

**INSTANCES OF CHILD SEXUAL ABUSE ALLEGEDLY
PERPETRATED BY MEMBERS OF
THE CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS**

A HISTORY- 1959-2017

SIC LOQUITUR PRO SE

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WE CANNOT CHANGE WHAT WE FAIL TO CONFRONT

Child abuse dramatically **increases the risk of 7 out of 10 of the leading causes of death; decreases life expectancy by 20 years;** and this damage is **passed genetically generation after generation.** The lifelong health effects of child sexual abuse include:

Brain atrophy; Suicide risk- GIRLS 2-4 times the risk and BOYS 4-12 times the risk; Psychological problems; Anorexia Bulimia; PTSD; High risk behaviors such as drug and alcohol abuse; Promiscuity and exploitation; Teenage pregnancies are higher than the norm in child sexual abuse victims; COPD 2-5 times the risk; Hepatitis 2-5; times the risk; Depression 4-5 times the risk; Lung cancer 33% higher risk; Ischemic heart disease 3.5 times the risk; ADHD 2.5 times the risk; & Self Harm. There is a substantial increase in delinquent acts leading to more incarcerations by a victim vs the general population. There is a high association with child abuse resulting in homelessness.¹

Child predators on average, will abuse **175 children in their lifetime;** some have admitted to over 1000 children.² Researchers at Harvard have determined that “there is no cure for pedophilia” therefore the focus should be on protecting our children.³

A child predator will abuse **50-75 children before he is caught, but only 3% of predators are apprehended.**⁴

According to experts, **86% of child sexual abuse is never reported** and it is a world wide epidemic with over 40 million survivors.

The damage from abuse is far reaching! **It costs our country billions of dollars every year.**⁵

INCLUDED IN THIS DOCUMENT ARE EXACT QUOTES FROM PUBLIC DOCUMENTS (ACTIVELY RESEARCHED UNTIL 2014):

1. Legal Complaints, Court Orders on Motions, and Appellate Court Rulings.
2. Documents from the Boy Scout IV files ⁶
3. News Articles

In 1986, Marilyn Sandburg the former director of the Weber County (Utah) Task Force on Sexual Abuse addressed LDS Social Workers at an AMCAP (Association of Mormon Counselors and Psychotherapists) meeting stated:

“Most of these abuse cases were referred to the legal system by individuals other than religious leaders, and yet in many of the cases the abuse had been brought to the attention of clergy members long before it was reported to the authorities.”
"One particular incest case I worked with had been reported to six different bishops, and none of those bishops reported it to the authorities. The molestation continued for a period of eleven years.”⁷

IN 2013 a lawsuit was filed in Berkeley County (West Virginia). The suit “alleges that the Church and church leaders covered up the sexual abuse of 12 children occurring over a period of five years by Christopher Michael Jensen. The children were ages 3 and 4 at the time of the abuse. The suit states that the church was repeatedly put on notice or had knowledge about allegations that Jensen had sexually abused children of church families.”

Perpetrators of abuse **target organizations where children are likely found**. And child Predators are **purposely** charming and amicable but extremely manipulative.⁸ They can fool even experts. We must use every opportunity to limit

access to children by these perpetrators and report them if special knowledge of abuse is confessed, reported, or suspected and let the experts determine if a crime has in fact been committed.

This church is the first in a series of research about churches and their response to child perpetrators using historical public documents compiled chronologically. The hope is that this research (and others forthcoming) will educate members so that they will encourage their organizations to report abusers immediately, rather than stand behind priest penitent privilege or encourage the abuser to self report.

Dates are reflective of when the abuse began or the date a legal document was filed.

¹ <https://www.cdc.gov/violenceprevention/acestudy/>

<https://www.dropbox.com/s/8i1c0pk03zsgfz7/RESEARCH%20ARTICLES.docx?dl=0>

² Salter, A. C. . *Predators: Pedophiles, rapists and other sex offenders*: New York: Basic Books, 2003 page 13-14 &

Harlow, Nora and Abel, Gene G. M.D., *The Stop Child Molestation Book*: December 24, 2001

³ http://www.health.harvard.edu/newsletter_article/pessimism-about-pedophilia

⁴ Gene G. Abel et al., Self-Reported Sex-Crimes of Non-Incarcerated Paraphiliacs, *J. Interpersonal Violence* 3 (1987)

⁵ <https://www.cdc.gov/violenceprevention/childmaltreatment/economiccost.html>

⁶ <http://spreadsheets.latimes.com/boyscouts-cases/>

⁷ scholarsarchive.byu.edu/cgi/viewcontent.cgi?article=1260&context=irp

⁸ http://www.vachss.com/guest_dispatches/grooming.html

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06/23/59	Oklahoma	<p>LDS Bishop Samuel H. Gardner (AKA Mercer) allegedly abused a child. The child stated, "When I was fifteen years old, I was being sexually abused by my bishop," GARDNER-Samuel H. Gardner 2 pdf.</p> <p>"Bishops begin interviewing children when they are young. Mormon children are supposed to be interviewed by the bishop when they are eight years old to see if they are ready for baptism. When a boy reaches the age of twelve, he is interviewed by a bishop to see if he is worthy to receive the Aaronic Priesthood. This interview is conducted behind closed doors.</p> <p>These interviews continue as the boy advances in the priesthood. Unfortunately, some Mormon bishops have been accused of using these interviews as an opportunity to sexually abuse young men. Since the bishop is supposed to have special authority from God, sexual advances by the bishop tend to greatly confuse young men. Furthermore, it is very difficult for those who are abused to accuse the bishop of wrongdoing. Consequently, they tend to bottle up their feelings.</p> <p>Jack McCallister, who was formerly a bishop in the Mormon Church, felt that it was very improper for one individual to be alone with a young man and ask all kinds of questions related to sexual matters."</p> <p>"Standard Church policy is that two priesthood officers must be present to handle Church funds, a check and balance system to prevent financial error and inhibit the temptation to steal. And the Church conducts regular financial audits. How many priesthood officers are required to conduct a personal worthiness interview with a youth? One. And there are no procedures for auditing the actions of these leaders for inappropriate behavior." (Case Reports, page 205)</p> <p>"Jack McCallister was especially concerned about these worthiness interviews because he himself was abused by his bishop in his office. He related the following:</p>
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"We were the only ones in the meetinghouse. We shook hands and he put his arms around me. He told me how much the Lord loved me. He felt directly inspired tonight to call me down to his office.... He asked if we could pray together before we talked. He said a lot of really nice things about me to God... I felt very special and very humble. It was one of the most beautiful, heartfelt, eloquent prayers that I've ever heard on my behalf, asking the Lord to bless me, watch over me, care for me, and assuring the Lord of what a fine wonderful young man I was.... Then we sat down in two chairs in front of his desk. He pulled his chair up really close to mine, looked me straight in the eyes through his pink-tinted bifocal lenses. I could see he still had tears in his eyes from the prayer. 'What sincerity!' I thought. 'Maybe some day I can learn how to talk to God with such powerful impressive prayer language.'" (Ibid., pages 167-168)"

"After some conversation about temporal matters, the bishop proceeded to discuss sexual matters with him and eventually molested him. This abuse caused severe trauma to Jack. He wrote:"

"I couldn't figure out what was going on. He was the bishop. I was the obedient but unworthy servant. He was God's chosen leader on earth. Whatever he did was directly authorized by God. My thoughts raced around." (Ibid.)

"Jack McCallister decided to keep the matter secret. Even though he eventually became a bishop, his suffering did not end. To add to his own pain, he learned that his own son was also victimized by another Mormon bishop. In a letter to Gordon B. Hinckley, the current president of the Mormon Church, Jack and his wife, Merradyth, expressed their dismay that things were being swept under the rug."

Salt Lake City Messenger Utah Lighthouse Ministry Tanners Newsletter #91

<http://www.utlm.org/newsletters/no91.htm>

Case Reports of the Mormon Alliance, Vol. 1, 1995.

<http://mormon-alliance.org/casereports/volume1/v1.htm>

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<p>12/13/60</p>	<p>California</p>	<p>LDS Jene Albert Hansen listed as Mormon in the Boy Scout perversion files. News clipping from Hayward Review states "an irate Dad violently attacks Hansen" Hansen is listed twice in the BSA files and was in 2 different troops.</p> <p>HANSEN-Jene Albert Hansen 2.pdf. http://documents.latimes.com/jene-albert-hansen/</p>
<p>01/15/61</p>	<p>California</p>	<p>LDS William Shubeck allegedly abuses a 15 year old. The plaintiff, "at the behest of and with the knowledge of The Church of Jesus Christ of Latter-day Saints (the Church), was the victim of sexual abuse by defendant."</p> <p>SHUBECK-William Shubeck-Kathleen B v pdf http://www.leagle.com/xmlResult.aspx?xmlDoc=in+caco+20091209076.xml&docbase=csIwar3-2007-curr</p>
<p>01/01/63</p>	<p>Rexburg, Idaho</p>	<p>LDS LaVar Withers "Over 125 women and children (some as young as 13 years old) came forward to the Rape Crisis Response Center to tell of his abuse over a thirty year period. Numerous women had told their Bishops of his abuse through the years." "some victims have alleged that Mormon Church officials ignored their pleas for help or actually discouraged them from pursuing charges against the doctor."</p> <p>WITHERS-Dr.Lavar Withers.pdf http://www.deseretnews.com/article/455960/DID-REXBURG-IGNORE-TALK-OFABUSE-BY-MD.html?pg=all http://www.oocities.org/wsimister/ldscourt.htm http://www.utlm.org/newsletters/no91.htm</p>
<p>01/03/65</p>	<p>Idaho</p>	<p>LDS Larren Arnold allegedly abuses 13 year old, "Arnold's ecclesiastical leader..had firsthand knowledge of child sexual molestations of one or more Scouts. No charges were filed as the mother was talked out of it at the time by church leaders"</p>

	<p>ARNOLD-Larren Bybee Arnold 3.docx. http://www.kellyclarkattorney.com/mormons-boy-scouts-targets-of-new-suit/ http://blog.oregonlive.com/breakingnews/2008/02/suit_alleging_child_sexual_abu.html</p> <p>Another case was filed June 7, 2012 Tom Doe v the COP which contends that Tom (a pseudonym) the Plaintiff was sexually abused at the age of around 13 by Arnold and the "Church..."Knew that the Scouting program itself posed a danger to adolescent boys because the Scouting program had shown a concrete, longstanding, consistent, and widespread problem with sexual abuse by Scout leaders and adult volunteers. ARNOLD-Larren Bybee Arnold 2.pdf</p> <p>Verbatim from http://www.idahoboyscoutabuse.com/perpetrators/larren-arnold/ Perpetrator: Arnold, Larren - Mormon Place: Caldwell, Nampa, Pocatello Troop & Location: Grand Teton Council-Tendoy Area, Ore-Ida Council 106 Years in BSA: Put in IV Files in 1991, Scouting from 1963-1989 Description/Convictions: Accused of molesting scouts in the 1960's, 70's and 80's. Convicted of Lewd Conduct with a Minor in October, 1984 Evidence of LDS Knowledge: Fall of 1964 per the deposition of Richard White in the case of Tom Doe v LDS/BSA #2:08-cv-371-SU taken 1/7/09</p> <p>Timeline for Larren Bybee Arnold: DOB: 8/30/1935 SSN Issued in Idaho 1964 Molested Scout (s) Nampa LDS Troop Father of scout reports abuse to LDS Bishop Hales, who was also the Scout Executive for Ore-Ida Council. The father followed up with the Bishop and was told that it was being taken care of. Nothing was ever done, and Larren Arnold remained active for 20 years.</p>
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	<p>1984 Arrested for Lewd Conduct with a Minor Under Sixteen (molested a nine year-old boy) in Bannock County. Pled guilty and convicted. Received a five year suspended sentence and three years of probation. His probation terms included not having any association with children except while in the company of another adult and/or adults. He was released from probation on June 1, 1988.</p>
	<p>1985 Moved to Pocatello per letter from Kim Hansen. Had been active in the Ore-Ida Council until that time.</p>
	<p>11/14/89 Letter from Paul Ernst to Hart Bullock of the Great Salt Lake Council inquiring about the child sex molestation charges on Arnold.</p>
	<p>02/15/90 Second request sent to Great Salt Lake Council.</p>
	<p>04/05/90 Letter from Paul Ernst to Kim Hansen, Ore-Ida Council Scout Executive requesting info on Arnold.</p>
	<p>05/31/90 Letter from Kim Hansen to Paul Ernst regarding the whereabouts of Larren Arnold. Letter states "...Mr. Arnold's ecclesiastical leader and had first-hand knowledge of child sexual molestation of one or more Scouts. No charges were filed as the mother was talked out of it at the time by church leaders."</p>
	<p>06/12/90 Letter from Paul Ernst to Brad Allen, Scout Executive of the Grand Teton Council regarding Arnold.</p>

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	<p>09/10/90 Second request from Paul Ernst to Brad Allen for info on Arnold</p> <p>01/08/91 Third request from Paul Ernst to Brad Allen for info on Arnold.</p> <p>01/17/91 Larren Arnold place in the IV Files.</p> <p>2008 Suit filed against BSA and Mormon church by O'Donnell, Clark & Crew. Got moved to Idaho Federal Court and settled last fall.</p> <p>http://www.idahoboyscoutabuse.com/perpetrators/larren-arnold/ ARNOLD-Larren Bybee Arnold 4.pdf</p> <p>For informations on the Tom Doe v the COP case see: Tom DOE, v. CORPORATION OF THE ASSOCIATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS; Corporation of the President of the Church of Jesus Christ of Latter-Day Saints and Successors; Boy Scouts of America; and ORE-IDA Council, Inc., Boy Scouts of America, Defendants. No. 08-CV-371-SU. 2009 WL 2132722 OREGON</p> <p>Tom DOE v. PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS; President of the Church of Jesus Christ of Latter-Day Saints; Boy Scouts of America; Ore-Ida Council of the Boy Scouts of America, Defendants. No. 1:09-cv-00351-BLW. 2012 WL 3782454 IDAHO</p> <p>Tom DOE, v. CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a foreign corporation sole registered to do business in the State of Oregon; Corporation of the President of the Church of Jesus Christ of Latter-Day Saints and Successors, a foreign corporation sole registered to do business in the</p>
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		<p>State of Oregon; the Boy Scouts of America, a congressionally chartered corporation, authorized to do business in Oregon; and Ore-Ida Council, Inc., Boy Scouts of America, an Idaho non-profit corporation doing business in Oregon, Defendants. No. 1:09-cv-00351-BLW. 2012 WL 2061417 IDAHO</p> <p>A copy of all the Tom Doe v the COP documents are in my possession.</p>
01/01/66	South Dakota	<p>LDS Richard Joseph White, a missionary, sexually abused a 10 year old. The complaint alleges that "The Church actively and fraudulently concealed information pertinent and relevant to claims relating to the sexual abuse..for the purpose of protecting itself".</p> <p>"The Church's policy was to ignore indications and warnings of abusive behavior by its missionaries and to fail to report such conduct."</p> <p>WHITE-Richard White COMPLAINT 2.pdf Joseph v. Corporation of the President Church of Jesus Christ of Latter-Day Saints et alCase 4:06-cv-04143-JES Document 1 Filed 08/17/2006 Page 1 of 7</p>
01/15/66	Utah	<p>LDS George Tilson From 1966-2002 "the COP received several complaints..that Tilson was sexually abusing children within his ward. However, COP not only failed to do anything in response to these complaints, it actively concealed Tilson's sexual abuse from its members and secular authorities. Moreover, COP allowed Tilson to continue to hold the positions of High Priest and scout leader." TILSON-George Tilson 2 Jane Doe v the COP.pdf</p> <p>¶ 1 Plaintiffs Jane Doe (Jane) and John Doe (John) appeal from the trial court's order dismissing their negligence claims against the Corporation of the President of The Church of Jesus Christ of Latter-day Saints (COP or the Church) on the basis that Jane's claim was untimely and John's claim was statutorily barred. We affirm.</p> <p>*430 BACKGROUND[1]</p> <p>¶ 2 For many years, Jane and her son John were members of the Church and regularly</p>

attended a ward in the Salt Lake Holladay Stake.[2] George Tilson was also a member of the Church, and held the positions of "High Priest"[3] and scout leader within the Church.

¶ 3 Beginning in 1966 and continuing through 2002, COP received several complaints from its members that Tilson was sexually abusing children within his ward.[4] However, COP not only failed to do anything in response to these complaints, it actively concealed Tilson's sexual abuse from its members and secular authorities. Moreover, COP allowed Tilson to continue to hold the positions of High Priest and scout leader.

¶ 4 Two of Tilson's victims during the time period that he was alleged to have engaged in child sexual abuse were Jane and John. In the summer of 1976, Tilson enticed Jane, who was then thirteen years old, into his home where he fondled her under her clothing. Tilson sexually abused John, Jane's son, some time between 1993 and 1996 when John was approximately five years old. John's abuse also occurred in Tilson's home after Tilson lured him away from a neighbor's yard where he was playing.

¶ 5 In the fall of 2001, Jane learned of news reports that led her to believe that COP had prior knowledge of Tilson's propensities to sexually abuse children. Jane's subsequent investigation of these reports ultimately prompted her to file a complaint in June of 2002 against Tilson, alleging that he had sexually abused Jane and John, and against COP, alleging negligence, breach of fiduciary duty, and intentional infliction of emotional distress arising out of Tilson's alleged sexual abuse. In response, COP filed a motion to dismiss, pursuant to rule 12(b)(6) of the Utah Rules of Civil Procedure. Shortly thereafter, Plaintiffs filed a Notice of Constitutional Challenge to Utah Code Annotated section 78-12-25.1 (2002).

