

[Accused of sexual harassment? That's bad, but don't make it worse.](#)

By [Robin E. Shea](#) on July 08, 2011

"It could be that the purpose of your life is only to serve as a warning to others."

A politico and a priest in the news this week have much to teach men* who are accused of sexual harassment. Former head of the International Monetary Fund and French presidential hopeful Dominique Strauss-Kahn may not be guilty of sexual assault, after all. Meanwhile, a popular TV priest has put his foot in it more than once after being accused of sexual and other improprieties.**



**I realize that women can also be accused of sexual harassment and that men can be victims, and these warnings will apply to them, as well.*

****PLEASE NOTE:** *The accounts of the allegations in the cases I am about to discuss are based on the latest information available in the media, but investigations are ongoing in both cases. I am not expressing any opinion as to whether the men or their accusers are in fact guilty of any wrongdoing.*

Two cheers for DSK. Let's start with the (relatively) positive. From a criminal standpoint, DSK is looking better by the minute, [and his accuser is looking worse](#). DSK has been released from house arrest, and [although the investigation is continuing](#), he seems to be in pretty good shape. This came after it was alleged that the accuser, a Guinean immigrant, had repeatedly lied to get asylum in the United States, including a false claim of gang rape, had possibly been involved in drug trafficking, and [had been overheard in a recorded telephone conversation telling an incarcerated boyfriend that "this person is rich and there's money to be made."](#)

So, all's well that ends well if you're DSK, right?

Well, not so fast. First, he had to resign as head of the IMF. Second, although he may be innocent of assault or any form of non-consensual sexual relations, he continues to appear guilty of serious sexual impropriety, including having consensual relations with a hotel maid while he was married.

(Current reports are that she claimed assault after he refused to *pay* her.) Finally, he's now been accused of attempted rape by [another woman](#).

All of which brings me to two points I constantly harp on when I'm conducting sexual harassment training.

1. Men, if you want to virtually guarantee that you'll be accused of sexual harassment, be sure to have an extramarital relationship with a co-worker. (In light of the DSK situation, I will add "independent contractor" as well.) These relationships always end badly for someone, and when people are upset and emotional they tend to do foolish, vindictive things, like falsely accusing those who hurt them of sexual harassment. Even if you're innocent of harassment, you'll still have a lot of unpleasant explaining to do to your wife and family, and you will have jeopardized, if not completely ruined, your career.

2. If you make mistake #1, don't compound it by lying about it -- tell the truth. It appears that DSK may have admitted to consensual sex early in the investigation, which is to his credit and is no doubt helping to bring this case to a relatively quick close. In my own experience, alleged harassers who promptly admit to the consensual relationship (if that is, in fact, what really happened) are in the best position to defend themselves, and usually prevail.

So, the politico did all right, apart from having the encounter that got him into trouble in the first place.

The strange case of Father Corapi. This case has not received wide attention, so I'll provide a quick summary. [Father John Corapi](#) was a fixture on the Catholic cable TV network for many years, and a popular and sought-after preacher with a dramatic story of being converted after a go-go career in L.A., during which he allegedly dated Hollywood starlets, drove a Ferrari, and became a cokehead. He subsequently went bankrupt and nearly died from his drug addiction, but thanks to the fervent prayers of his mother, he changed his life and became a Catholic priest.

As a preacher, he was so successful that he had his own media company to sell his videotapes and DVDs, and to handle his speaking engagements. (This will be important.)

Priests and nuns who belong to religious orders are generally required to make vows of chastity, poverty, and obedience to their superiors. (This will be important, too.)

Several months ago, a woman who worked for Father Corapi's media company went to his bishop with allegations that Father Corapi was abusing alcohol and drugs, having sexual relations, and even being physically violent. The bishop, as he should have, mandated that the allegations be investigated, and Father Corapi was quietly suspended from ministry while the investigation was pending.

