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Fletcher Allen Sports Surgeon Faces New Sex Charges

Burlington, Vermont -- October 31, 2007

A respected South Burlington surgeon faces new sex charges.

Vermont's Attorney General filed the charges against Dr. Joseph Abate Wednesday afternoon.

Investigators have been investigating Dr. Abate since last spring when a patient reported he sexually assaulted her. Late Wednesday Abate's lawyer defended his client against the new charges.

"Dr. Abate is innocent. The state's reckless rush to judgment is a tragic mistake," said Burlington lawyer Eric Miller speaking to Channel 3 with Dr. Abate standing at his side in front of Miller's office building late Wednesday afternoon.

Abate has been claiming his innocence since he was first charged this summer with molesting a patient during an exam. Police say the 22-year-old woman had been Abate's patient for years. They say even though she had knee issues, he performed something closer to a pelvic exam.

"While these charges are disappointing, they're not surprising. Doctor Abate had told the state since the outset that he performed this type of examination on a number of patients over the last ten years," said Miller.

The orthopedic surgeon is voluntarily on leave from Fletcher Allen where he specializes in sports medicine. He has also been a consultant to many college and high school sports teams.

While the doctor has been trying to clear his name in that first case, at least one new potential victim has come forward claiming abuse. And the Attorney General's office has been gathering evidence of other alleged sex crimes.

Abate has now been cited for a dozen new sex charges: 4 counts of aggravated sexual assault, 3 of sexual assault, and 5 for lewd and lascivious conduct.

Police will not release any details about the new charges, or say how many new victims are involved, until Dr. Abate is arraigned in court Thursday.

"And we simply ask that the rest of the community to withhold judgment until all of the facts are in. We believe when all of the facts are in we believe those facts will prove his innocence and allow him to get back to the important work of treating his patients," said Miller.

Doctor Abate and his lawyer would not take any questions. They stuck to the prepared statement. Dr. Abate is due in court Thursday afternoon and to face the charges that carry a potential life sentence.

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