¶ 6 On November 5, 2002, the trial court granted COP's motion to dismiss. The trial court dismissed Jane's negligence and breach of fiduciary duty claims on the basis that the applicable statute of limitations had run. The trial court dismissed John's negligence and breach of fiduciary duty claims on the basis that section 78-12-25.1(5) allows an action for negligently permitting sexual abuse to be brought against only "a living person." The trial court dismissed Plaintiffs' claims for intentional infliction of emotional distress for the same reasons it dismissed their other claims, and also because their claims were prohibited under the Establishment Clause of the First Amendment to the United States Constitution. Finally,

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		<p>the trial court rejected John's claim that section 78-12-25.1(5) violated the open courts provision of the Utah Constitution because no special relationship existed between COP and John, and therefore, COP had no duty to protect John from Tilson.</p> <p>¶ 7 In response to the trial court's ruling, Plaintiffs filed an amended complaint. On May 5, 2003, the trial court dismissed the amended complaint for the same reasons it had dismissed the original complaint. Plaintiffs timely filed their notice of appeal.</p> <p>TILSON-GeorgeTilson 4.pdf http://caselaw.findlaw.com/ut-court-of-appeals/1082809.html</p>
03/07/66	Florida	<p>LDS Emmett White is placed in the BSA confidential files but he assures the district scout executive that "he had not approached any Scouts of Scouters sexually."</p> <p>WHITE-Emmet White-BSA file.pdf. http://documents.latimes.com/emmett-white/</p>
06/23/66	Utah	<p>LDS Lee Dalton, "has admitted to molesting 43 boys." over the years. He was incarcerated for child molestation. "More than a decade ago, Dalton served 3 1/2 years in the state prison at Gunnison for molesting a boy. The statute of limitations has run out on the dozens of other crimes against boys he admits to abusing starting in the mid-1960s."</p> <p>"He was allowed decades of exposure to young boys both as a Scout leader and as a teacher in the Ohio towns of Hiram and Burton. His Bishop still called him to lead a scout troop but had safeguards in place to assure that he was never alone with a Scout."</p> <p>DALTON-Lee Dalton 1.pdf http://www.standard.net/stories/2013/08/16/ogden-molester-admits-sexually-abusing-43-boys-overdecades Ogden molester admits sexually abusing 43 boys over decades By JaNae Francis Standard-Examiner Mon, 08/19/2013</p>

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02/23/67	California	<p>LDS Joel Elisia Houck Jr. "June 27th 1966 served 10 days for vagrancy when a small child accused him of section 288.P (lewd and lascivious acts with a child under age 4). February 21st, 1967 Picked up by police...for 288 P Placed on BSA confidential files Feb 23rd, 1967.</p> <p>HOUCK-JoelHouck-BSA File.pdf. http://documents.latimes.com/joel-elisla-houck-jr/</p>
01/01/68	Mesa, Arizona	<p>LDS Larry Judd "always seemed to be involved in scouts and girls' youth groups associated with an LDS church in Mesa. His involvement seemed natural; he was a teacher by profession. Of course, that involvement made a different kind of sense when he admitted to molesting 12 girls over a period of about 20 years. In what one church member described as "a letter writing campaign, the court considering his case received 45 letters of Judd's behalf. Meanwhile, the family of one of his victims had to move from its home because of the turmoil in the neighborhood shared with Judd. Another mother told police, "It's very difficult because he [Judd] comes from, you know, a strong family, good people and, you know, people just kind of keep insinuating to me, don't, don't rock the boat here, he's a good man, you know."</p> <p>JUDD-Larry Judd 1.pdf Lisa Davis "Sins of the Temple" December 22- 28 1994 Phoenix New Times http://www.childpro.org/ https://drive.google.com/file/d/0B_E9N_KN9xzxbWNadnVldDE1LUE/edit http://documents.latimes.com/larry-wright-judd/</p>
01/15/68	Arizona	<p>LDS Richard Kenneth Ray "This case involved molestations of a two year-old girl whom Ray and his wife babysat for a year and a half. The suit alleged negligence for the Church's failure to report Ray to authorities and in counseling offered to Ray. This case was the subject of an Arizona Court of Appeals ruling that the priest penitent privilege waiver did not apply because the perpetrator later confessed to police. The court ordered Mormon Bishops</p>

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	<p>to reveal what Ray had told them about prior molestations. The Church settled the case on January 9, 1990, the day of trial, for an undisclosed amount." RAY-Richard Kenneth Ray.pdf http://childpro.org/ldscases.html</p> <p>In the CHURCH OF JESUS CHRIST V. SUPERIOR COURT with regard to this case: “In this special action, The Church of Jesus Christ of Latter-Day Saints invokes the clergyman/penitent privilege on behalf of three of its officers, asserting that, as lay priests of the church, they are privileged to resist certain discovery orders of the superior court. The Church also asserts that defendant Kenneth Ray, a former member now excommunicated, is privileged as a penitent to resist the court's discovery orders.”</p> <p>Conclusion For the reasons stated in this opinion, we accept review, but deny relief. CONTRERAS, P.J., and KLEINSCHMIDT, J., concur.” OPINION FIDEL, Judge.</p> <p>https://casetext.com/case/church-of-jesus-christ-v-superior-court</p> <p>Plaintiff Cynthia Brown on behalf of child v COP.pdf</p>
05/01/68	<p>Portland, Oregon</p> <p>LDS James Hogan "The plaintiff in the suit alleges that church elder James Hogan forced him to engage in various sexual acts between 1968 and 1973, when "M.D." was 8 to 13 years old. Hogan was a member of the Portland 12th ward"</p> <p>“According to the lawsuit (filed in 2002), in 1988 and 1989 Hogan pleaded guilty to two felony child abuse charges and in 1990 settled a civil suit involving one of those victims and a third boy.”</p>

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Hogan stopped working with Boy Scouts in 1984 and was excommunicated from the LDS Church in 1989, Christian said.” BUT Hogan was placed on the BSA Ineligible files on June 4, 1974!

The church breached or neglected its duty to protect the plaintiff from Hogan, whom it knew to be a pedophile." "A lawsuit filed in Portland in January seeks more than \$120 million from the LDS Church for 12 victims it says were molested as children by a church elder in the 1970s and 1980s. "

HOGAN-James Hogan 1.pdf

<http://culteducation.com/group/1057-the-mormon-church/14339-lds-church-is-targeted-inlawsuit.html>

In the BSA Files there is a letter, dated March 27, 1981, from Second Counselor Stake Presidency Daniel D. Allen to Mr. Bruce Winston BSA:

“Dear Bruce: The purpose of this letter is to put to rest the unresolved allegations on record for James Hogan. Mr. Hogan is a member of the Portland First Ward in the Portland Oregon Stake of the Church of Jesus Christ of Latter-Day Saints. Having discussed this matter thoroughly with Bishop Willis Packham of the First Ward, and President Herb Hill who is our Stake President, I am completely satisfied that the accusations on record are completely without substance. The matter was reviewed thoroughly by the ecclesiastical authorities at the time of the complaint and again just recently in connection with recent callings extended to Mr. Hogan. In essence, Jim has a great love for young people and occasionally demonstrates this feeling with an embrace of other physical contact. He has been counseled to be careful as this action has the potential of being misinterpreted in spite of its total innocence. I hope that this will be sufficient to clear his record and allow him to serve in the scouting organization. If I can be of further help don't hesitate to contact me. Sincerely, Daniel D Allen Second Counselor, Stake Presidency.”

Hogan was placed on Probation from his previous sexual assault of children due to this

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		<p>letter and ultimately removed from BSA probation in 1974 and, allowed to work again with children in the BSA program. He then was accused of sexually assaulting more children and when he tried to re-register on April 26th, 1990 there is a note from Ernst (BSA official) stating that "REFUSE-take off PROBATION-lawsuit against LDS CHURCH by parents for sexual molestation by Hogan."</p> <p>HOGAN-James Hogan Smoking gun letter from stake president.pdf and HOGAN-James Hogan 2-BSA File.pdf http://documents.latimes.com/james-f-hogan/</p>
08/15/68	South Dakota	<p>LDS Robert Lewis White "A former Mormon missionary accused of molesting an American Indian boy in the 1960s denies the allegation, and the church wants a federal judge to decide the case before it goes to trial." "Joseph is an American Indian who lived with his family in Sioux Falls from 1966 to 1968, according to the lawsuit. The abuse happened at White's apartment in Flandreau, it states. White was based at the Northern Indian Mission in Rapid City and was assigned to Flandreau, in eastern South Dakota, where the Flandreau Santee Sioux Tribe is located..</p> <p>Carson Walker from the Associated Press on July 26, 2008 reported that "according to a court document, Joseph and the church have resolved the dispute and a federal magistrate judge dismissed it with both parties paying their own costs"</p> <p>Lawyers for both sides say they can't discuss it. Joseph was 11 or 12 years old at the time of the alleged abuse."</p> <p>WHITE-Robert Lewis.pdf http://www.deseretnews.com/article/695236496/LDS-Church-asks-for-ruling-on-sexabuse-case.html?pg=all</p>
01/02/69	Palmdale, California	<p>LDS Wyman C. Blankenship was placed on the BSA Confidential file in 1969. Within the file is a letter which reads: "I have been advised that Wyman C. Blankenship, Assistant Scoutmaster of Troop 335 Palmdale has been arraigned on charges of molesting boys. The arrest came after an investigation by the Los Angeles County Sheriff Department. He pled</p>

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	<p>guilty and was released on parole with the condition that he no longer involve himself with any youth program. He was also active in the little league Baseball program. He was released after being registered under Penal Code 290 as a sex offender. The registration department of the council has been alerted to pull his plate and remove him from the troop records. The sponsor, Palmdale Ward of the LDS church is aware of the situation. Would you please initiate a letter to the National Council putting him on the confidential file? Sorry to bring you bad news but thanks to a cooperative school principal and law enforcement agency we are able to stop it at this point. Sincerely Richard S Gilber district Scout Executive Antelope Valley District.(letter to Mr. H.C. Mugar, Scout Executive San Fernando Valley Council Boy Scouts of America 12955 Saticoy Street Van Nuys, California 91405"</p> <p>BLANKENSHIP-Wyman Blankenship-BSA Files.pdf http://documents.latimes.com/wyman-blankenship/</p>
01/01/70	<p>Oregon</p> <p>LDS Franklyn Curtis abused "Plaintiff Jeremiah Scott, 22, of California and Jeremiah, sued the church in Oregon state court after an LDS ward Sunday school teacher was convicted of repeatedly sexually abusing him in Portland when he was 11 years old. The suit alleges negligence and intentional infliction of emotional distress, claiming church officials knew Franklin Richard Curtis was a pedophile, but did not warn Scott's parents before they took Curtis into their home.</p> <p>Church attorneys have told Scott the church is able to pay punitive damages of \$162 million, or twice the amount of the largest punitive damages award in Oregon history. But they say his request that the church produce any documents it has detailing income and financial interests, including tithing revenue and property values, goes too far.</p> <p>The church, which stopped releasing financial information in 1959, contends such disclosures would violate its First Amendment right to operate free from government entanglement.</p> <p>A Multnomah County judge in May allowed Scott to seek punitive damages, after his attorneys argued Scott's case and others like it showed a pattern within the church of failing to report, warn members about and prevent the sexual abuse of children. "This case is</p>

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about making the church live by the same laws the rest of us have to in protecting children," said lawyer Jeffrey Anderson of St. Paul, Minn., who represents Scott together with Bellevue, Wash., attorney Timothy Kosnoff....The lawsuit claims Foster knew Curtis had a history of sexually abusing children dating back to the 1970s, but gave him access to young children as a teacher and did not warn parents, including Scott, because Curtis had repented. He died in 1995."

CURTIS-Franklin Richard Curtis 1.pdf

<https://www.culteducation.com/group/1057-the-mormon-church/14073-sex-case-may-pry-open-finances-of-lds-church.html>

"The ruling stems from a 1998 lawsuit by Jeremiah Scott, now 21, of Washington state. He accused a Church of Jesus Christ of Latter-day Saints high priest of sexually abusing him repeatedly in 1990 and 1991, in Portland, when he was 11. The high priest was later convicted of the charges.

The high priest, Franklin Richard Curtis, was 87 at the time of the abuse and has since died. The Oregonian typically does not name sex-abuse victims, but in this case, Scott consented. At issue is what the church knew about Curtis' past and when. Scott's lawsuit claims that the church knew of Curtis' past sex abuse when Curtis moved in with Scott's family but didn't warn them. When he moved to Oregon, Curtis had been excommunicated from a ward in Pennsylvania for sex abuse. Curtis was re-baptized in 1984, according to court records....Curtis became a member of the Rocky Butte Ward in Portland, where he sexually abused at least five children, according to the plaintiff's lawsuit. He was confronted by the Rocky Butte bishop and admitted the molestations. The bishop kept it quiet until parents began to complain, and then he only reported to Salt Lake City superiors of the church, not police, the complaint states. Then Curtis joined the Brentwood Ward, where he told then-Bishop Gregory Lee Foster that he had abused in the past, and Foster kept it quiet because Curtis said he'd repented."

CURTIS-Franklin Richard Curtis 2.pdf

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	<p>http://www.culteducation.com/group/1057-the-mormon-church/13941-judge-orders-mormonsto-provide-sex-abuse-records-.html</p> <p>LISA DAVIS, an investigative reporter wrote about Curtis and the case against the Church. “The other narrative is a real-life legal thriller. As Davis shows, Kosnoff and his partners tirelessly assembled the case against the church, sifting through records, tracking down victims, and convincing them to testify about Brother Curtis’s acts. What began as a case of one plaintiff turned into a complex web stretching across multiple states. Joined by what would become a team of attorneys and investigators, Kosnoff found himself up against one of the most insular institutions in the United States: the secretive and powerful Mormon church.”</p> <p>http://www.simonandschuster.com/books/The-Sins-of-Brother-Curtis/Lisa-Davis/9781451612851</p>
<p>01/01/70 Washington</p>	<p>LDS Jack Laholt (aka Loholt) "This action arises from sexual abuse suffered by plaintiff at the hands of Jack LoHolt in the early to mid-1970s. At that time, Mr. LoHolt was a member of the Mormon church in the Kent 2nd Ward. Mr. LoHolt held several leadership positions within the church at various times throughout the 1970s.....</p> <p>In 1971, church member, and later Bishop, Richard Pettit informed the then-Bishop of the Kent 2nd Ward, Randall Borland, that Mr. LoHolt had abused his son while on a Boy Scout campout, at which Mr. LoHolt was the Scout leader. In late 1972 or early 1973, Bishop Borland received another complaint that Mr. LoHolt had sexually molested children in the church's Boy Scout program. Bishop Borland apparently confronted Mr. LoHolt, who denied the accusations, but admitted that he had been abusing three boys from the Allenbach family. During this time period, Mr. LoHolt had been residing in an apartment on the Allenbach property.</p> <p>Shortly after Mr. LoHolt's admission to Bishop Borland, Dr. Allenbach apparently learned of the abuse and asked Mr. LoHolt to vacate the premises. The record shows no evidence that anyone reported Mr. LoHolt to the authorities at that time. However, Bishop Borland</p>

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temporarily removed Mr. LoHolt from the Boy Scout program and referred him for sexual deviancy therapy at LDS Social Services. Mr. LoHolt apparently remained in therapy at LDS Social Services for one year, where, he asserts, he was truthful about his actions and behavior. There is nothing in the record to indicate that LDS Social Services ever reported Mr. LoHolt to the authorities.

After Mr. LoHolt's treatment ended, the Kent 2nd Ward allowed him to return to assisting with the Boy Scout program. Mr. LoHolt would supply transportation and would go on hikes and campouts with the boys. In October 1973, he was appointed as the Wards' Assistant Venturer Leader working with Scouts age 14-16. In February 1974, Mr. LoHolt became the lead Scoutmaster of the Kent 2nd Ward. Mr. LoHolt admits that he continued to molest boys throughout this time period.

In 1973, Phillip Coleman had become the Bishop of the Kent 2nd Ward. Bishop Borland did not advise him of the previous complaints about Mr. LoHolt. However, in 1974, Bishop Coleman learned that Mr. LoHolt was abusing children. The record shows no evidence that Bishop Coleman reported the allegations to the authorities, or removed Mr. LoHolt from his duties within the church." Quote from Plaintiff Ever since I was a teenager, I had thoughts of suicide, and I thought of --when I began to drive, I thought of, like, crashing into a truck or something. And so even to this day, I have thoughts of suicide and depression, anxiety. I've never been at my -- I mean, we talked about my education. I'm very educated, I've shown that I can do super in school, but I've never -- I think because of my personality, and whatever, I haven't been able to work in the capacity to what I'm educated at. Never have really -- realizing my full potential. Now I'm teaching and I've been teaching under contract for two years, and I love teaching kids, and I love the subject that I teach, but my last evaluation was not a stellar evaluation, based on maybe personality or communicating. I still -- I still live at home, because I've -- I find that a very protective atmosphere, with mom and dad. It's safe. And I have significant anger problems, I think still -- and still -- I just have unresolved psychological conflicts, and I'm not -- I just -- it's been my life, you know, that's just how it has been for me ever since I can remember, since I was abused by Jack. . . ."

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		<p>LAHOLT-Jack LaHolt 1 Fleming v The President of the Church of Jesus Christ of Latter Day Saints.pdf https://casetext.com/case/fleming-v-corporation-of-the-president-of-the-church</p> <p>Six more boys file suit against the COP."Plaintiffs and Amici respond that lifting the veil of secrecy on child sexual abuse is the primary method by which the child sexual abuse problem in our society will be reduced, minimized, or hopefully eradicated."</p> <p>LAHOLT-Jack Laholt 5 Jack doe v the COP 5.pdf. (see all 7 documents regarding LAHOLT). http://caselaw.findlaw.com/or-supreme-court/1603479.html https://www.unitedstatescourts.org/federal/wawd/143863/3-0.html</p>
01/15/70	Washington	<p>LDS Gary Reese "BSA Scoutmaster and LDS leader...actively groomed the boys under his charge for later sexual molestation. Plaintiffs RD and CD were allegedly abused on multiple occasions....during BSA troop meetings at Reese's home, while on Scouting hikes and campouts and at the LDS Ward facilities in Lakewood. CD informed the local LDS Bishop that Reese had molested him. In response the LDS Bishop advised that the LDS Church was aware of Reese's misconduct and had taken care of the issue."</p> <p>REESE-Gary Reese 1-RD and CD v COP Complaint.pdf (copy in my possession). https://dockets.justia.com/docket/washington/wawdce/2:2010cv01006/168480</p>
01/31/70	Utah	<p>LDS Ron abused a child and the victim, now an adult, writes the following: "I met the man who sexually molested me, (I'll call him Ron,) at a priesthood meeting during this time of turmoil at home. He had been assigned as my Teacher's Quorum advisor. At first, Ron was just another man in the ward. We would occasionally meet at his home for presidency meetings, but other than that, I would only see Ron only at Church. I contacted Ron two years ago, in 1996, and confronted him about what he had done to me. He was serving as counselor in a Southern California Stake Presidency. Sadly, he denied any</p>

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	<p>wrong doing, and claimed shock by my allegations. He sent me a letter adamantly stating that nothing inappropriate had ever happened between us, and that I had ". . . betrayed and misrepresented his investment in my life; of time, energy and care.". Curiously, a second letter followed where his tone had considerably mellowed, but unfortunately, he would not admit to any wrong doing, nor would he apologize for the sexual and emotional devastation he had caused me. (He owns a good chunk of that Mormon 'smugness' other readers have mentioned). What Ron did not remember was, I had kept a LOVE letter of his all these years. Even back then, I knew to keep this letter. No one--not even a family member--has ever expressed love for me like Ron did in this letter. I took Ron's correspondence, including his twenty-some year old love letter, copied it, and mailed it to his Stake President. Five months later, I finally received a letter from his Stake President. He showed general concern and hoped I would be able to move on with my life. He also said that he acted on my letter and called Ron in and talked to him about my allegations. Unfortunately, the Stake President felt Ron was "owed confidentiality" regarding their meeting. All I thought was, "Confidentiality for a perpetrator? This is exactly how molesters thrive!" Since Ron was in the bishopric when he sexually abused me, I wrote back to the Stake President and informed him that a church court must take place. This is Church protocol. This was in June, 1997, and I have not as of yet, received a response and have been ignored." RON-Ron-a pseudonym.pdf (copy in my possession).</p>
02/16/70	<p>Washington</p> <p>LDS Gary Reese is accused of sexually abusing two more boys.."The plaintiffs, identified only as T.S. and W.S. in the lawsuit, allege Reese fondled their genitals during Scout-related functions in the 1970s and performed other "lewd and lascivious acts. Reese, who is not named as a defendant, also served as a church youth leader, high school seminary teacher and adviser to the bishop, which put him in a position of religious authority over the alleged victims, the lawsuit states.They are the second pair of men to make such claims. Two others – identified as R.D. and C.D. – filed a federal lawsuit against the Boy Scouts and the Mormon church last year.They are the second pair of men to make such claims.Those men, who are brothers, allege Reese sexually abused them, including fondling and raping them. One of the men contends he told the local LDS bishop about the</p>