Oh, sorry, did I say "quietly"? Yes, it is true that neither the bishop nor the religious order said anything publicly about the investigation, presumably to protect both the accuser and Father Corapi, who had not been found guilty of anything yet.

However, Father Corapi made one of the biggest blunders that a person accused of sexual misconduct can make: *He went on the offensive*. He authorized a [posting](#) on his website that accused his accuser of physical assault and an "unsubstantiated rant." He also sued her in Montana state court (where his media company is based), asserting claims that she'd violated a non-disclosure clause in a separation agreement and for defamation.

The suit reportedly had its intended effect, gagging the accuser and witnesses, thus bringing the investigation to a standstill. Meanwhile, the stalled investigation meant that Father Corapi remained on suspension indefinitely.

In June, Father Corapi apparently decided that he was tired of living in limbo (pardon the expression) and renounced his priestly faculties and announced his new web persona, "[The Black Sheepdog](#)." He has accused his accuser of being "seriously troubled," and implies that she is not sane. He has also blasted the bishop for being unfair and not giving him a chance to defend himself. Many of his followers have sided with him -- vehemently.

Corapi has continued to post in this vein ever since. Finally, this week, the religious order apparently got fed up and [posted its side of the story](#). According to the religious order, it was impossible to interview the accuser or her co-workers because they had been silenced by Corapi's lawsuit, but the investigation nonetheless found through emails and text messages that he had been carrying on with at least one woman, had "sexted," had a million-dollar estate in Montana as well as multiple vehicles and boats, and had abused drugs and alcohol.

His bluff perhaps having been called, Corapi posted a lackluster defense yesterday (see Black Sheepdog link, above) that failed to address many of the specifics set forth in the religious superior's posting.

So, what should Corapi have done differently?

1. He should have cooperated with the investigation and allowed it to proceed. Although Corapi protested being suspended while the investigation took place, he should have realized that this is standard procedure and does not imply guilt. Accused harassers have been cleared (or sometimes found guilty but of much less serious conduct) in more instances than I can count. I'm not saying that the procedures are always fair to the accused, but in my experience they are fair much more often than not.

2. He should not have sued his accuser. Even if it did not appear retaliatory or intimidating (which it did), Corapi should not have sued his accuser -- especially not right off the bat, before an investigation could even begin. The non-disclosure agreement and severance pay should not have precluded the accuser from making "internal" allegations of un-priestly conduct to Corapi's bishop and his religious order. (I put "internal" in quotes because she was an employee of Corapi's media company, not an employee of his diocese or religious order.) The woman has never gone public with her allegations, as far as I know, but took them only to church authorities. If I were her, I'd argue that

the non-disclosure agreement, to the extent that it would prohibit this, is void as against public policy and unenforceable.

3. If you must sue your accuser before the investigation even starts, don't sue for defamation, for cryin' out loud! *Truth is a defense to a defamation claim.* By including this claim in his lawsuit, Corapi has opened himself up to free-ranging discovery about his alleged misconduct. The accuser-defendant will now have every reason in the world to subpoena the emails and "sexts," and to take the depositions of the individuals who conducted the investigation into her allegations. Based on what the religious order has posted, this could be a painful experience for Corapi.

Accused sexual harassers almost always ask whether they should bring some type of legal action against their accusers. I understand this feeling. And I always say, You can do anything you want, but I don't recommend that you sue your accuser (for all the reasons discussed above). Hard as it may be, the best course is usually to cooperate and tell the truth to the investigators -- even if you have to confess to an inappropriate relationship -- but otherwise to keep quiet and patiently await the outcome, difficult as that will be.

***PLEASE NOTE: To reiterate, the above accounts of the DSK allegations and the Corapi allegations are based on the latest information available in the media, but investigations are ongoing in both cases. I am not expressing any opinion as to whether DSK, DSK's accuser, Corapi, or Corapi's accuser are in fact guilty of any wrongdoing.*

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