 months in prison. Fay says the amount he took is between \$400,000 and \$1 million, which could bring 37 months to 46 months in prison.

Fay agreed to waive his right to appeal as long as his sentence does not exceed 57 months.

Fay, who wore a plain black suit with his graying blond hair in a crewcut, was expressionless throughout the hourlong court proceeding.

He had a bandage on his left hand and told the judge he is undergoing treatment for prostate cancer and taking anti-anxiety medication. Fay said he learned yesterday morning that his chemotherapy treatments are not working.

Asked after the proceedings whether he had anything to say to the St. John parishioners he defrauded, Fay was silent.

Hopkins declined to comment.

Fay was pastor of St. John for 15 years and served on the diocese's Sexual Misconduct Review Board before he resigned in May 2006. The FBI and U.S. attorney's office spent more than a year investigating the parish theft case.

Bishop William Lori of the Bridgeport Diocese forced Fay to resign after the parish bookkeeper and another priest at St. John, the Rev. Michael Madden, blew the whistle on Fay's spending sprees.

Madden and the bookkeeper, Bethany D'Erario, hired a private investigator who discovered that Fay used church credit cards to shop at Tiffany, Cartier, Hermes and elsewhere, buying luxury items that included \$23,329 worth of Ethan Allen furniture.

Diocesan officials said they knew before the scandal broke that St. John was behind on its bills but did not investigate parish finances because of staffing shortages.

An audit commissioned by the diocese later found Fay spent \$1.4 million in church money over six years to buy limousine rides, airline tickets, Giorgio Armani clothing and dinners at upscale restaurants, such as the Homestead Inn in Greenwich and Roger Sherman Inn in New Canaan.

Fay also spent money on his wedding-planner boyfriend, Cliff Fantini of Philadelphia, who also goes by the name Cliff Martell.

Vito Colucci, the private investigator hired by Madden and D'Erario to investigate Fay's spending, said he expected Fay to be charged with defrauding parishioners.

"It doesn't surprise me, because the evidence was just so overwhelming," Colucci said.

Neither Madden nor D'Erario could be reached for comment. Both resigned from their positions at St. John's, and Madden left the priesthood.

Fay, 56, who is living in Florida, will be ordered to pay restitution to his victims, according to a statement from the U.S. attorney.

It was unclear whether he has the ability to pay. Fay wrote to former parishioners in April seeking donations to cover his \$115,000 legal bill.

A spokesman for the bishop, Joseph McAleer, issued a statement late yesterday saying Fay, who is no longer a practicing priest, is repaying some of the stolen money.

"The diocese, through its counsel, Day Pitney LLP, continues to pursue restitution efforts in an attempt to secure any of Father Fay's assets that can be used to reimburse the parish for its losses," the statement said. "To date, the parish has received restitution in the form of cash, real estate and personal property with an approximate value of a few hundred thousand dollars."

In December, Fay transferred to the parish his half of a Florida condominium he owned with Fantini.

Fay was released on a \$50,000 bond. He turned over his passport to the court, and the judge ordered his travel restricted to Connecticut and Florida.

If he notifies a probation officer, Fay may go to New York, where he is being treated for cancer, and stay in Philadelphia during those visits. With notification, he also may travel to New Jersey to see his 87-year-old mother, Arterton ruled.

The diocese said church officials hope Fay's guilty plea ends a "sad chapter" and allows St. John parish to move forward.

Colucci said the diocese could have prevented such a chapter in parish history.

"There was a total lack of accountability," Colucci said. "This guy got brazen because he knew the diocese was not going to do anything about it. At any time from 1999 to 2006, any diocesan official could have checked the parish books and found something wrong."