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		<p>abuse. The plaintiffs in the most-recent case – W.S. and T.S. – say the fact that C.D. and, reportedly, his mother told LDS officials about the alleged attacks is evidence the church knew about Reese’s alleged activities before they joined his troop."</p> <p>REESE-Gary Reese 3.pdf http://www.bishopaccountability.org/news2011/09_10/2011_09_09_Lynn_ExlakewoodScout.htm https://www.unitedstatescourts.org/federal/wawd/168480/12-0.html</p>
05/01/70	Oregon	<p>LDS Michael Simms " A former Woodburn resident has alleged he was sexually abused by a local music teacher at the Church of Jesus Christ of Latter-day Saints (LDS) in Woodburn. The alleged victim, who has called himself David Doe, is now 46 years old. He says the abuse took place at a Mormon church in Woodburn, between the ages of 11 and 13. He claims Michael Simms, a Mormon church organist and music teacher, abused him about 100 times between 1974 and 1976. Simms was in his early 20s at the time. Doe is now suing Simms, the LDS church and a former therapist, for up to \$4.25 million on claims of sexual abuse of a child, intentional infliction of emotional distress and two forms of negligence (failure to protect and failure to report). The negligence claims stem from allegations that Doe's mother approached a then-Stake President (a former LDS bishop) in 1975, and told him about the abuse. According to Doe, the LDS defendants failed to investigate the allegations, remove Simms from his position, report the abuse to law enforcement, or take measures to prevent continuation of the abuse."</p> <p>SIMMS-Michael Simms.pdf Mormon church sued over sex abuse allegations The alleged incidents took place back in the 1970s at a Woodburn LDS church Woodburn Independent, Oregon/December 15, 2009 By Rachel Cavanaugh http://www.culteducation.com/group/1057-the-mormon-church/14281-mormon-church-suedover-sex-abuse-allegations.html</p>

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01/01/71	Seattle, Washington	<p>LDS Jack Loholt (aka Laholt) “Plaintiff, R.K., was sexually molested by Jack Onefrey (a/k/a Jack Loholt) on multiple occasions. The molestations occurred at or near property owned by Herman Allenbach, D.D.S., a person plaintiff submits was an agent of the Mormon Church.</p> <p>Prior to plaintiffs abuse, defendant The Corporation of the President of the Church of Latter-Day Saints (aka COP) was notified of Loholt's abuse of children on at least three separate occasions. First, in January 1972, Scott Pettit advised his father, Richard Pettit of Onefrey's abuse of him. Mr. Pettit immediately advised the then-Bishop of the Church, Randall Borland. Mr. Pettit has testified, and it is believed that he will testify at trial, that he advised Bishop Borland of Onefrey's abuse because he expected Bishop Borland to take some concrete action with respect to the knowledge. R.K. was abused after the Church was notified by Scott Pettit. The second and third notifications occurred through Herman Allenbach, D.D.S. First, Dr. Allenbach was notified first by his own son, J.A Dr. Allenbach took no action. Dr. Allenbach received a second notification after R.K.'s first episode of abuse occurred (but prior to other instances of abuse) when R.K.'s parents advised Dr. Allenbach of the abuse of their son. Again, Dr. Allenbach took no action and R.K. suffered additional instances of abuse. Jack Onefrey was a Melchizedek Priest, Assistant Scout Master and youth leader in the Kent 2nd Ward of the Mormon Church. Despite gaining knowledge that he was a pedophile, Church officials took no steps to remove Loholt from those position nor did the Mormon Church take any steps to protect potential victims of Loholt.”</p> <p>LAHOLT-Jack Laholt-RK-V-COP 8.docx https://www.scribd.com/document/2713601/R-K-v-Corporation-of-the-President-of-the-Church-of-Jesus-Christ-of-Latter-Day-Saints-et-al-Document-No-252</p>
03/01/71	Seattle, Washington	<p>LDS Jack Laholt (aka Loholt), Another case is filed-“For the Court's convenience, COP notes that plaintiffs allegation that defendant negligently failed to prevent sexual abuse is closely related to the plaintiffs claim in R.K. v. Corporation of the President of The Church of Jesus Christ of Latter-day Saints, 04-2338 RSM (W.D. Wash.). R.K. v. COP was tried to a</p>

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		<p>jury before Judge Ricardo S. Martinez in October 2006 and is now on appeal. Both cases involve sexual abuse by the same individual during the 1970s. Some legal issues presented by the current case are identical to those Judge Martinez previously addressed in R. K." The case was removed from the Superior Court of Washington State to the United States District Court for the Western District of Washington. Laholt again was alleged to have abused another child. DF then brought a case against the COP which was removed to another court.</p> <p>LAHOLT-Jack Laholt 4-DF v COP 4.pdf https://dockets.justia.com/docket/washington/wawdce/2:2007cv00801/143863</p>
03/07/72	Washington	<p>LDS Dennis David Collins, a Letter from scout executive Robert H. Lamott to BSA National Council Paul I Ernst. "Dear Paul I Regret to inform you that one of our cub-masters has pleaded guilty to an indecent liberties charge. Hear are the facts:--- was arrested in 1959 as a disorderly person. No known disposition of case. Was arrested in 1963 on a State Vagrancy charge....picking up young boys, buying beer for them. Jan, 1972 pleaded guilty to indecent liberties with a 10 year old boy. Also involved with 3 boys, ages 9, 10, 11. Committed oral and rectal sodomy on one boy."</p> <p>COLLINS-Dennis Collins-BSA Files.pdf http://documents.latimes.com/dennis-david-collins/</p>
03/28/72	Idaho	<p>LDS James Vetro "was charged with molesting an 11 year-old boy on Dec 30, 1971." On September 28, 1972 letter to sponsoring scout executive requesting information again. Sponsoring group "I would like to hold this in abeyance until the court finishes the review of this individual, then I will inform you of the action we should take. It seems there are always two sides to each question."</p> <p>VETRO-James Vetro-BSA Files.pdf http://documents.latimes.com/james-vetro/</p>

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01/20/73	California	<p>LDS Alan Craig Dunlap "with LDS Bryan Ward 11 Pack 968.....pleaded guilty Thursday to charges he molested a 9-year-old-boy." A 9 year old testified that when he was a cub scout with the LDS Bryan Ward II that "parents of other boys would not permit their sons to be involved."</p> <p>DUNLAP-Alan Craig Dunlap-BSA File.pdf http://documents.latimes.com/alan-craig-dunlap/</p>
04/01/73	Utah	<p>LDS Robert Michael Tubbs, letter from assistant scout executive "I told him that I had helped him years ago get back into Scouting". On 17 February 1994, Robert Michael Tubbs, age forty-two, of Slaterville, Utah, was sentenced to a prison term of six years to life and ordered to pay therapy costs for sixteen boys he sexually abused between June 1991 and August 1992 when he was a Boy Scout leader in his local Mormon ward. Investigation began in May 1993 when a Mormon bishop reported that he had received a letter from a boy saying Tubbs had molested him. Tubbs admitted to the deputy that he had been molesting boys since the early 1970s. In 1985, he had been assistant Scoutmaster in 1985; he was stripped of his Scout membership after an allegation of sexual abuse in 1990. No charges were pressed for lack of evidence, but Tubbs was told "never to take part in scouting activities again and told to receive counseling by scouting officials." He transferred activities from his ward in Slaterville to nearby Harrisville; the crimes for which he was convicted occurred with Harrisville Scouts."</p> <p>TUBBS-Robert Tubbs 1 and 2 pdfs http://documents.latimes.com/robert-tubbs/ http://mormon-alliance.org/casereports/volume1/part1/v1p1c04.htm</p>
12/14/73	Missouri	<p>LDS Larry W. Strain, "It is my recommendation that Larry Strain be released from and never allowed to participate in the Scouts of America. My reason being his unnatural sexual assaults on certain boys....I have interviewed the three involved boys and their parents."</p> <p>STRAIN-Larry Strain-BSA Files.pdf</p>

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		http://documents.latimes.com/larry-w-strain/
08/13/74	Idaho	<p>LDS Arthur Krigbaum was placed on the BSA Confidential files "In 1974, because at Camp Tapawingo ,he performed homosexual acts on a scout."</p> <p>KRIGBAUM-Arthur Noel Krigbaum-BSA files.pdf http://documents.latimes.com/arthur-n-krigbaum/</p> <p>The following information is verbatim from http://www.idahoboyscoutabuse.com/perpetrators/arthur-krigbaum/</p> <p>Perpetrator: Krigbaum, Arthur - Mormon Place: Weiser Troop & Location: Ore-Ida Council 106 - Troop 330, and Order of the Arrow Years in BSA: Put in the IV Files in 1974 Description/Convictions: In 1974 at Camp Tapawingo, performed homosexual acts on a scout.</p> <p>Timeline for Arthur Noel Krigbaum: Born 07/1949 SSN Issued in Idaho 07/26/1966 Newspaper article regarding Troop 330 which indicates the Troop was an L.D.S. Church-sponsored Troop. Scoutmaster in 1966 was Robert Nieland. 08/03/1974 Abused a Scout from Troop 330 of Weiser, Idaho at Camp Tapawingo. 08/04/1976 Scoutmaster of Troop 330 and Camp Tapawingo Director wrote a letter "To whom it may concern" regarding the allegations by a Scout from Troop 330. Letter also indicates Krigbaum is registered with Troop 49 of Boise, Idaho. 08/13/1974</p>

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	<p>Letter from Ronald Bromley, Field Director to BSA Registration and Fulfillment transmitting the August 4, 1986 letter and explaining Mr. Krigbaum is a “very slow individual” and that he is “quite active with a local scout troop, registered as an assistant scoutmaster.” The letter also states, “Mr. Krigbaum is also quite active with our Order of The Arrow and this of course presents a problem.”</p> <p>08/23/1974 Letter from Paul Ernst to John Warnick requesting confidential record sheet.</p> <p>10/17/1974 Letter from R.E. Bromley, Field Director, to Paul Ernst marked “PERSONAL AND CONFIDENTIAL!!!” indicating the BSA has been in contact with the Scoutmaster who “insists the boy’s parents not be informed of this incident apparently for the boy’s own good.” The letter also states, “It is unfortunate that many of our 1974 Camp Staff members know something about the incident involving Mr. Krigbaum in camp. This knowledge has led to some rumors amongst volunteer Scouters here in the District. We in the Council will not confirm or deny any of the rumors brought to our attention. We will however, continue to keep a close surveillance on Arthur N. Krigbaum’s Scouting activities and notify your office of anything reported to us that can be substantiated.” Even though Krigbaum’s file was released with the I.V. Files, he was not placed in Ineligible Volunteer status.</p> <p>1993 – 2011 Many cases (mostly traffic) in Ada County, including DUI and a case in 2006 in which Krigbaum was arrested for Beer; Wine; Alcohol Age Violation Third Offense. Default Judgment. Drivers License suspended for failure to pay.”</p> <p>KRIGBAUM-Arthur Krigbaum 2.pdf http://www.idahoboyscoutabuse.com/perpetrators/arthur-krigbaum/</p>
<p>04/03/75 McCall, Idaho</p>	<p>LDS Billy Joe Hagen "Convicted of Lewd Conduct with a Minor in April, 1975 (boys 13,14 & 16 Jan – Mar, 1975) in McCall, Idaho." The following is Verbatim from</p>

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	<p>http://www.idahoboyscoutabuse.com/perpetrators/bill-joe-hagan/ Perpetrator: Hagen, Billy Joe – Mormon Place: Caldwell, Nampa Troop & Location: Ore-Ida Council 106, Post 118 Years in BSA: Put in IV Files in 1976, Scouting from 1975-1976 Description/Convictions: Timeline for Bill Joe Hagan: DOB: 01/7/1936 (SSN Issued in Idaho) 1972 At age 36, Hagen married . They had two children. 1975 Convicted of Lewd and Lascivious Conduct with a Minor Under Sixteen. (Obtained Police Report from McCall Police Department. 1975 McCall Police Department Offense Report indicates Hagen is divorced with two children. 1976 Placed on IV Files. BSA Confidential Record Sheet indicates his religion as “First Christian Church.” 04/8/2005 Died in Nampa at age 68 of natural causes. Funeral service took place at the Nampa 21 Ward LDS Chapel in April of 2005. HAGEN-Billy Joe Hagen.pdf In 1976 Hagen was placed on the BSA Confidential file but then re-registered on 1/1/1977 Post 118 Nampa Idaho. There is a letter in the files dated May 17,1976 from John D Warnick, Scout Executive to the Registration Service BSA in north Brunswick, N.J. Regarding Bill Joe Hagen as follows: “Gentlemen: I have just completed an investigation into the above Scouter of the Ore-Ida Council as follows: Offense Report-DR/75-86, April 9, 1975. Lewd and Lascivious conduct</p>
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		<p>with child. Conduct was with 4 boys, ages 15, 14, and two 16 years of age. Acts committed on January 25, 1975, March 21, 1975, and March 28, 1975. Warrant charging seven (&) counts of Lewd Conduct were acquired. Mr. Bill Hagen admitted to one count-others were dropped. Convicted-served 120 days in State Institution and received 9 years probation. Offense was committed in McCall, Idaho on above dates.Mr. Hagen was forced to leave town upon his release. He now resides in Nampa, Idaho. I have notified the minister and we await your decision as to my next action. Action needs to be taken as soon as possible. Sincerely Yours, John D. Warnick, Scout Executive."</p> <p>HAGEN-Billy Joe Hagen-BSA File.pdf http://documents.latimes.com/bill-j-hagen/ http://www.idahoboyscoutabuse.com/perpetrators/bill-joe-hagan/</p>
07/02/75	California	<p>LDS Melvin E. McKinney, "molests a 12-year-old; Marlin Bates reviewed the situation with the Bishop for Mr. McKinney's Latter Day Saints Ward and the Bishop is now working with Mr. McKinney."</p> <p>MCKINNEY-Melvin Mckinney-BSA file.pdf http://documents.latimes.com/melvin-e-mckinney/</p>
08/02/76	Utah	<p>LDS Leroy Harvey Richins molested a child " In discussing the situation with Bishop (redacted) in the LDS Church, he does have the information and statements regarding (redacted) involvement with other people, besides those who have made statements which you have. However, he feels that because of the confidential nature of his position as Bishop of the Ward which (redacted) resides, he cannot release copies of this information."</p> <p>RICHINS-Leroy Richins-BSA file.pdf http://documents.latimes.com/leroy-h-richins/</p>
11/22/76	California	<p>LDS Jayne Allen Furness "was tried and found guilty as a sex offender and is now incarcerated." Furness was charged with 16 felony counts with children and, "did willfully</p>

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		<p>and unlawfully have and accomplish as act of sexual intercourse with a female person, to wit (redacted) not his wife, who was than and there under the age of eighteen years, to wit, sixteen years."</p> <p>FURNESS-Jayne Furness-BSA files.pdf http://documents.latimes.com/jayne-a-furness/</p>
06/01/77	Oregon	<p>LDS James Francis Hogan "Two teenage boys in Oregon sued the Corporation of the President in 1989 for \$3 million on charges of negligence. They charge that the Church hired James Francis Hogan as a janitor, knowing that he had been observed hugging and kissing young boys between 1977 and 1985, a span of twelve years. The amount of the settlement is unknown."</p> <p>HOGAN-James Francis Hogan 3.pdf http://mormon-alliance.org/casereports/volume1/part1/v1p1c04.htm</p>
01/01/78	Utah	<p>LDS Gary Bishop, "molested children for many years without being caught. At some point his crimes advanced to murder, which he discovered also fed his sick needs. Bishop killed five young boys from 1979-1983." BISHOP-Arthur Gary Bishop 1 pdf "He was a Mormon Boy Scout leader."</p> <p>BISHOP-Arthur Gary Bishop 2.pdf http://crime.about.com/od/murder/p/db_bishop.htm http://www.oocities.org/wsimister/ldscourt.htm</p>
07/20/78	Washington	<p>LDS Dustin Hall "was a scoutmaster charged by leaders in the Mormon Church's Shelton, Washington ward to help lead a local boy scout troop' The plaintiff "alleges Hall abused him 30 separate times.....both (BSA and COP) defendants "are complicit in a campaign to cover up the rampant problem of sexual abuse of scouts by scout leaders."</p> <p>HALL-Dustin Hall 2.pdf</p>

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	http://www.seattleweekly.com/home/929872-129/lawcourts http://caselaw.findlaw.com/wa-court-of-appeals/1640408.html
11/19/78 Los Angeles, California	<p>LDS Allan Keith Dunn "confessed his criminal acts to the grandmother and police in the matter of homosexuality and abuse of children."</p> <p>DUNN-Allan Keith Dunn-BSA Files.pdf http://documents.latimes.com/alan-k-dunn/</p>
01/01/79 Prescott, AZ	<p>LDS Robert Gene Metcalf "This case was filed in Maricopa County Superior Court in May 1993. In 1979, Gail Metcalf walked in on her husband, Gene Metcalf, and witnessed him having anal sex with a 13 year old boy who had been residing with them. He was sentenced to prison for six years for his misconduct with the boy as well as with Gail's children. She divorced him and the Church excommunicated him. His parental rights were not terminated, but a six-month no contact order was entered following his release from prison.</p> <p>In 1987, Gail Metcalf developed a brain tumor and needed extensive medical treatment. She contacted her local Bishop to discuss what will happen to her children while she is hospitalized. Her civil lawsuit alleges that she was ordered by her Bishop and the Stake President to send her children to live with Gene Metcalf and they would monitor the situation for her making certain the children were safe. She sent them to live with him for eight months when they were molested again. At his sentencing, there was heavy lobbying by politicians connected to the Church in defense of Gene Metcalf. Local Bishops involved and who may be named defendants are Grant Shumway and Don Excell. The case was resolved with an undisclosed settlement on behalf of the Metcalf children."</p> <p>METCALF-Gene Metcalf.pdf http://www.oocities.org/wsimister/ldscourt.htm</p>
01/15/79 Norfolk, VA	<p>LDS Eric Patrick Avant "was a church cub scout leader. He sodomized eight boys. He had a prior conviction for sodomy, but the church never checked him out and never registered</p>

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		<p>him with Boy Scouts of America which would have run a background check .The LDS Church settled in May 1992 for an undisclosed amount." "According to the suit, Avant was convicted in 1979 of similar offenses, something the Boy Scouts could have easily discovered. The suit alleges that the Scouts and the church were negligent in not checking on Avant's background."</p> <p>AVANT-Eric Patrick "Ricky" Avant 1.pdf</p> <p>"The families who initiated prosecution said they had cooperated with police in compiling a list of 41 victims from the Webelos den and church."</p> <p>AVANT-Eric Avant 3 BSA Confidential Files.pdf https://www.highbeam.com/doc/1P2-1219714.html http://www.oocities.org/wsimister/ldscourt.htm http://documents.latimes.com/eric-patrick-avant/</p>
04/03/79	Cambridge, UK	<p>LDS John Patrick Conway "former postman and church missionary denies six charges of indecent assault on a boy under 14 between April 1979 and May 1986.</p> <p>His twin brother Martyn has admitted six charges of sexual assault on the same boy. The brothers, aged 50, befriended the boy at the Church of Jesus Christ of Latter Day Saints in Cherry Hinton where many of the assaults took place, Cambridge Crown Court heard yesterday."</p> <p>CONWAYJohn Patrick Conway.pdf http://www.freerepublic.com/focus/f-news/2520145/posts</p>
01/01/80	Santa Maria, California	<p>LDS Michael Rex Shean "Michael Rex Shean was an attorney and Mormon Church leader who used his position as coach, attorney, and religious teacher in order to molest young boys. The Stake President in the case was an FBI agent, Nolan Phillips, who should have been much more alert to the problem of a predatory pedophile in his flock." SHEAN pdf 2</p> <p>"The Mormon Church was found negligent and settled for an undisclosed amount. Michael</p>

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	<p>Shean in Santa Maria, Calif., and LDS seminary teacher convicted of sexually abusing young boys. Court records in a civil suit against the LDS Church allege gross negligence on the part of ward leaders who knew Shean had problems— in 1980 as a counselor in his ward bishopric, he had been excommunicated for abuse of two young boys that surfaced years later when they were on LDS missions. He was excommunicated; re- baptized and assigned to work with youths. He was charged with 14 counts of sexual abuse involving nine boys."</p> <p>SHEAN-Michael Shean 1.pdf http://xmo.lege.net/doc/hushing_mormon_sexual_abuse_case_stories.txt Blame the Victim: Hushing Mormon Sexual Abuse April 10, 1996 By Marion Smith http://mormon-alliance.org/casereports/volume1/part1/v1p1c04.htm</p>
01/15/80	<p>Oregon</p> <p>LDS Timur Van Dykes allegedly molests many children. "Timur Dykes continued to associate with the victim's Scout troop after Dykes admitted to a bishop for the Church of Jesus Christ of Latter-day Saints early in 1983 that he had molested 17 Boy Scouts."</p> <p>DYKES-Timur Dykes 4.pdf http://freethinker.co.uk/2010/04/16/us-boys-scouts-and-the-lds-church-conspired-to-cover-up-child-abuse/</p> <p>In the BSA Files there is a letter dated November 11, 1986 to BSA from attorney John J. Higgins,</p> <p>"We have been retained to represent the interests of several boys who were sexually abused by an official of the Boy Scout Troop to which they belonged here in Portland. In November 21, 1986 a handwritten note retained in the confidential files from BSA official reads, "Received a letter from attorney Higgins... is representing 2 families (names not given) for injuries resulting from the sexual molestation of 4 or 5 boys in Troop 719 by Assist SM Timur Van Dykes. Mr. Dykes is now in jail. Troop 710 is sponsored by the 10th Ward of</p>

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the LDS Church." The BSA placed Timur Van Dykes on the ineligible confidential file on March 16, 1987. In 1987 the LDS Church is sued by three (of the above) plaintiffs. "The Church also is accused of professional negligence in attempting to counsel the three plaintiffs." "The complaints allege that the church sponsored the Scout troop and instructed boys to participate in the troop and to obey its leader."

DYKES-Timur 3 BSA-Files 2.pdf "

<http://documents.latimes.com/timur-v-dykes/>

2007 another lawsuit is filed, "The six men, who filed a new lawsuit in Oregon....allege that Timur Dykes, a former spiritual leader in the Church of Jesus Christ of Latter-Day Saints and former scout leader, repeatedly abused them when they were boys." "Dykes was allowed to continue in positions of trust and continue to abuse boys for four or five years after he was first arrested." "Both the Mormon Church and Boy Scouts were well aware by at least the 1960s that they had a serious, institution-wide infestation of child abuse, stretching across the country," said the plaintiffs' attorney Kelly Clark. "They did not clear it up."

DYKES-Timur Dykes 4.pdf

<https://assets.documentcloud.org/documents/472188/kerry-lewis-complaint.txt>

"Two brothers filed a \$6.5 million lawsuit against The Church of Jesus Christ of Latter-day Saints and the Boy Scouts of America on Monday, alleging they were sexually abused as children in the 1980s by a LDS "home teacher" who was also a Boy Scout leader." "It also claims the church failed to report an abuse allegation against a third brother that could have led authorities to other victims — a claim the church denied. Dykes was convicted of child sexual abuse "on several different occasions," according to the lawsuit filed by Portland attorney Kelly Clark, who has represented victims of alleged abuse by Roman Catholic priests. Clark provided a list indicating Dykes had been convicted in 1986, 1988, 1990, 1991 and 1994. Dykes declined to confirm those convictions. But he said he was in prison from 1993 to 2002. He declined further comment but said "somebody has made a mistake," a

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	<p>reference to the lawsuit. Dykes was convicted in 1994 in Multnomah County on multiple counts of sodomy and sexual abuse, according to court records. He is on probation until 2013, said Robb Freda-Cowie, spokesman for the county Department of Community Justice."</p> <p>DYKES-Timur Van Dykes 9.docx</p> <p>LDS Church, Scouts face sex-abuse suit by William McCall Associated Press http://www.deseretnews.com/article/650225155/LDS-Church-Scouts-face-sex-abuse-suit.html</p> <p>"From at least the 1960s if not earlier, LDS Defendants knew that LDS callings and assignments were being used by pedophiles to victimize children and that LDS Defendants had an institution-wide child abuse problem. Despite this knowledge, LDS Defendants did not implement adequate child sex abuse policies.⁸³ This institutional failure by LDS Defendants was a substantial contributing factor to the abuse of Plaintiffs. LDS Defendants' failure to implement adequate child abuse policies created a foreseeable risk of harm to the safety of children in the care of the LDS Defendants, including these plaintiffs.⁸⁴ As a direct and foreseeable consequence of LDS Defendants' negligence as described above, Plaintiffs have suffered damages as described in paragraphs. "During the time all Plaintiffs were sexually abused by Dykes, LDS Defendants had knowledge or should have known of Dykes' dangerousness to children. In or about 1981 or 1982, LDS Defendants discovered that Dykes had sexually abused a minor child who was a LDS member and scout, and LDS Defendants conducted their own investigation into the allegations."</p> <p>DYKE-Timur Van Dykes 1-Complaint.pdf https://assets.documentcloud.org/documents/472188/kerry-lewis-complaint.txt</p> <p>"In January 1983, the mother of a Scout who said he had been molested by Dykes went to Gordon McEwen, a Mormon bishop who headed the local Scouting program, Clark said. McEwen confronted Dykes, who confessed to abusing 17 Scouts." http://www.oregonlive.com/news/index.ssf/2010/03/trial_opens_in_portland_with_b.html</p>
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01/30/80	Boise, Idaho	<p>LDS Steve Nelson "sexually abused as many as four children over a 30-year period. In the 1980s Nelson confessed to molesting one child to LDS officials, who learned of the crime from the victim but did not report it. More than 20 years later, Nelson pleaded guilty to a charge of lewd conduct. In 2009, the woman he had abused as a pre-teenager in the 1980s caught him molesting a 3-year-old girl, according to court records. Before sending Nelson to 30 years in prison, 4th District Judge Darla Williamson told him: "I just don't understand ... why the church didn't require that law enforcement be involved with you. Possibly at that point, if you had been charged, we would have at least one less victim."</p> <p>NELSON-Steve Nelson.pdf http://www.mcclatchydc.com/2010/12/12/105162/did-fellow-mormons-cover-upofficers.html#.UatYidiqro8</p>
01/01/81	Salt Lake, Utah	<p>LDS Steven L Hammock abused a 6 year old child who stated that, ""The bishop and all the church leaders showed up in court to speak on the Hammocks' behalf. They told the attorneys I was lying. It was impossible for me to sit down and tell the story of what happened. I was so humiliated. "Everyone in the church was saying, 'How can they be bad people? We know them. We know they have the gospel in their home.'"Steven Hammock pleaded guilty to two counts of forcible sex abuse and served six months in an inpatient treatment facility. The church excommunicated him but refused to divulge information that Hammock had previously revealed to church officials. Scott filed a multimillion-dollar civil lawsuit in 1989 against Hammock for infliction of emotional distress. The suit lingered in the court system until two months ago. Most of that time was spent before the Utah State Supreme Court, in arguments on whether LDS church officials had to divulge information Hammock had shared with them. The court ruled they did not. Hammock's attorney quit in 1991 after his client refused to answer questions about the case. Hammock refused to defend himself, and in October, a federal judge awarded damages to Scott in an amount still to be determined."</p>

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		<p>HAMMOCK-Steven Hammock.pdf Lisa Davis "Sins of the Temple" December 1994 Phoenix New Times http://www.childpro.org/ https://drive.google.com/file/d/0B_E9N_KN9xzxbWNadnVldDE1LUE/edit</p>
11/15/81	Utah	<p>LDS Gerald W. Burgie was convicted of "attempted sexual abuse (victim was a young boy)." He was placed on the BSA confidential files on November 15, 1981. BURGIE-Gerald Burgie-BSA File.pdf http://documents.latimes.com/gerald-w-burgie/</p>
01/02/82	Seattle, Washington	<p>LDS Paul H. Lewis "Plaintiff alleged that defendant The Corporation of the President of the Church of Jesus Christ of Latter-Day Saints knew or should have known that Paul H. Lewis was a sadistic serial pedophile that was actively abusing children, and had a duty to use reasonable care in the hiring, supervision or retention of Lewis, who served as a Mormon Church Scoutmaster and Melchizedek priest. Mr. Rinde states that during the time period of 1982-1983 when he was just twelve years old that Paul H. Lewis, his scoutmaster abused, raped and sadistically tortured him."</p> <p>LEWIS-Paul H Lewis 1 Rinde v COP.pdf https://docs.justia.com/cases/federal/district_courts/washington/wawdce/2:2006cv00556/134916/2</p>
01/23/82	Australia	<p>LDS Ronald Mills " Mormon and senior Church of Jesus Christ of Latter Day Saints member. Receives 3 year jail sentence in NSW District Court after being convicted on 3 counts of unlawful sexual intercourse against girl, aged 12,"</p> <p>MILLS-Ronald Albert Mills.pdf http://reformation.com/CSA/variousabuse.html</p>

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06/01/82	California	<p>LDS William Knox "John Doe 1, 2, & 3 are brothers who allege that they were sexually molested from 1977 to 1987 by William "Bill" E. Knox, their stepfather and leader of LDS boy scout troop. In 1982 the plaintiffs began to repeatedly inform the Mormon Church and the Boy Scouts that Knox was sexually abusing them. The LDS church failed to report and failed to protect children and they continued to be abused for five more years by Knox."</p> <p>KNOX-William "Bill" Knox BSA v Superior Court 2.pdf http://www.leagle.com/decision/In_CACO_20120524083/BOY_SCOOTS_OF_AMERICA_NATIONAL_FOUNDATION_v_SUPERIOR_COURT http://abc7news.com/archive/7122266/</p>
09/11/82	California	<p>LDS Steven Paris "an active Mormon church member and airport-shuttle bus driver from Anaheim, was arrested Aug. 11 and accused of engaging in sodomy and oral copulation with seven boys, ages 5 to 11, from his neighborhood, church and family since 1982."</p> <p>PARIS-Steven Paris.pdf http://articles.latimes.com/1986-09-11/local/me-11077_1_child-abuse-reporting-law</p>
10/01/82	Massachusetts	<p>LDS Joseph Montanino the "Defendant was convicted by jury in the Middlesex Superior Court, Robert J. Hallisey, J., of indecent assault and battery on a child under the age of 14," "and a high-ranking member of the Mormon church who also was a physician... testified about the defendant's service in the Boy Scouts and as a police officer. The Boy Scout officials told the jury that the defendant had received several awards, including the Eagle Scout and SilverBeaver awards, and described the exacting standards that applied to the defendant's selection as an award recipient. All the character witnesses testified that the defendant had an excellent reputation in the community for, among other things, morality and for not being the type of person who would be sexually involved with boys." . "Are you aware that there is another complaint [or allegation] against the defendant involving an incident between January and April of 1981, in Somerville [or Cambridge] involving another member of the troop?" Four witnesses testified that *134 they were aware of at least one of the allegations against the defendant. On redirect examination they were</p>

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		<p>permitted to explain why they believed **620 the defendant's reputation in the community was nevertheless good.. ." President of the Cambridge Boy Scout council "On cross-examination, he testified that he had heard of the prior allegations that had formed the basis of the severed indictments." "Two additional indictments against the defendant were returned at the same time. Those indictments alleged that the defendant had raped another child under the age of sixteen some two years before the incidents which are the subjects of these indictments took place".</p> <p>The complainant was the same in both indictments and also was a former member of the Boy Scout troop of which the defendant was scoutmaster. The rape indictments were severed from the trial of these indictments." _</p> <p>MONTANINO-Joseph Montanino.pdf https://www.leagle.com/cite/27%20Mass.App.Ct.%20130</p>
12/16/82	Fairbanks, Alaska	<p>LDS Kenneth R. Rarick was convicted of Sexual Abuse of a minor boy at Lost Lake Scout Camp and placed on the BSA Confidential Files in December of 1982. "The evidence at trial showed Rarick had attempted similar acts with two other scouts during the same time frame."</p> <p>On September 16, 1983 there is a letter in the BSA file addressed to Kenneth R. Rarick stating:</p> <p>"Dear Kenneth, I want to personally thank you for your service to youth through Scouting, as commissions in unit #8601 you have helped our nation's youth learn the precepts of "Helping other People" "Do your Best," and "Be Prepared."</p> <p>Please consider this letter my personal invitation to become a member of the National Boy Scout Alumni Family."</p> <p>RARICK-Kenneth R Rarick BSA Files.pdf http://documents.latimes.com/kenneth-r-rarick/</p>
01/01/83	Blackfoot, Idaho	<p>LDS Dennis Empey's "neighbor writes a judge a letter saying, "this man has molested so many children that it involved four Bishops from The Church of Jesus Christ of Latter-</p>

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day Saints." The Plaintiff, "says he told his stake president. The Stake President told him he knew about Empey's history of molesting children."

EMPEY-Dennis Empey 2.pdf

<http://www.livawards.org/pdf/2005/ScoutReduced.pdf>

The following is verbatim from:

<http://www.idahoboyscoutabuse.com/perpetrators/dennis-empey/>

Perpetrator: Empey, Dennis - Mormon

Place: Idaho Falls, Provo

Troop & Location: Grand Teton Council - Idaho, Island Park Scout Camp - Idaho, Utah

National Parks Council, Great Salt Lake Council

Years in BSA: Put in the IV Files in 1988, Scouting 1983 - 1990's

Description/Convictions:

Raped a scout in 1983 at camp – reported it to the camp director but nothing was done.

Scout later told LDS stake president, and the president verified that Empey was also being investigated for rapes in Provo. Empey was Convicted of child molestation in May, 1991

and sentenced for 2 yrs. probation. Post Register – Zuckerman

Sex Offender Registry Details

Evidence of LDS Knowledge:

1993

Victim Notified LDS Stake President 10 yrs after rape. The Stake president said they had already known of Empey's molesting boys. Post Register Article – 6/23/05 –

Peter Zuckerman Dennis Empey in the News:

More Pedophile Cased Emerge With Scout Camp Connections

Scout case 'not found' – Court records show fourth pedophile led several Boy Scout outings

Timeline for Dennis Joe Empey:

DOB: 12/13/1957 St. Luke's, Boise, Idaho

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	1972	Received specialized training in Boy Scout Leadership at Philmont Scout Ranch and Explorer Base (New Mexico.) (Idaho Falls Post-Register, 6/22/1972)
	1976	Selected to head the Red Beret Leadership Corps for the Cedar Badge Spirit of '76 encampment scheduled for June 21-26 at the Treasure Mountain Scout Camp of the Tetons. (Idaho Falls Post-Register, 2/9/1976)
	May 1976	Commencement for Teton High graduates. (Idaho Falls Post-Register, May 18, 1976)
	Summer 1976	Serving as Youth Coordinator in Teton County for State Senator Stan Kress campaign. Article states Empey will be attending Ricks College in the fall. (Idaho Falls Post-Register, July 23, 1976)
	1977	Provided entertainment (comedy team) at the first Teton Peaks Council Cub Scout Day Camp. (Idaho Falls Post-Register, July 27, 1977)
	Spring, 1981	Molested Scout with the Order of the Arrow at the LDS Chapel in Idaho Falls.
	June, 1983	Empey flashed a gun and then raped a Scout at the Island Park Scout Camp.
	June, 1983	The Scout reported the rape the next day to the camp director, Kim Hansen. Hansen was friends with Empey and suggested to the Scout that if he couldn't get along with Empey that he wouldn't be welcome at the camp the next year.
	September 1983 – April 1984	Empey attended BYU (BYU Police Department has no records pertaining to Empey.)
	8/9/88	Letter from Paul Ernst to Reese Faulkner, Scout Executive with Utah National Parks Council requesting info on Empey.

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	<p>8/30/88 Letter to Paul Ernst from Hart Bullock stating Reese Faulkner had spoken to Empey and that Empey “confessed to a totally separate sexual child abuse situation from the one that we were aware of.” According to the letter, Empey had been “very active in Scouting in Idaho Falls and in Provo...” Empey agreed to disassociate himself with Scouting activities.</p> <p>12/6/88 Second request from Paul Ernst to Reese Faulkner for info on Empey.</p> <p>12/12/88 Dennis Empey placed in the IV Files.</p> <p>5/10/91 Dennis Empey befriended a family in Provo, UT., molested the children, was convicted and served a 2 yr. probation</p> <p>1993 Dennis Empey moved back to Idaho, was hired back at the Teton Council to do graphic design work.</p> <p>2007-2008 Active in the LDS Church. (online postings)</p> <p>Fall 2011 A juvenile at a skate park in Driggs had a “bad feeling about a man who had been at the skate park.” The man, who turned out to be Empey, had been taking pictures of kids and asking them to sign a waiver so he could post the pictures on the internet. (Teton Valley News, September 29, 2011)</p> <p>EMPEY-Dennis Empey 4.pdf http://www.idahoboyscoutabuse.com/perpetrators/dennis-empey/ http://documents.latimes.com/dennis-j-empey/</p>
<p>03/17/83</p>	<p>Idaho</p> <p>LDS James Phillip Schmidt had been accused of abuse in 1979 (which was perpetrated in 1977) the BSA were aware; and in 1981 the LDS excommunicated Schmidt but Schmidt</p>

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was not placed on the Confidential BSA files until 1983. in 1981 Schmidt, was "convicted of a lewd and lascivious charge" and abuse of a child (the abuse occurred in 1977). In another instance, a letter from attorney Heise on behalf of her client stated that her client "Is not interested in filing a lawsuit against the Boy Scouts....she does want psychological treatment for her son." A letter from BSA Rex Black dated February 25,1983 to their legal Counsel:

"Dear Dave: Last week Jim Schmidt was arrested and charged with lewd conduct ...The police are stating that he will receive other charges dealing with other boys. There is considerable adverse publicity locally. I'm getting some pressure stating that I was aware of the situation for more than four years but I did nothing."

SCHMIDT-James Schmidt 1-BSA File.pdf.

<http://documents.latimes.com/james-phillip-schmidt/>

Then, a case was filed in 2013, in which Schmidt is accused of abusing John Doe II according to the complaint. The Plaintiff stated "I am outraged that the BSA and the LDS church did nothing to prevent Mr. Schmidt from raping me and the other boys." SCHMIDT-James Schmidt 2-Complaint.pdf.

<http://bloximages.chicago2.vip.townnews.com/idahostatejournal.com/content/tncms/assets/v3/editorial/5/93/5930fb5c-dcee-11e2-ace3-001a4bcf887a/51c8793e8ab5f.pdf.pdf>

"the men say the LDS Church knew that some of its Scoutmasters and troop leaders had molested boys in the past and that it nevertheless continued to put boys in harm's way."

SCHMIDT-James Schmidt 3.pdf

<http://www.sltrib.com/sltrib/lifestyle/56506054-80/scouts-church-abusescout.html.csp>

"The LDS....and the Boy Scouts failed to remove abusers from the organization or notify police or parents, even after boys and their parents told them about cases of molestation or rape."

SCHMIDT-James Schmidt 4.pdf

<http://www.idahostatesman.com/2013/06/24/2629653/boy-scouts-mormonchurch-sued.html>

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	<p>In 1979 BSA "council Executive Rex Black first wrote national Scouting leaders about Schmidt" but "according to the May 13, 1981 letter...Black feared a public spectacle and had told Schmidt so in 1979, warning him a legal case would bring bad publicity to Schmidt and to the Scouts."</p> <p>www.idahostatesman.com/2012/11/25/2358686/scout-sex-abuse-lawsuit-settled.html SCHMIDT-James Schmidt 6.pdf http://www.idahostatesman.com/news/local/article149736579.ece/BINARY/Read%20the%20May%201%2C%202017%20lawsuit.</p>
10/08/83	<p>Texas</p> <p>LDS BLOME-Charles John "Chuck" Blome "a 60-year-old retired Army officer, is known to have molested at least five boys from the Magnolia church and is being sued along with the church. He pleaded guilty in 1994 to two counts of indecency with a child and is serving two concurrent, 15-year prison terms."</p> <p>BLOME-Charles John "Chuck" Blome 1.pdf "Former bishop denies he knew molester's past" by PAUL McKAY WED 09/30/1998 Houston Chronicle, Section A, Page 21MetFront, 3 STAR Edition</p> <p>"Last year in Montgomery County, a jury found the national church liable in a \$4 million verdict - \$1 million more than the plaintiff had sought - for failing to protect an 8-year-old boy who was sexually assaulted in 1993. The pedophile, Charles M. "Chuck" Blome, who already had been convicted of criminal charges and sentenced to prison before the lawsuit trial, was active in the Magnolia ward that the child and his mother attended."</p> <p>"The church will go to great lengths to protect its image and reputation," said Clay Dugas, a lawyer in Orange who has sued the church on behalf of numerous child-abuse victims and their families in Texas and Mississippi."</p> <p>"A pedophile will have all kinds of opportunities to go into the homes of members or have easy access to children so he can build trust with the kids and families," Dugas said.</p>

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	<p>"Men are empowered in the church very quickly. Females don't get that empowerment. The men have all the real authority. The church is very patriarchal, very secretive. Why would you preach to the membership of a church not to discuss a case of child abuse when it becomes known? They do that. The whole belief is that the men, the leaders who are all men, can take care of everything. If someone in a family is abused, the family won't go to the police. They'll go to the bishop."</p> <p>BLOME-Charles John "Chuck" Blome 4.pdf http://nowscape.com/atheism/mo_pedophile.htm</p> <p>"The church is appealing that verdict and is fighting other, similar lawsuits in which Mormon representatives are accused of shunning young victims or, in some cases, even blaming them." "Sheriff's deputies were upset that the Mormon Bishop tipped Blome to the pending investigation, and he burned evidence before it could be seized. In an earlier case against Blome the Mormon Church was also found negligent." BLOME-Charles John "Chuck" Blome 2.pdf " http://www.occities.org/wsimister/ldscourt.htm</p> <p>"Former Bishop Jerry Torgeson alerted Blome that he was under suspicion only two days after the boy's family alerted him of the abuse." "Blome also molested at least four other boys from 1982 until his arrest in 1994."</p> <p>BLOME-Charles John "Chuck" Blome 3.pdf http://www.deseretnews.com/article/print/656657/Jury-awards-abused-boy-4-million-from-LDSChurch.html https://www.sunstonemagazine.com/pdf/112-73-79.pdf</p>	
04/06/84	Utah	LDS Eric Hacking was "Found guilty of sexual abuse to a child which is first degree felony

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		<p>in the state of Utah. This abuse happened at Camp Maple Dell Boy Scout Camp Friday evening July 29, 1983." "Page 12- 08-04-83- The BSA is notified that Eric Hacking of Orem Utah was accused of a 591 (child abuse) and it is concluded that the BSA will "hold name for future pending-Will send in."</p> <p>Page 10-10-03-83 BSA reaches out to the Scout Executive stating that "Over a month ago, you called us concerning an individual by the name of Eric Hacking from Orem, Utah who should not be registered with the Boy Scouts of America. Since that time we have heard nothing from you." In response: Fred R Day, scout executive states. "This case is still pending- _____ the trial-we will keep you posted"</p> <p>Page 11- April 6, 1984 a letter from the Scout executive Fred R Day to the BSA details the results of the legal case against Hacking. The last paragraph was shocking. "Under the circumstances, when Eric completes the sex offenders program, would he still be prohibited from being involved in Scouting. We need your input and judgment. Scoutingly, Fred R. Day Scout Executive</p> <p>Page 9- On August 31, 1984 Hacking was placed on the BSA confidential files and removed from his position in scouting, one year later.</p> <p>HACKING-Eric Hacking-BSA files.pdf http://documents.latimes.com/eric-hacking/</p>
08/04/84	Texas	<p>LDS Glen Howard Sexton placed in the BSA confidential files, "this individual is one who previously lived in California and who had apparently had sex with (redacted) at that time. "We were concerned if this could be the same individual who was previously living in Alaska and then later in California." "New wife with children-same problem."</p> <p>SEXTON-Glen Howard Sexton-BSA File.pdf _ http://documents.latimes.com/glen-howard-sexton/</p>
08/10/84	New York	<p>LDS Bryan A. Barner "A boy Scout official from Tully will serve no more than a year in prison for sodomizing a 12-year-old boy last year. When Barner was arrested in May, the</p>

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		<p>state police identified him as unit commissioner with the Boy Scouts." "The authorities said the victims were two 13-year-old boys Barner met through the Boy Scouts."</p> <p>BARNER-Bryan A Barner-BSA File.pdf http://documents.latimes.com/bryan-a-barner/</p>
11/27/84	New Hampshire	<p>LDS Alfred Francis Cote was placed on the BSA Confidential File on November 28th, 1984 for "Immoral Acts with Scouts, combined with prescription from multiple vendors causing hallucinations. In discussion with Mormon Bishop Paul Chapman, Chapman states he has confronted Cote and Cote has agreed he has engaged in these acts with 4 members of the above Scout Troops. Chapman has contacted N.H. Dept. of Welfare and LDS Social Welfare Agency has already issued an opinion that Cote should not be associated with young men. Scouts and families have been contacted by Chapman as confirmation source:" "Paul Ernst (BSA National Office) "shared that Mr. Cote had several past convictions for sexual assault" Cote worked in scouts in Manchester, NH troop 393; Derry, NH Troop 412 (not officially registered!) and Chicago, IL Troop 107</p> <p>COTE-Alfred Francis Cote-BSA File.pdf http://documents.latimes.com/alfred-francis-cote/</p>
02/21/85	California	<p>LDS George F. Willoughby "second trial for various sexual offenses committed upon a five-year-old girl, was convicted of sodomy, lewd and lascivious conduct, and rape....At that trial, the trial court admitted the testimony of another child that several years earlier, defendant committed an uncharged sexual offense upon her." Willoughby testifies "that as an elder in the Mormon Church, he considered child molesting as morally reprehensible as murder." A number of character witnesses affirmed their belief in appellant's (Willoughby's) honesty, integrity and dedication to the church and its principles. They found nothing in appellant's character to suggest he had the propensity to molest children." Willoughby "was sentenced to the aggravated term of eight years on each count, to run consecutive and full term to each other, for a total of twenty-four years."</p>

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04/03/85	<p data-bbox="594 345 1894 402">Louisiana</p> <p data-bbox="594 410 1894 605">LDS Vernon Foster "was convicted, pursuant to a guilty plea...of aggravated crime against nature." "A parole officer's conclusion that a seven-year-old victim would suffer long-term effects as a result of the crime....the sentence was "ten years at hard labor without benefit of probation, parole or suspension of sentence." "A lady who attends Foster's Mormon Church, knows defendant and has never noticed any deviant behavior on his part toward her young sons."</p> <p data-bbox="594 613 1894 678">FOSTER-Vernon Foster 1 State v Foster 1.pdf https://casetext.com/case/state-v-foster-149</p>
05/02/85	<p data-bbox="594 698 1894 738">Oklahoma</p> <p data-bbox="594 747 1894 1218">LDS Ron Phelps- "A high profile incident in Oklahoma is a case study in cover-up. For Merradyth McCallister and Mary Plourde of Oklahoma City, Okla., their efforts to expose the child sexual abuse problem in their local Mormon congregation not only resulted in cover-up, they were ecclesiastically punished for their pains. In September 1993, Merradyth and Jack McCallister and their son Scott of Yukon, Okla. told their stake president that Scott had been sexually abused by their bishop, Ronald Phelps. The stake president discounted and minimized Scott's abuse which had occurred over a two year period. Having learned from speaking with other families that Phelps had also abused other children in the ward, the McCallisters formed a support group for survivors of sexual abuse. The McCallisters told "The Event" that the stake president then informed them they had "crucified an innocent man and destroyed his family," had "slandered Phelps," and that the children's word could not be believed over that of a priesthood leader." They were advised not to pursue the issue."</p> <p data-bbox="594 1226 1894 1360">"Public Indecency The McCallisters did a background check on Phelps and found that he had been arrested for indecent exposure prior to being called as bishop in 1980. He had also been charged</p>

with sexual abuse but not prosecuted; this charge was known to the stake leadership when Phelps was called to serve as bishop. On March 8, 1994, Phelps was again arrested in a men's rest room at Oklahoma University for investigation of public indecency and soliciting to commit an act of lewdness. The stake president then informed the McCallisters that the arrest had nothing to do with sexual abuse allegations. Phelps continued to serve in church positions.

The McCallisters continued to warn others that Phelps was a predator. They wrote to President Gordon B. Hinckley (a First Presidency counselor at that time), detailing these events and asking him to intervene. They heard nothing. When they went to the local media with the problem they were punished by their church leaders. In August 1994, Merradyth was excommunicated from the LDS Church for "conduct unbecoming a member of the Church" and for "actions which have not only affected the good name of the Church but also the good names, lives and testimonies of the members."

Jack resigned his Church membership in protest. Mary Plourde, a family friend who worked on this case with the McCallisters was also excommunicated that same month, for the same reasons. Plourde and Merradyth reported they were refused copies of their excommunication notices, after being allowed to briefly see them and hear them read aloud by the bishop. They said the documents were signed by Gordon B. Hinckley. They have since taken their crusade to Oklahoma City detectives and prosecutors."

PHELPS-Ron Phelps 2.pdf

VERBATIM FROM:

Blame the Victim: Hushing Mormon Sexual Abuse April 10, 1996 By Marion Smith
http://xmo.lege.net/doc/hushing_mormon_sexual_abuse_case_stories.txt

A letter from the McCallisters to President Hinckley "In June of 1963, my husband Jack, had been sexually molested by his bishop (Samuel H. Gardener) [a bishop of the Oklahoma First Ward who died in 1967] for two years between 15-17. He was afraid to tell me because I wouldn't love or respect him. After we had been married about four months, he told me what had happened and how ashamed he felt... I believed him.

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"In June of 1993, our son, Scott, was 23 years old and recently returned from an honorable mission. He told my husband about being sexually molested between the age of 15-17 by his bishop (Ronald W. Phelps). Scott was ashamed to talk about it prior because he feared the negative reaction of others... I believed him.

"In September of 1993, the three of us talked to our Stake President, Gary James NEWMAN. Scott both told and graphically demonstrated the sexual abuse he suffered... The details and manner of the molestation were discounted and minimized by Pres. NEWMAN. He told us he couldn't believe such a thing was true.... we also wrote you a letter explaining the details of the situation and asking for direct intervention and investigation into the matter from Church Headquarters. We heard nothing... only silence. Our pain increased. We talked with other member parents to see if they were aware of anything that had happened to their family members. We formed an emotional support group for survivors of sexual abuse.... We felt only contempt for us by Pres. NEWMAN. He threatened us to 'either stop talking to the Church members about this or I'll draw up the papers to have you excommunicated for failure to sustain your leaders and apostasy.' He told us... they couldn't accept Scott's word over a priesthood leader held in high esteem...

"Because Pres. NEWMAN was not willing to hear our cries for help and told us to 'do what you have to do... but stop talking to the members of the Church about this or I'll excommunicate you,' we went to the police and filed felony charges against Ron Phelps... The police informed us until there was more evidence developed, it would be difficult to prosecute the case. They believed Scott and recognized the deception used by typical pedophiles with multiple victims....

"A criminal background check revealed Ron Phelps had been arrested for indecent exposure prior to being called as Bishop in 1980 [the charges were later dropped]. He was recently arrested in an Oklahoma University rest-room in Norman Oklahoma on December 3, 1993. He did 'unlawfully, willfully and wrongfully solicit, induce and entice one John Bishop, an undercover police officer, to commit an act of lewdness contrary to the form of the Statutes in such cases made and provided, and against the peace and dignity of the State of Oklahoma.' (Copy enclosed) We thought it was important to notify others with this public information to protect their children..." (Letter dated March 23, 1994) Neither

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		<p>President Hinckley nor other church leaders in Salt Lake City were anxious to go to at for the McCallisters."</p> <p>PHELPS-Ron Phelps 3.pdf http://www.utlm.org/newsletters/no91.htm</p>
05/10/85	Idaho	<p>LDS Larren ByBee Arnold was placed on the BSA confidential files. "All contacts expressed concern about Larren Arnold's reputation with child sexual molestation. One contact, however, was Mr. Arnold's ecclesiastical leader who had first-hand knowledge of child sexual molestation of one or more Scouts. In the past, no charges were filed as the mother was talked out of it at the time by church leaders."</p> <p>ARNOLD-Larren Bybee Arnold-1BSAfile.pdf http://documents.latimes.com/larren-bybee-arnold/</p> <p>"The Boy Scouts of America and the Mormon church face another lawsuit for alleged child sexual abuse. The Scouts blacklisted Arnold in 1991, six years after his conviction, Scout records show. The plaintiff, now 53, is the seventh Portland man suing the Boy Scouts for alleged sexual abuse. One case, brought by two brothers last year, also targets the Mormon church. Combined, all the suits seek \$33 million. The latest case, like one other, alleges the Boy Scouts and the Mormon church knew by the 1960s they had a widespread pedophile problem. The Scouts nationally removed leaders at a rate of one every three days for child molestation, the latest suit says. Arnold, reached in Arizona, said he lives in Pocatello, Idaho. He said he abused more than one boy while a Scout leader, stayed in Scouting for 12 to 15 years and that the church and Scouts never questioned his background or tried to stop him. Arnold said he turned himself in in 1984 for abuse in the Bannock County case. He said he has had a clean record since, went through years of treatment and doesn't recall molesting anyone in Oregon"</p> <p>ARNOLD-Larren Bybee3.docx http://www.kellyclarkattorney.com/mormons-boy-scouts-targets-of-new-suit/</p>

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		<p>“Plaintiff Tom Doe alleges that his scout leader sexually abused him from 1967 through 1970, beginning when plaintiff was around 13 years old. He says the Boy Scouts of America and the LDS Church jointly ran his scout troop, and that both organizations “knew that the Scouting program itself posed a danger to adolescent boys because the Scouting program had shown a concrete, longstanding, consistent, and widespread problem with sexual abuse by Scout leaders and adult volunteers.”</p> <p>ARNOLD-Larren Bybee 2.docx https://casetext.com/case/doe-v-corp-of-the-presiding-bishop-of-the-church-of-jesus-christ-of-latter-day-saints-1</p>
06/27/85	Oregon	<p>LDS Jay Douglas Mitchell “was charged with several counts of sodomy and sexual abuse involving young children (as young as eight)” He “pled guilty to eight separate charges and ...was sentenced to a total of sixty years in prison with a minimum of thirty years.” It took “BSA nearly nine months to ban Mitchell from Scouting.”</p> <p>MITCHELL-Jay Douglas Mitchell 1.pdf MITCHELL-Jay Douglas Michell-BSA File 2.pdf http://crewjanci.com/boy-scout-perversion-files-jay-douglas-mitchell-grants-pass-or/ http://documents.latimes.com/jay-douglas-mitchell/</p>
07/08/85	Palm Springs, California	<p>Victim Jaqueline Tyler “filed a lawsuit in Palm Springs Friday alleging that a missionary for the Church of Jesus Christ of Latter-day Saints sexually abused and subsequently fathered a child with her while she was 13 and he was serving in Rancho Mirage and Palm Desert, and church leaders tried to hide what had happened.”</p> <p>“The complaint alleges that the missionary committed “repeated acts of childhood sexual abuse,” including fondling and sex, at least once a week and “resulted in a child being born” in June 1986.”</p>

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	<p>“The complaint alleges that the local congregation's bishop encouraged Tyler to leave the area until her child was born, and wanted another family to raise the child. She "refused both of these plans," the document stated”...</p> <p>“Church officials and the bishop told her and her family not to talk about the issue with anyone and "suppressed and concealed information related to (the missionary), (his) propensity towards childhood sexual abuse, including suppressing and concealing such information from (her), her parents, law enforcement, and child protective services. The Palm Desert church, local bishop and the Salt Lake City-based Latter- Day Saints church could not immediately be reached for comment.”</p> <p>“The defendant, was 24 when the child was born, and Tyler was 14.”</p> <p>Victim-Jacqueline Tyler 2.docx Mormon Missionary Accused of Raping Teen, Fathering Child in Palm Desert A lawsuit filed Friday against the Mormon church claims a teenager was sexually abused multiple times in Palm Desert and Rancho Mirage in 1985. Posted by Renee Schiavone (Editor) , May 03, 2014 at 01:00 PM http://palmdesert.patch.com/groups/police-and-fire/p/mormon-missionary-accused-of- raping-teen-fathering-child-in-palm-desert</p>
07/21/85	<p>Idaho</p> <p>LDS James Schmidt allegedly abuses another child The "case was filed in 2013, in which Schmidt is accused of abusing John Doe II according to the complaint. The Plaintiff stated "I am outraged that the BSA and the LDS church did nothing to prevent Mr. Schmidt from raping me and the other boys."</p> <p>SCHMIDT-James Schmidt 2-Complaint.pdf. http://bloximages.chicago2.vip.townnews.com/idahostatejournal.com/content/tncms/assets/ v3/editorial/5/93/5930fb5c-dcee-11e2-ace3-001a4bcf887a/51c8793e8ab5f.pdf.pdf</p>

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	<p>"the men say the LDS Church knew that some of its Scoutmasters and troop leaders had molested boys in the past and that it nevertheless continued to put boys in harm's way." SCHMIDT-James Schmidt 3.pdf http://www.sltrib.com/sltrib/lifestyle/56506054-80/scouts-church-abusescout.html.csp</p> <p>"The LDS....and the Boy Scouts failed to remove abusers from the organization or notify police or parents, even after boys and their parents told them about cases of molestation or rape." SCHMIDT-James Schmidt 4.pdf http://www.idahostatesman.com/2013/06/24/2629653/boy-scouts-mormonchurch-sued.html</p> <p>In 1979 BSA "council Executive Rex Black first wrote national Scouting leaders about Schmidt" but "according to the May 13, 1981 letter...Black feared a public spectacle and had told Schmidt so in 1979, warning him a legal case would bring bad publicity to Schmidt and to the Scouts." SCHMIDT-James Schmidt 6.pdf www.idahostatesman.com/2012/11/25/2358686/scout-sex-abuse-lawsuit-settled.html</p>
08/28/85	<p>Oregon</p> <p>LDS John Lee Cox "The defendant was convicted in the Circuit Court, Clackamas County, (Dale Jacobs, Judge), of two counts of first-degree rape and one count of first-degree attempted rape, and he appealed.</p> <p>Before trial, he moved to suppress evidence of a statement that he had made on August 28, 1985, after he was indicted, to Beck, a marriage counselor and Mormon clergyman. In that statement, defendant admitted that he had had sexual intercourse with the victim, his step-daughter, once after he had joined the Mormon Church. The court denied the motion.</p> <p>At trial, defendant moved separately to strike Beck's testimony and for a mistrial. The court</p>

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		<p>denied the motions. Defendant assigns the three rulings as errors. He asserts that they violated the clergy-penitent privilege under OEC 506. We agree and reverse."COX-</p> <p>John Lee Cox STATE v Cox.pdf http://law.justia.com/cases/oregon/court-of-appeals/1987/742-p-2d-694.html</p>
11/04/85	Utah	<p>LDS Kevin Garn alleges abuses a "15 year old, She said Garn, who was married, struck up a relationship with her and one night took her to a location in Salt Lake City where they hot-tubbed together nude. Maher's life unraveled over the next years, which she attributes to the incident. She has struggled with pills and alcohol and mental health issues.</p> <p>GARN-Kevin Garn 5.docx http://archive.sltrib.com/printfriendly.php?id=14660754&ittype=ngpsid</p> <p>"Cheryl Maher feels betrayed by authority figures on several levels: by a former boss, a local politician, a Sunday school teacher and a church bishop. According to Maher, they are all the same man; that being Kevin Garn, the Layton lawmaker who sat naked in a hot tub 25 years ago with Maher when she was 15. In 2008, Maher tried to get the The Church of Jesus Christ of Latter-day Saints, the church of her upbringing, to formally act on that betrayal."</p> <p>"I am not seeking revenge. I am seeking justice and want to stop a man who has a powerful position in life and needs to be stopped before more damage is done," wrote Maher, in a copy of the letter she says she sent to LDS President Thomas S. Monson. The letter was released to the Standard-Examiner by Maher late Sunday night."</p> <p>GARN-Kevin Garn 2.pdf http://www.standard.net/topics/rep-kevin-garn/2010/03/15/cheryl-mahers-2008-letter-lds-president-thomas-s-monson-garns-accus</p> <p>"Cheryl Maher said Friday that Utah House Majority Leader Kevin Garn is lying about having no physical contact with her when they went hot-tubbing in the nude when she was 15 years old. She also says they had a long-term relationship at that time and contends that</p>

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	<p>he had affairs with others." GARN-Kevin Garn 1.pdf http://www.deseretnews.com/article/700016074/Cheryl-Maher-says-Kevin-Garn-lying-about-hot-tub-contact.html</p> <p>"The woman whose allegations of sexual impropriety brought down Utah's former House majority leader was killed over the weekend, the victim of an apparent murder-suicide in New Hampshire. In March 2010, Cheryl Maher contacted legislative leaders and reporters, telling her story about how she and Kevin Garn had hot-tubbed nude together in 1985, when Maher was just 15 years old. Garn, a Layton Republican, confessed to the relationship and resigned from the Legislature days later." GARN-Kevin Garn 3.pdf http://www.sltrib.com/sltrib/politics/52169685-90/2010-garnhampshire-hot.html.csp</p> <p>She said she did not have contact with Garn until 2002..." "At the time she was president of her LDS ward's Young Women's group, but she had a pill problem and, by her admission, "was a mess."</p> <p>"Maher made initial contact with reporters and within a few days Garn and his wife, Tanya, had arranged a meeting with Maher and her Mormon bishop. They met and Garn apologized for the incident and a short time later offered her \$20,000. Maher said her husband insisted it was not enough, and she should demand \$150,000. Garn said he believed he was being extorted, but paid her the money and had his attorney draft a non-disclosure agreement, where she said she would not go public with her story. Garn said he was not paying Maher to keep her quiet, but to make amends with someone who believed she had been damaged." GARN-Kevin Garn 4.pdf http://archive.sltrib.com/printfriendly.php?id=14660754&itype=ngpsid</p>
11/07/85 Los Angeles, CA	<p>LDS Harvey W. Harper's "oldest daughter, now 23 and living on the East Coast, also testified against him at the trial. He was found guilty of one count of attempted incest</p>

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	<p>involving the older daughter and four counts of lewd conduct with the younger daughter, who was under 14 at the time." HARPER-Harvey W. Harper 1.pdf http://articles.latimes.com/1987-11-02/local/me-12038_1_long-flight The jury "deliberated "for three days, jurors found Harper guilty on five of six felonies with which he was charged--one count of attempted incest with his older daughter, now 21, and four counts of the more serious charge of molesting his younger daughter, now 15." HARPER-Harvey W. Harper 2.pdf http://articles.latimes.com/1986-01-29/local/me-1184_1_sexual-abuse "GIRL SAYS MORMON BISHOP TOLD HER NOT TO REPORT INCEST" "A prosecutor's daughter testified that she didn't initially report allegations that her father had modeled her on the advice of her mother and a Mormon bishop." Suspended Deputy Los Angeles County District Attorney Harvey W. Harper, 50 of Rancho Cucamonga is charged with two counts of attempted incest and four counts of lewd conduct with a child under age 14-a daughter who is now 15. ...She said her mother and a Mormon bishop had told her to forget about the incidents." HARPER-Harvey Harper 3.pdf "Girl Says Mormon bishop told her not to report incest", The Associated Press-screen shot in my possession.</p>
04/03/86 Maui, Hawaii	<p>LDS Unnamed Perpetrator at the LDS Maui Land and Pineapple Company. This LDS company "recruited youths from Mormon communities in Utah and southern Idaho to go to camps in Maui to pick pineapples in the 1970s and 1980s, which led to them being sexually molested." "The lawsuit claims that Mormon men in their 20s, who qualified for supervisory positions after completing their two-year missions, ran the camps, which recruited minors from church wards and scouting organizations." And claims that one man, who was appointed camp coordinator, branch president and stake high counselor for one of the camps, molested the two boys from 1986 until 1989." "Jacob Huggard and Kyle Spray said they were molested by a coordinator who oversaw hundreds of boys at a camp from 1986 to 1988. Both men are now living in Pleasant Grove,</p>

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		<p>Utah. According to the lawsuit filed Wednesday, the church recruited hundreds of teen boys from Utah and southeastern Idaho to work in Maui pineapple fields in the 1970s and 1980s. The camps closed in the 1990s."</p> <p>LDS Maui Pineapple company Lawsuit-Unnamed predator.1 and 2 .pdf http://www.sltrib.com/sltrib/news/57438270-78/church-lawsuit-sexualcamps.html.csp http://archive.sltrib.com/story.php?ref=/sltrib/news/57438270-78/church-lawsuit-sexual-camps.html.csp</p>
04/25/86	Columbia, South Carolina	<p>LDS Thomas Eugene Dawkins A "Mormon Sunday school teacher was accused of "the worst case of sexual abuse I've ever seen during my 30 years in law enforcement," according to Richard County Sheriff Frank Powell of Elgin, South Carolina. "I'm not sure how a child can cope with something like this." Dawkins was accused of brutally torturing and raping a girl over a two-year period starting when she was 13, terrifying her into submission by cutting her, showing her body parts he kept in jars, and threatening to dissect her. Much of the abuse occurred during church outings, or during privately arranged meetings. Dawkins denied guilt, instead, according to reports, "praying and reading from the Book of Mormon."</p> <p>DAWKINS-Thomas Eugene Dawkins.pdf http://reformation.com/CSA/variousabuse.html</p>
05/01/86	California	<p>LDS Mark Gum "A former Oxnard man, Tayln Lang, has filed a lawsuit against the Boy Scouts of America and the Church of Jesus Christ of Latter-day Saints, alleging he was sexually abused more than two decades ago by a Scout leader who was active in the church...." the suit says the Oxnard troop was predominantly Mormon and the alleged abuser got involved in the Boy Scouts as a direct result of his church involvement The suit alleges Gum sexually abused the plaintiff regularly from the time Lang was about 13," "The suit alleges. Gum had Lang spend nights at his home even though he had no children the boy's age, and showered naked with some boys at a Scout camp, something no other</p>

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	<p>adults did, the lawsuit alleges. At least one former Scout recalled the shower activity as inappropriate, according to the suit. "If a Scout is able to recognize the impropriety of this kind of conduct, certainly adults in the organization ... should have taken action on it," Hale said. "If they had, it would have stopped the abuse of our client from taking place." Filed in Ventura County Superior Court, the suit alleges the organizations knew or should have known the alleged abuser posed a risk. It also claims they failed to prevent abuse."</p> <p>GUM-Mark Gum.pdf https://www.culteducation.com/group/1057-the-mormon-church/14386-former-oxnard-man-alleges-sex-abuse-sues-boy-scouts-mormon-church.html</p>
<p>06/15/86 California</p>	<p>LDS John Allen Midgett " was sentenced to thirty years in state prison for sexually abusing eight girls between the ages of five and ten in his Mormon Sunday School class, beginning in 1986." MIDGETT-John Allen Midgett 4.pdf http://articles.latimes.com/1992-09-12/local/me-165_1_child-molester-apologizes</p> <p>"Midgett was charged with "43 counts of sexually assaulting young girls between the ages of 5 and 10, was sentenced Friday to 30 years in state prison....The attacks occurred either in Mormon churches in Mira Mesa and Rancho Penasquitos or in the girls' homes. Midgett's lawyer, Juliana Humphrey, said Midgett entered the guilty plea in an effort to spare the children from having to testify in a trial. Charges were filed against Midgett after he confessed to church leaders to some of his crimes. The church leaders, in turn, went to police." "My little daughter was 6 years old when this all started happening to her. She now is afraid of everything," the mother said. "We have been through hell. If you can't trust your Sunday school teacher, how can you trust anyone else?" MIDGETT-John Allen Midgett 4.pdf Ex-Sunday school teacher weeps, says: 'I'm so thankful to you for turning me in. I was without hope.' September 12, 1992 DON STANZIANO http://articles.latimes.com/1992-09-12/local/me-165_1_child-molester-apologizes</p>

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		<p>http://mormon-alliance.org/casereports/volume1/part1/v1p1c04.htm</p> <p>https://records.txdps.state.tx.us/SexOffender/PublicSite/Application/Search/Individual.aspx?IND_IDN=13380797</p>
07/21/86	Glasgow, Scotland	<p>LDS Karl Monsen Elvik, "A Church youth leader was jailed yesterday after he admitted indecency offenses against eight boys. Elvik, 51, invited children to his house for sleepovers and got them to sit naked in cold baths. He also filmed boys in various stages of undress. At Glasgow Sheriff Court, Elvik, a former member of the Church of Jesus Christ of Latter Day Saints in Pollok, was jailed for 18 months. He admitted taking indecent images of children, four charges of lewd and libidinous behavior and two charges of indecent assault dating from 1986 to 1994. His victims were aged between 12 and 16 when the offenses took place. Sheriff Martin Jones QC said: "You were involved in grooming young boys while you were in a position of trust." Years after the offenses, Elvik, of Wishaw, was confronted by one of his victims and begged him not to go to the police. He was reported anonymously to police in 2011."</p> <p>ELVIK-Karl Monsen Elvik 1.pdf and 2.pdf</p> <p>http://www.dailyrecord.co.uk/news/scottish-news/pervert-church-youth-leader-jailed-3005996</p> <p>http://www.clyde1.com/news/local/church-youth-leader-jailed-for-abusing-boys/</p>
12/31/86	California	<p>LDS Daniel Montoya "55 of AZ has already been convicted of sexually abusing teen boys from his church in Long Beach in the 1980s. More victims have come forward and he is back in jail." "He had previously been convicted of molesting two teen boys in the 1970s and was arrested again in October of 2014 " "Detectives learned that in 1986, Montoya pleaded guilty to molesting two boys who were members of his church, The Church of Jesus Christ of Latter-day Saints in Long Beach."</p> <p>MONTOYA-Daniel Montoya 2.pdf</p>

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		<p>http://www.deseretnews.com/article/635155625/Ex-LDS-primary-teacher-gets-anothersentence.html?pg=all</p> <p>December 31, 1986 Montoya was placed on the BSA Confidential files "Charged and arrested for fondling (child molestation). In a handwritten note in the files the BSA states, "Please note that Montoya is charged with fondling. No charge has ever been made involving any violent act. He is a meek and mild young man." May 21, 1987 (newspaper clipping) "A former Mormon missionary and Boy Scout leader who pleaded guilty last year to molesting two boys has been ordered to spend on year in a residential behavioral treatment program."</p> <p>MONTOYA-Danel Montoya 1-BSA File.pdf http://documents.latimes.com/daniel-montoya/</p>
02/01/87	Georgia	<p>LDS Charles Michael Snider "After defendant was found guilty but mentally ill with respect to child molestation, invasion of privacy, and cruelty to children charges, the Superior Court, Cherokee County, Gault, J., denied defendant's motion for new trial. Defendant appealed. The Court of Appeals, Andrews, J., held that:(1) evidence supported child molestation conviction;(2) evidence supported invasion of privacy conviction; and (3) indictment sufficiently apprised defendant of what he need to prepare to meet." "K.S., who was 11 at this time and beginning to develop physically, began to see Snider completely **571 unclothed lying on the bed or standing in the doorway of his bedroom, sometimes touching his genital area. She reported this to her mother who talked to Snider about it. He admitted that he had done this, and Mrs.Snider talked to church elders who counseled with Snider."</p> <p>SNIDER-Charles Michael Snider SNIDER v State.pdf https://www.courtlistener.com/opinion/1302246/snider-v-state/</p>
03/27/87	Utah	<p>LDS John Wood Fanning "Has admitted to having an involvement with a teen age boy on one occasion while the two sleeping together in a double sleeping bag during an Order of the Arrow overnight activity." Notes and letters from K Hart Bullock LDS Scout Executive</p>

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		<p>included in the BSA files. Fanning is shown to be involved in troops in Illinois and Louisiana.”</p> <p>FANNING-John Wood Fanning-BSA File.pdf http://documents.latimes.com/john-wood-fanning/</p>
04/01/87	Utah	<p>LDS Mitchell Blake Young "A victim filed suit against The Church of Jesus Christ of Latter-day Saints stating that the church protected the perpetrator. The plaintiff, A. Doe, claims defendant Mitchell Blake Young abused him between 1987 and 1992, when he was 6 to 12 years old.”</p> <p>“Young was convicted in 1993 and was sentenced to 15 years in Utah State Prison for the crime.” "The suit also alleges church leaders knew Young had sexually abused children for more than a decade when he began abusing A. Doe.”</p> <p>"The church has said it encourages members to report abuse to law enforcement and now has a system that flags the membership records of those with any reported child abuse complaints. The church also set up a toll-free number for leaders to report abuse.”</p> <p>“According to the lawsuit, Gordon Young and the LDS Church knew of Young's abuse of children as early as 1975. In 1975, Gordon Young received complaints that his son had abused neighborhood children in the Butler 20th Ward in Salt Lake County. And then in 1980, the church sent Young on a mission to the Whitefish Bay area of Canada, where the church received reports he was sexually abusing children from a nearby tribe, the suit said. The church recalled Young from the mission but failed to report him to authorities. Instead, he was "cured" through counseling and therapy, it said.”</p> <p>“In 1985, in Maricopa County, Ariz., Young was convicted of sex crimes against two children, ages 4 and 7, and was sentenced to 5 years' probation. The Butler ward Bishop James H. Woodward wrote a letter to the judge volunteering to monitor and supervise</p>

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	<p>Young and urging against a prison sentence. The letter did not disclose the church's prior knowledge of child abuse allegations against Young.”</p> <p>“In 1986, Young met A. Doe's mother, a single woman in the Butler 20th Ward. Gordon Young hoped to "cure" his son by marrying him to the woman, who had just immigrated to the United States, the suit alleged. Gordon Young told the mother his son was a religion instructor to gain her trust, the suit claims. Young was often left alone in his father's Utah home with her children, and there he sexually abused the plaintiff, the suit alleges.”</p> <p>“Although church leaders knew Young's unsupervised contact with the plaintiff and his siblings was a violation of his Arizona probation, the contact was not reported according to the lawsuit.”</p> <p>“In April 1988, Young pleaded guilty to new criminal charges of sexual misconduct with a group of four boys in the locker room of a Salt Lake City youth center. That information was deliberately concealed from the young mother by the Young's and church leaders, and the abuse against her son continued, the lawsuit claims. The suit asks for unspecified damages.”</p> <p>Victim Sues LDS Church, Sex Abuser Tuesday, July 2, 2002 BY ELIZABETH NEFF</p> <p>YOUNG-Mitchell Blake Young.pdf http://kosnoff.com/Articles/Articles102.html</p>
05/01/87	<p>Idaho</p> <p>LDS Robert "Scott" Price “was a Scout and youth leader at an LDS church in Bannock County, who began abusing children in the mid-'90s, though some records indicate he started earlier.” A Bannock County Sheriff's Office report shows that 1994 or 1995 is when the Price and some Scouts stayed in a cabin near Driggs, and molested a 14 year old boy. There are at least 14 incidents, which involved oral sex and fondling of boys ages 15 to 17, which followed, according to the sheriff's office report... “He told the boys they would ruin his life if he was turned in and that the boys wouldn't be able to go on LDS missions if anyone</p>

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	<p>found out, investigators reported. Several episodes occurred during church-sponsored camping trips for young men. Police arrested Price, who appeared in court for the first time on March 1, 2001. He was released from jail on a \$100,000 bond while deputies investigated his case.”</p> <p>“By May 2, 2002, Price had returned to Scouting, sheriff’s investigators reported.... On May 7, 2002, Judge Randy Smith ordered that Price be arrested for violating the terms of his release by spending time alone with children. Charged with five felonies, Price pleaded guilty June 20, 2002, to three: sexual abuse of a child under 16, lewd conduct with a child under 16 and sexual battery of a child 16 or 17 years old. Smith received at least 40 letters from people affected by Price’s conduct. The judge sentenced Price on Sept. 5, 2002.”</p> <p>“The Defendant sexually molested several underage boys (at least eight) since 1987,” the judge wrote on Dec. 23, 2002, regarding a hearing where he refused to reduce the sentence. “Mr. Price also used his position as a leader in the boys’ church, as a Scout leader and as a friend. ... Given the evidence here, he cannot have a life without supervision.” (The links to Zuckerman’s article are continuously taken down so I found the AG site and if you scroll you will see the screen print of all of Zucherman’s work).</p> <p>http://www.livawards.org/pdf/2005/ScoutReduced.pdf</p> <p>https://www.attorneygeneral.jus.gov.on.ca/inquiries/cornwall/en/hearings/exhibits/Mary_Lyn_Young/pdf/02_Media_Report_rev.pdf</p> <p>http://www.idahoboyscoutabuse.com/scout-casenot-found-court-records-show-fourth-pedophileled-several-boy-scout-outings/</p> <p>"SCOUTS HONOR" By Peter Zuckerman" PRICE-Robert Scott Price 1.pdf</p> <p>Perpetrator: Price, Robert Scott - Mormon</p>
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	<p>The following is verbatim (with permission) from http://www.idahoboyscoutabuse.com/perpetrators/robert-scott-price/</p> <p>Place: Bannock County Troop & Location: Grand Teton Council - Idaho Years in BSA: No IV File, Scouting 1987-2002 Description/Convictions:</p> <p>Post Register article details more than a decade of child sex abuse while being active in Scouting and the LDS church. Post Register – Zuckerman. Convicted of Sexual Abuse of a Minor in June, 2002.</p> <p>Doe... Interview with Andrew Chasan and a BSA Abuse Victim BSA PERPETRATORS Timeline for Robert Scott Price: Born 2/1962SSN Issued in Idaho 80's Lived in Green River, Wyoming. (Sweetwater County.) Checked with Sweetwater County Criminal and Civil courts – no records exist on Price. We don't know if he was involved in the Scouts in Wyoming, but he was most likely involved in the LDS church. Winter of 94 or 95 2001 Price was arrested and appeared in Court on March 1, 2001. He was released from jail on a \$100,000 bond while deputies investigated his case. By May 2, 2002, Price had returned to Scouting, and at least one person was "very concerned about Price being around the young boys" at Boy Scout functions. (Post Register.)</p> <p>6/20/02 Price pleaded guilty to sexual abuse of a child under 16, lewd conduct with a child under 16 and sexual battery of a child 16 or 17 years old.</p> <p>9/23/2002 Wife filed for divorce. Divorce decree granted 11/22/2002. (Court records.)</p> <p>12/23/02 The judge wrote that Price had sexually molested at least eight underage boys since 1987. He wrote that Price used his position as a leader in boys Church, as a Scout</p>
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		<p>leader and as a friend. Sentenced to Life in Prison. Parole Eligibility Date: 5/1/2017. (Court records.)"</p> <p>PRICE-Robert Scott Price 2.pdf http://www.idahoboyscoutabuse.com/perpetrators/robert-scott-price/</p>
06/27/87	Arizona	<p>LDS Derek Marlan Layton accused, convicted and sentenced to 25 years in prison for "Sexual with minor and dangerous crimes against children" LAYTON-Derek Marlan Layton 1 pdf . "Mormons Tried to Cover Up Their " Members" Molestation of my Three Children. AUTHOR: Michelle - (U.S.A.) SUBMITTED: Saturday, March 05, 2005</p> <p>"Once upon a time there was a good upstanding Mormon boy, Derek Marlan Layton, that was our part time babysitter and worked for my company. We finally found out that he had been molesting our three children for four years, and severely molesting them and threatening them not to tell, or he would kill their parents."</p> <p>"To make a long, long story short, Once he was arrested the Mormon Community came forward to protect Derek. The press wouldn't cover the story, "Largest Known Molest case in the State of Arizona at the time. We had fine upstanding Mormon citizens harassing us about picking on Derek. The mormon community bailed him out of jail."</p> <p>"We spent a year and a half with court hearings, and Me, A mother, that believed I knew what was in the best interest of my children and my family. I fought an uphill battle and with evidence fit to bury any king."</p> <p>"Derek Marlan Layton was sentenced, not to what the Mormon community wanted, Probation, LOL, but to what a bitter and angry mother defending her children wanted. TWENTY FIVE YEARS FLAT in the Arizona Department of Corrections. Parents, you can beat the Mormons in Court, Stick to your guns, pray a lot and fight like Hell for your Childrens Rights."</p> <p>LAYTON-Derek Marlan Layton 2.pdf (Copy in my possession).</p>
07/23/87	Utah	<p>LDS Robert David Stillwell placed on the BSA confidential files July 23, 1987. On August 5, 1987- K Hart Bullock Scout Executive, Great Salt lake Council writes a letter to BSA Paul</p>

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	<p>Ernst. "Dear Paul, I am enclosing a confidential record sheet on Robert David Stillwell of Salt Lake City, Utah. It is my feeling that Mr. Stillwell should not be involved in the Boy Scout program. He was brought to my attention by the father of a 13 year old boy who observed some very unnatural interest that Mr. Stillwell was demonstrating toward his boy and several of his friends. In checking with Mr. Stillwell's LDS Bishop I find that he has been accused of sexually molesting a boy by the boy and the boy's mother, but denied any such activity.....I have visited with his LDS Bishop and he assured me that they would remove him from the Scouting program and any involvement with youth." " Have received complaints from a Scoutmaster of another troop and a father of a 13 year old boy that Robert Stillwell has and is showing unusual attention to his son and 3 other boys, I.e. inviting them to movies"and "on a week long trip to Catalina Island." Stillwell registration for LDS scouting sent but rejected by BSA in 1988 and 1991. On October 23, 1991, there is a letter from Lloyd T Anderson in the BSA files, Stake President to Elder Lybbert, Area President Asia Area Church of Jesus Christ of Latter Day Saints, Central Hong Kong regarding Robert Stillwell is in the BSA Confidential files. "I am writing to provide you confidential information which suggests that Church disciplinary action against Brother Stillwell is indicated."., "In Approximately 1987, Robert Stillwell was a member of the Central Park Ward, South Salt Lake, Utah Stake. For approximately one year, he served as a counselor in the Young Men's presidency and as an assistant scout master.....During this time period, suggestions of problems with Brother Stillwell and the young men he was involved with were first raised by a mother of a young man in the Haven ward... the son was questioned but did not admit to any improper actions on the part of Brother Stillwell. Later that same year,parents notified scout headquarters of their concerns. Scout Council investigated and turned up some disturbing information"</p> <p>STILLWELL-Robert David Stillwell-BSA file.pdf http://documents.latimes.com/robert-david-stillwell/</p>
<p>07/27/87</p>	<p>California</p> <p>LDS Craig Mathias "has been arrested on charges (lewd and Lascivious acts against children) that he molested 11 Scouts, 12 to 14 years old, over the last year and a half." He</p>

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		<p>was sentenced to 6 years in prison. Placed on BSA confidential file July 27th, 1987.</p> <p>MATHIAS-Craig Mathias-BSA Files.pdf http://documents.latimes.com/craig-mathias/</p>
08/14/87	California	<p>Kenneth L. Hanigan, was placed on the BSA File for allegations of child molestation but in the file a letter from the BSA District Scout Executive Lou Garcia indicates that "the Troops Charter partner head and the Troop's committee chairman would be informed of his suspension." I included Hanigan in this document because perhaps this is routine and standard operating procedure for the Scouts to notify the Chartering organization when an adult scouter is accused of child molestation so here it is in writing on page 10.</p> <p>HANIGAN-Kenneth L. Hanigan-BSA notifies Charter organization.pdf http://documents.latimes.com/kenneth-l-hanigan/ See Larry Van Dyke for an example of the LDS church being notified by the BSA.</p>
09/01/87	Washington	<p>LDS Darrell Newby (AKA Rand Darrell Newby), "the said defendant, between August 12, 1986-August 14, 1986, in the County of Multnomah, State of Oregon, did unlawfully and knowingly subject a person under the age of twelve years, to sexual contact..." He was convicted of Sexual abuse of a child with "no unsupervised contact with minors without consent of his probation officer; adult to be in family home when children are present and he is to continue with counseling and sex offender treatment."</p> <p>NEWBY-Rand Darrell Newby-BSA File.pdf http://documents.latimes.com/rand-darrell-newby/</p>
09/22/87	Oregon	<p>LDS Franklin Leon Mathias was "sentenced for molesting an 11-year-old boy during a Sunday School class." The DA Russ West claimed that "Mathias had sexually abused more than 70 victims during his adult life." Judge Gooding stated, "I am disappointed that this matter wasn't handled by the system in 1962-we wouldn't have all this wreckage now."</p> <p>MATHIAS=Franklin Leon Mathias-BSA File.pdf http://documents.latimes.com/franklin-leon-mathias/</p>

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11/17/87	Utah	<p>LDS Thomas Opfar, "admitted child molester is now serving a 5 to 15 year sentence in the Utah State Prison." The files indicate that Opfar was "Excommunicated."</p> <p>OPFAR-Thomas Opfar-BSA File.pdf http://documents.latimes.com/thomas-opfar/</p>
11/24/87	Washington	<p>LDS Denis Bough "pled guilty to sexual activity with minors."</p> <p>BOUGH-Dennis Bough-BSA files.pdf http://documents.latimes.com/denis-baugh/</p>
12/18/87	California	<p>LDS Larry Van Dyke accused of child abuse "based upon substantial evidence submitted to this council....all information has been reported by this council to the Child Protective Services, attention Carol Kearl." "Since Troop 203 is sponsored by the Latter Day Saints Church, a Dr. Bill Tanner, member of our Board of Directors, Vice Chairman of the Council, and President of the L.A. Stake has also been notified." Letter from Richard B. Frans Director of Field Service BSA to Mr. Paul Ernst National Council Registration Service.</p> <p>VAN DYKE-Larry Van Dyke-BSA file.pdf http://documents.latimes.com/larry-van-dyke/ see Kenneth Hanigan also for another example of the BSA notifying the Charter Organization.</p>
01/01/88	Washington	<p>LDS Peter Taylor "was accused of and pleaded guilty to sexually abusing his stepdaughters." "¶6 According to Jessica, sometime in 1995 she met with Bishop Hatch and told him her stepfather was sexually abusing her. Jessica testified that she told her friend, Cherisse Anderson that "[Taylor] was coming into [her] room at night, and abusing [her]." Cherisse encouraged her to speak to their bishop. Jessica stated that she went to Bishop Hatch because she "just wanted the abuse to stop. That's it." Jessica testified that Bishop Hatch referred to a conversation with Cherisse in which Cherisse had suggested that Taylor had been touching Jessica inappropriately. Jessica testified that after some "back and forth," she told Bishop Hatch that her stepfather "touched me on my private parts in the</p>

middle of the night, in my bed, and it did make me uncomfortable."

¶7 According to Jessica, Bishop Hatch responded, "I'm so glad you came and talked to me, because I don't have to report it." Jessica said that Bishop Hatch then talked about another family in the ward. She testified that he told her "that one of the twin daughters had gone to the school counselor, and told the school counselor that her dad was abusing her, and the school counselor reported it to Child [Protective Services]. And [then] he said that, Child [Protective Services] went into the house, the family is losing everything, they are going bankrupt, and everybody in the ward is gossiping about them." When asked at trial, Jessica replied that she knew about the Roberts family at the time "because there were people talking about it." She stated that [the] message came across pretty loud and clear when he said, "I'm so glad you came to me and not to a school counselor, or not to a teacher," and so on and so forth, meaning that he wouldn't have to report it. But, had I gone to somebody else, they would have reported it. And the situation, what happened to the Roberts family, would be what would happen to my family. ¶12 In 1998, in an e-mail conversation with a friend, Jessica disclosed that her stepfather had sexually abused her for a number of years. The friend notified the new bishop of their LDS ward, Bishop Wade. After being told that Bishop Wade had been informed of the abuse, Jessica met with him. She begged him not to report the allegations; he insisted that he had to. According to Jessica's testimony, she said, "But Bishop Hatch said he didn't have to report it." She stated that Bishop Wade replied, "Well, he didn't handle it the right way." She also said that he encouraged her to tell her mother so that Taylor would move out of the family home. Bishop Wade indicated that it would be better if Taylor was not in the house when CPS came. Bishop Wade then confronted Taylor about the abuse, and Taylor confessed to Wade. See *Jane Doe v. Corp. of President of Church of Jesus Christ of Latter-Day Saints*, 122 Wn. App. 556, 90 P.3d 1147 (2004), review denied, 153 Wn.2d 1025 (2005) (related case finding that Taylor confessed the abuse to Wade). "

TAYLOR-Peter Taylor 2.pdf

LDS Bishop Bruce Randall Hatch alleged FTR in Jane Doe v the cop.Pdf

http://www.leagle.com/xmlResult.aspx?xmlDoc=20071360167P3d1193_11350.xml

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01/01/88	Australia	<p>Plaintiff SDW is a “woman who has lost her bid to sue the Mormon church after it allegedly failed to report to police that she had been sexually abused. The woman, 36, who cannot be identified but was referred to in court as SDW, claimed that a Queensland chapter of the Church of Jesus Christ of the Latter-Day Saints knew that she had been abused by her stepfather, a church elder who ran a youth group, between November 1986 and October 1989 when she was a teenager. During a Supreme Court hearing earlier this month, the woman claimed the church had breached its duty of care to her and sought damages for serious psychiatric problems she had developed as a result of the abuse. However Justice Carolyn Simpson today denied the woman the chance to sue as the statute of limitations for commencing court action had expired. The court had heard that, when she was aged about 16, the woman had told her mother that her stepfather had touched her and had sex with her. Her mother reported it to the bishop of the church, who was also a police officer, and the church conducted a disciplinary tribunal, known as a "church court", which ruled the man be excommunicated." Plaintiff SDW 1.pdf SDW was 14 when she was abused and "said church members must have known of the abuse. The minute my stepfather said what he did to me, people should have stood up and told police what he's done to me." Plaintiff SDW 2.pdf</p> <p>http://www.smh.com.au/news/national/sexually-abused-woman-loses-bid-to-suemormons/2008/11/27/1227491710008.html</p> <p>http://www.abc.net.au/news/2008-11-17/women-attempts-to-sue-mormon-church-over-abuse/208904</p>
01/15/88	Blackfoot, Idaho	<p>LDS Brad Stowell "had testified under oath that from 1988-2007 he molested at least 24 boys, many of them Scout campers. Another victim was 6 years old. Scout leaders testified they received warnings but went ahead and hired Stowell." STOWELL-Brad Stowell 2.pdf</p> <p>The following is verbatim from: www.idahoboyscoutsabuse.com/perptraor/brad-stowell/</p>

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	<p>"Perpetrator: Stowell, Brad - Mormon Place: Idaho Falls Troop & Location: Grand Teton Council - Camp Little Lemhi, Chubbuck, ID Years in BSA: No IV File, Scouting 1990-1990's Description/Convictions:</p> <p>1988 admits to molesting a 6 yr. old, sent to LDS social services for counseling. Hired again at the same camp in 1989-97. Repeated warnings to the church and scouts were ignored. Arrested in 1997 for child sex abuse while he was at the camp. Post Register – Zuckerman</p> <p>Evidence of LDS Knowledge: 1988 Stowell confesses to LDS Bishop. Post Register Article – Peter Zuckerman</p> <p>Brad Stowell in the News:</p> <p>More Pedophile Cased Emerge With Scout Camp Connections Scout case 'not found' – Court records show fourth pedophile led several Boy Scout outings</p> <p>Timeline for Bradley Grant Stowell:</p> <p>Born 5/1972 SSN Issued in Idaho</p> <p>1988 Stowell admits to the police, his mother, and the LDS Bishop that he had abused a 6 yr. old neighbor. (Stowell would have been 16.) He was sent to the LDS Social Services for counseling and the Bishop said he was cured. (Post Register and court testimony.)</p> <p>1988 Stowell was hired to teach first aid at Camp Little Lemhi – Grand Teton Council. (Post Register and court documents.)</p>
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	1989	Stowell was hired as waterfront instructor at Camp Little Lemhi. (Post Register and court documents.)
	1990	Stowell was re-hired at Camp Little Lemhi. (Post Register and court documents.)
	1991	Stowell was hired as assistant aquatics director at Camp Little Lemhi. (Post Register and court documents.)
	?	Richard Scarborough learned from Stowell's church leader that Stowell had molested a neighborhood boy. (Post Register and court documents.) Richard Scarborough related to Bradford Allen (Scout Executive, Tendo Council) that Stowell had engaged in inappropriate relations with a young boy and Stowell should not be working with BSA or at Camp Little Lemhi. (Post Register and court documents.) Richard Scarborough contacted BSA's western regional director about Stowell's inappropriate actions with the young neighborhood boy. (Court documents.)
	1991	Richard Scarborough sent a letter to BSA's national office in Irving, Texas warning them of Stowell's inappropriate conduct with the young neighborhood boy. (Post Register and court documents.)
	1992-1993	LDS Church sends Stowell on a mission to Alaska, where, he confessed under oath, he molested at least one child. (Post Register.verbatim from Pedophiles at Scout Camp by Peter Zuckerman-STOWELL BRAD 1.pdf)
	1993	Stowell's mother joins the Grand Teton Council Executive Board after spending 14 years as a Cub Scout leader.
	1/14/94	Richard Scarborough writes at letter to LDS President Ezra Taft to tell him that the

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	local leaders are ignoring the warning of a pedophile (Stowell) in the LDS Scout Troop. (Post Register.)
4/1994	Three members of the Northwest Area Presidency of the LDS church signed a letter to Richard Scarborough saying the allegation was reported to the Idaho Department of Health and Welfare, an investigation was made, and "it was determined the nature of the allegations warranted no further action." (Post Register.)
1995	Stowell is hired as aquatics director at Camp Little Lemhi by Jim Summers (Post Register and court documents.)
1995	Carol Scarborough warns Jim Summers of Stowell's inappropriate conduct with a neighborhood boy. Jim Summers reports the warning to Richard Snow and is told it is fine to keep Stowell on staff at Camp Little Lemhi without any restrictions. (Post Register and court documents.)
May 1995	C. Hart Bullock, area director of BSA, received a report that Stowell had engaged in inappropriate conduct with a neighborhood boy. C. Hart Bullock turns info over to Bradford Allen who checked with Stowell's bishop. Allen is told by at least one bishop that there was such an incident. Allen questioned Stowell about the incident just prior to Scout camp starting. (Post Register and court documents.)
1996	Stowell is promoted to Programs Director at Camp Little Lemhi by Robert Fawcett, Camp Director. (Post Register and court documents.)
6/96	Robert Fawcett warns Stowell about being alone with and touching the boys too much. (Post Register.)
1997	Stowell is re-hired as programs director at Camp Little Lemhi
6/97	

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	<p>Elias Lopez, Camp Director, warns Stowell about being alone with the boys. (Post Register.)</p>
1997	<p>Stowell had a girlfriend named "Amy." (Apology letters to victims. Court documents.)</p>
7/11/97	<p>Stowell is arrested at Camp Little Lemhi for child sex abuse.</p>
12/3/1997	<p>Stowell sentenced to five months in jail, plus 15 years probation. (Waiting for court documents from Bonneville County.)</p>
11/30/99	<p>Stowell admits to molesting 24 boys. (Post Register.)</p>
6/19/2002	<p>Stowell requests early probation termination. (Court records.)</p>
3/30/2005	<p>Report of Probation Violation. (Court records.)</p>
4/25/2005	<p>Judgment and Commitment on Conviction of Probation Violation. (Court records.)</p>
2008	<p>Released from prison (News report, KSL.)</p>
10/23/2008	<p>Five weeks after being released, was back behind bars for violating parole. (News report, KSL.)</p>
June 13, 2011	<p>Released from prison. (KSL.)</p>
5/2013	<p>Lives in Salt Lake City, Utah. Registered Sex Offender. (Background check).</p>
	<p>STOWELL-Brad Stowell 3.pdf www.idahoboyscoutsabuse.com/perprator/brad-stowell/ .</p>

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03/18/88	California	<p>LDS Stephen D. Field was placed on the BSA confidential file on June 18, 1971 but even though "the LDS Bishop at Valencia told the Brother-in-Law (who was a Scoutmaster in the LDS Church) not to associate with Stephen Field anymore" Field "continued to work with the Valencia troop after he moved to Newhall. " Field was sentenced (in 1988) to state prison..for molesting two 13 year-old boys....It appears that this conduct has been going on for an extremely long period of time. Field was asked to leave a Santa Monica Boy Scout troop in 1971 after complaints from boys in the troop." And "The Boy Scouts of America have a file on Mr. Field, dating back to 1971, containing some complaints that were made about Mr. Field."</p> <p>FIELD-Stephen Field-BSA File.pdf http://documents.latimes.com/stephen-d-field/</p>
03/21/88	Utah	<p>LDS Scotty Hyrum Mortensen "was suspended or denied registration with BSA for child sexual abuse of three youth-Salt Lake County Sheriff Dept. have 3 charges of child sexual abuse against this person. The three boys now refuse to testify and Mortensen won't admit guilt. The Sheriff says there is no doubt as to his guilt, but they can't prove it at this time." Letter from K Hart Bullock, Scout Executive to Paul Ernst, BSA National on March 18, 1988 "The LDS ward to which he (Mortensen) belonged have removed him from all involvement with their youth." Feb 25, 1988 a written telephonenumber message from Hart Bullock to BSA ""Neither the council or National show him registered even though there is talk he is a Scout Master."</p> <p>MORTENSEN-Scotty Hyrum Mortensen-BSA File.pdf http://documents.latimes.com/scotty-hyrum-mortensen/</p>
04/01/88	South Carolina	<p>LDS Wayne Sells was placed on the BSA Confidential file April 1, 1988 for "improper relations with young boys." but on December 14, 1987 in the Record was a "Child Sexual Abuse Report" written by Joseph R. Patterson."While making a sponsor head visit with Bishop Carl J Sheperd, Woodruff, AZ 85042, Bishop of the Woodruff Ward, LDS Church, which sponsors Pack, Troop, Team and Post 64, a discussion was held concerning the</p>

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		<p>problem of child sexual abuse. Bishop Sheperd indicated that a situation had arisen with one of their leaders about two years earlier in which this man was holding and rubbing the young Cub Scouts. He was removed from the position immediately and then he left the area. I explained to Bishop Sheperd that this information needed to be passed on to the National Office and entered into the computer in case he attempted to register in another area."</p> <p>SELLS-Wayne Sells-BSA File.pdf http://documents.latimes.com/wayne-sells/</p>
04/29/88	Utah	<p>LDS Oliver K. Eames was denied registration with the BSA and placed in the BSA Confidential files on April 29, 1988 because he "pleaded guilty to sexual child abuse." A letter from K. Hart Bullock, Scout Executive to Paul Ernst, BSA National-"I spent half a day meeting with the police and sheriff's department, receiving information about Mr. Eames. They have documented 52 child sexual abuse incidents which he has been involved in."</p> <p>EAMES-Oliver D Eames-BSA File.pdf http://documents.latimes.com/oliver-d-eames/</p>
05/23/88	Utah	<p>LDS Michael L Larsen was placed on the BSA Confidential file on May 23, 1988 for sexual child abuse of an 8 year old.. "Michael Larsen admitted to the sexual abuse charges."</p> <p>LARSEN-Michael Larsen BSA File.pdf http://documents.latimes.com/michael-l-larsen/</p>
05/31/88	Utah	<p>LDS Norman Carl Barber placed on the BSA confidential file because he was "convicted of two counts of forcible sexual abuse of a minor (2 15-year old girls-not Explorers).</p> <p>BARBER-Norman Carl Barber-BSA File.pdf http://documents.latimes.com/norman-carl-barber/</p>

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07/03/88	Utah	<p>LDS Allen B Washburn, District Sout Executive who is married with children of his own, was placed on the BSA Confidential file on 7-3-88 charged with a second degree felony for forcible sexual abuse on a child. "Washburn is accused of sexually abusing a boy less than 14 years old." Washburn was registered as District Executive from December 1983-August 3, 1988."</p> <p>WASHBURN-Allen Washburn-BSA Files.pdf http://documents.latimes.com/allen-b-washburn/</p>
07/21/88	Nebraska	<p>LDS Robert D. Campbell, "20, of Aberdeen, Idaho, was released from jail after Mission President David Campbell (no relation) posted a \$10,000 bond. A hearing was scheduled Friday morning in the Dixon County Courthouse in Charlotte. President Campbell said he received a call from a ward mission leader, who said the mother of the family was making "some serious accusations." The mission president called the woman, who said her daughters told her they had been fondled." Wire service reports say the woman told a local newspaper that church officials told her not to call the police, that they would handle the incident themselves." (Deseret News July 21, 1988).</p> <p>"Robert D. Campbell, 20, a Mormon missionary from Idaho, was CHARGED with sexually assaulting two Tennessee sisters, ages 7 and 9, at a prayer meeting. David Campbell, of Nashville, president of the missionary program, told the press "That's not true." The thirty two year old woman said "I'll probably be excommunicated over this." She said David Campbell advised her not to call the police, although he denies that too. She also said church officials called her an hour after the missionary's release from jail asking permission for her daughters to "take a lie detector test." Said the mother: "He can deny it all he wants to. He told me not to tell anybody, and not to report it... He said the church's attorneys would look into it. (Idaho Statesman July 21, 1988.)"</p> <p>CAMPBELL-Robert D Campbell.pdf http://tnvalleytalks.hoop.la/topic/they-did-it-not-us?reply=331324679023329154</p>

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		http://www.deseretnews.com/article/11371/HEARING-FRIDAY-FORMISSIONARY-CHARGED-WITH-SEXUAL-ASSAULT.html?pg=all
07/21/88	Arizona	<p>This case was brought before the Superior Court by the Church in Church of Jesus Christ of Latter-Day Saints v Superior Court Arizona 1988 764 P 2d 759.pdf (159 Ariz. 24, 764 P.2d 759)</p> <p>“Mother of victim of child abuse brought suit against alleged molester and against church, charging that church was negligent in counseling and treating alleged molester and in failing to report his conduct to law enforcement officials. Discovery was sought from three church officials, who claimed that information sought was privileged under clergyman/penitent privilege. The Superior Court, Maricopa County, Cause No. C–517976, Cheryl K. Hendrix, J., compelled discovery in part. Church brought special action in Court of Appeals. The Court of Appeals, Fidel, J., held that: (1) special action was proper means to seek relief from order requiring disclosure of material claimed to be protected by privilege; (2) clergyman/penitent privilege could be impliedly waived; (3) alleged molester, by making disclosures to police department concerning his communications with church officials, waived any privilege that might otherwise have applied to his conversations with those officials or to conversations among officials; and (4) church officials had no statutory privilege independent of alleged molester's.”</p> <p>“The Court ruled-Review accepted, relief denied.</p> <p>Facts The facts, as best we can discern them from the record on special action, are these: On March 20, 1984, Cynthia Brown, the plaintiff, went to pick up her three and a half year old daughter at the home of Kenneth and Willa Ray; the Rays had been babysitting her child regularly since 1982. Willa Ray informed Mrs. Brown that afternoon that Kenneth Ray had a sexual problem and had molested his own daughters. Mrs. Brown, who had been troubled by her daughter's abnormal interest in sexual behavior over the past year,</p>

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suspected that her daughter had become Ray's victim. On the following day, Mrs. Brown reported her concern to the Mesa Police Department, which had already begun to investigate other reports of molestations by Ray.

Two weeks earlier, on March 9, 1984, Allen Farnsworth, Ray's stake president, a local officer in the LDS Church, had been informed of an unrelated molestation by Ray. Farnsworth asked Ray's ward bishop, Harold Stradling, to confront Ray with the allegation; when Stradling did so, Ray admitted it and acknowledged similar acts with other young girls.

On March 13, 1984, the Church excommunicated Ray for conduct unbecoming a member. The following day, pursuant to A.R.S. § 13-3620 (A), 2 Farnsworth reported Ray's actions to the Child Protective Services Agency of the Arizona Department of Economic Security. Ray was subsequently investigated, prosecuted, and, upon his entry of a no contest plea, convicted for various counts of molestation including the molestation of the plaintiff's child.

Portions of the Mesa Police Department's investigative report on Ray have been provided for our review. According to that report Ray admitted to the police that he had molested the Brown child at least twice when she was two years old, and he admitted molesting numerous other children over a period of more than twenty years. Ray discussed with the police a document that he had prepared for Farnsworth and Stradling and that an officer of LDS Social Services had provided to the police. On it, **Ray had listed thirty-three of his victims.**

He also volunteered the names of Standage, Bailey, and Taylor to the police as church officials with whom he had earlier discussed "his problem." We quote that portion of the police report concerning Standage, Bailey, and Taylor: **At this point I asked Mr. Ray how many times he had had contact with church authorities in reference to his sexual problem. Mr. Ray told me that in 1968 he had had contact with a Bishop George Standage reference sexual contact with a twelve (12) year old named Debbie and his daughter.... Mr. Ray stated that this Bishop Standage sent him to see a Franklin Gibson for counseling. Mr. Ray further stated that he had seen a Bishop **762 *27 Art**

Bailey while he was in Albuquerque, New Mexico, during the period of May 1976 to May 1980 and that he had told this Bishop Bailey about dating an adult female and also about his contact with the twelve (12) year old Debbie, last name unknown, and his daughter ..., but he did not go into specifics. Mr. Ray states that he cannot recall the outcome of that encounter. Mr. Ray further states that he had contact with a Bishop Taylor who was a Stake President during 1976, that this Bishop Earl Taylor called him from Mesa while he was in Albuquerque and advised him that Anita Jo and Roseann ... had come forward about the incident in which they were molested while they were seven(7) and eight (8) years of age. Mr. Ray stated that he was advised at that time to have regular contact with his local Bishop but that he disregarded that church mandate.

Plaintiff's counsel now wishes to depose Ray, Standage, Bailey, and Taylor concerning the discussions disclosed to the Mesa Police. All claim that the conversations are privileged. Standage acknowledges that on several occasions from late 1971 until 1975, while serving as bishop of Ray's ward, he "interviewed and counseled privately ... with Mr. Ray about various matters," but he declines to disclose the substance of those discussions. Taylor acknowledges that in the fall of 1976, in his capacity as first counselor in the stake presidency in the Mesa, Arizona, Salt River Stake of the LDS Church, he telephoned Ray, then residing in Albuquerque, "to inquire as to his spiritual condition, due to information received ... pertinent to his continued exercise of the rights and privileges accorded an adult priesthood holder and member of the LDS Church...." Taylor declines to disclose the substance of those discussions. Bailey has testified that he served as Ray's ward bishop in 1976 when Ray moved to Albuquerque, New Mexico, but has refused to testify whether, in that capacity, he confronted Ray with allegations of child molesting. He has also refused to testify whether Ray admitted such allegations to him or whether he communicated with church officials in Arizona concerning allegations of molestations by Ray. Taylor explains by affidavit that "confession, review, and discussion of more serious sin and error with one's Bishop, Stake President, or Counselors ... is required of every adult member" of the LDS

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		<p>Church; "that all such confessions ... are private and confidential" whether or not the member initiates the confession and regardless of where and when they take place; and that "information received from the member by the Bishop in the above confessions ... is confidentially shared, on occasion, with the Stake President, and/or with his Counselors ... with the express knowledge and/or consent of the member..." The conversations in question all fell within this ritual of confession, according to the Church, and thus are shielded from discovery by the clergyman/penitent privilege....."</p> <p>The Court Ruled: Conclusion For the reasons stated in this opinion, we accept review, but deny relief."</p> <p>Church of Jesus Christ of Latter-Day Saints v. Superior Court..., 159 Ariz. 24 (1988) 764 P.2d 759 © 2017 Thomson Reuters. No claim to original U.S. Government Works. 4 Church of Jesus Christ of Latter-Day Saints v Superior Court Arizona 1988 764 P 2d 759.pdf https://www.courtlistener.com/opinion/1161834/church-of-jesus-christ-v-superior-court/</p>
08/15/88	Idaho	<p>LDS Kip E Later, was placed on the BSA Confidential files August 15, 1988 for "Attempted Child sexual abuse during his employment as program director at summer camp." " Later "is a student in Youth Leadership at BYU, Provo, Utah. A letter from K. Hart Bullock, Scout Executive to Paul Ernst BSA National Council: " "Kip admitted to me that this was not his first involvement with a male in a sexual attempt, but that he has on two other occasions been caught." In a document entitled 'Report' it stated that Kip "told me that on two other occasions he had had problems and had received counseling from his religious leaders and from a councilor."</p> <p>LATER-Kip Later -BSA File.pdf http://documents.latimes.com/kip-e-later/</p>
08/29/88	Arizona	<p>LDS Harvey Dee Wright was placed on the BSA Confidential files for "attempted Sexual</p>

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		<p>abuse/Dangerous Crime Against Children in the Second Degree. " in the Files a written report reads:" Harvey Dee Wright:-Harvey has been accused and pled guilty to child molestation."</p> <p>WRIGHT-Harvey Wright-BSA Files.pdf http://documents.latimes.com/harvey-dee-wright/</p>
10/21/88	Utah	<p>LDS Phillip K. Rimmasch was convicted of child sexual abuse and placed on the BSA files. In the files a letter to Paul Ernst, BSA National Council from K. Hart Bullock, Sout Executive. " During the past two weeks we have investigated this and have visited in confidence with the Bishop of the LDS ward that sponsors the Cub Scout pack. The Bishop was disturbed that this matter has risen again stating that the man had paid for the alleged offense and his life was in order."</p> <p>RIMMASCH-Phillip K Rimmasch-BSA File.pdf http://documents.latimes.com/phillip-k-rimmasch/</p>
12/09/88	Idaho	<p>LDS Mark A Swanson was placed on the BSA Files on December 9, 1988 but a request from LDS Bishop Matthews to register him in scouts was sent to BSA for approval. A letter from Scott Johnson to Bishop Darwin Matthews in the file reads as follows: "Dear Bishop Matthews; Based on the BSA Adult application form submitted for Mark A. Swanson, he is not eligible for a position in the Boy Scouts of America.Since you approved the Application and the Application was submitted to the Teton Peaks Council by your organization, I would prefer that you inform Mr. Swanson of this decision." Then a note on the Adult Application in the file reads, "Scott, Bishop Matthews is recommending this man for a scout leader position. He feels he is completely rehabilitated."</p> <p>SWANSON-Mark A Swanson-BSA File.pdf http://documents.latimes.com/mark-a-swanson/</p>
01/01/89	West Valley City,	<p>LDS Bishop Dave (a pseudonym) "was charged with six counts of child sexual abuse."a</p>

Utah	<p>bishop in the LDS Church sexually abused a young boy whose first name is Casey. In April 2004, Casey's mother reported Dave and this pedophile was charged with six counts of sexual abuse toward a child. The statute of limitations had passed and the family found out a year later that charges could not be brought against this pedophile. In 2003 the LDS Church Bishop Lamont Crabtree was informed that "Dave" molested a child. And upon being informed of the abuse, one month later, Dave was excommunicated, but the LDS did not report him to the police as Casey and his family assumed. Stake President Schaefermeyer said to Casey's mother Linda, 'We'd like to keep this low key'. Crabtree said he and Schaefermeyer consulted with church advisers and didn't call police because there were concerns about protecting Casey's privacy.</p> <p>In the process of the investigation, the West Valley City police discovered another of "Dave's" victims. A man named Kevin who claimed he was abused by "Dave". Casey and his family feel that church leaders should have protected other children in the ward by informing members about the allegations.</p> <p>Dale Bills, an LDS spokesman, said that since 1995 an abuser's membership record is annotated to be sure that the pedophile does not get called into positions where children will be at risk.</p> <p>The family was shunned by the church and ward for reporting Bishop "Dave".</p> <p>"Dave" is a pseudonym used because "Dave" the legal technicality made convicting him impossible. The LDS church has presented and fought for legislation friendly to their institution and not friendly to the victims."</p> <p>DAVE-LDS Bishop.pdf Set Adrift As victims of child abuse come of age, religious and legal concerns collide Salt Lake City Tribune/June 10, 2006 By Elizabeth Neff http://archive.sltrib.com/story.php?ref=/search/ci_3920371</p>

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01/15/89	Kent, Utah	<p>LDS David James Gomez " A former LDS bishop was accused of molesting several teenage boys and was taken into custody 19 April 2004 on suspicion of 125 counts of sexual abuse for allegedly molesting boys who sought religious counseling while he was serving as a Mormon bishop 1989-1990"</p> <p>"West Valley police Sgt. Craig Black said "We believe church leaders knew about some of these allegations six or seven months ago". Gomez faces three first-degree felony counts of sodomy on a child and three second-degree felony counts of sex abuse of a child, which were filed in 3rd District Court 22 April 2004"</p> <p>GOMEZ-David James Gomez.Pdf GOMEZ-David James Gomez 2.Pdf http://www.deseretnews.com/article/print/595057745/Former-LDS-bishoparrested.Html http://www.deseretnews.com/article/595057745/Former-LDS-bishop-arrested.html?pg=all</p>
01/18/89	California	<p>LDS Willis Dale King placed on BSA confidential due to being arrested and pleading guilty for Child molestation.</p> <p>KING-Willis Dale King.pdf http://documents.latimes.com/willis-dale-king/</p>
03/24/89	Colorado	<p>LDS Richard W. Nelson was "convicted of felony sexual child abuse." on April 7, 1987 but not placed on the BSA confidential files until April 19, 1988.</p> <p>NELSON-Richard W Nelson-BSA File.pdf_ http://documents.latimes.com/richard-w-nelson/</p>
04/01/89	Portland, Oregon	<p>LDS Kenneth L Johnson Jr., "allegedly abused a Beaverton Boy twice a week from 1987-1989." A lawsuit is filed against the LDS Church. The victims feel the Church is responsible." " The \$45 million sex abuse lawsuit against the Church of Jesus Christ of Latter-day Saints will be mediated by a judge in an effort to reach a settlement instead of going to trial."JOHNSON-Kenneth Johnson 1.pdf ".According to the Plaintiff, nicknamed</p>

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D.I. for anonymity, Johnson was acting as an agent of the LDS church through its home teaching program, thereby making the church vicariously liable for the damages that Johnson caused under the doctrine of respondeat superior.⁸ The LDS church denies that Johnson was acting as its agent, instead stating that he visited the home as a family friend." The Amended Complaint filed by the Plaintiff argues that, "While working in the second ward of the Beaverton Stake, and for the purpose of furthering his assigned duties as a Home Teacher, Johnson identified Plaintiff's family as with adolescent or teenage boys; befriended the Plaintiff, Plaintiff's brother, and their family; gained the family's trust and confidence as an educational and spiritual guide, and as a valued and trustworthy mentor to Plaintiff; gained the permission, acquiescence and support of Plaintiff's family to spend substantial periods of time alone with the Plaintiff; and sought and gained the instruction of Plaintiff's parents to Plaintiff that he was to have respect for authority and to comply with Johnson's instruction and requests...The above course of conduct described....is hereinafter collectively referred to as 'Grooming'....Johnson, while acting within the course and scope of his employment and agency using the authority and position of trust as a Home Teacher for the Defendants – through the Grooming process—induced and directed Plaintiff to engage in various sexual acts with him....Johnson used the Grooming process to accomplish his acts of sexual molestation. Johnson's Grooming was (1) committed in direct connection and for the purpose of fulfilling Johnson's employment and agency with the Defendants (2) committed within the time and space limits of his agency as Home Teacher (3) done initially and at least in part from the desire to serve the interests of Defendants; (4) done directly in the performance of his duties as a Home Teacher (5) was generally actions of a kind and nature which Johnson was required to perform as a Home Teacher; and (6) was done at the direction of, and pursuant to, the power vested in him by the Defendants." THIRD AMENDED COMPLAINT at 2-4, D.I. v Corporation of Bishops of the Church of Jesus Christ of Latter Day Saints, No. 0603-03429 (2007). "The Complaint further claims that years later Plaintiff sought the counsel of the church when he realized he had been damaged, and they offered him counseling and advised him that the statute of limitations for pursuing the matter had past, a false

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		<p>representation that Plaintiff claims was a knowing one." Id. at 4-5. "</p> <p>JOHNSON-Kenneth L Johnson 2.docx http://www.lawandreligion.com/sites/lawandreligion.com/files/ND10-1TithingShort.pdf http://archive.sltrib.com/story.php?ref=/ci_6478702</p>
05/01/89	Corpus Christi, Texas	<p>LDS Robert Eric Longman, "a Mormon missionary in Corpus Christi, Texas, from Longandale (state name not given), molested a three-year old in a bedroom while two other missionaries talked with the mother. He entered a plea of "no contest" to the charges, filed in May 1989, of indecency with a child. He was sentenced to eight years probation, a \$1,000 fine, and required to pay \$400 in court costs."</p> <p>LONGMAN-Robert Eric Longman.pdf http://web.archive.org/web/20070822174244/http://www.mormonalliance.org/casereports/volume1part1/v1p1c04.htm#OTHER%20CASES</p>
06/01/89	Arizona	<p>LDS David James Borg, "In 1989, thirty-six-year-old David James Borg, a Mormon Scoutmaster in Sierra Vista, Arizona, pled guilty to a charge of molesting three boys, ages eleven, thirteen and fifteen years old, at his home and on scouting trips for five months in 1988 and admitted that there were at least twelve more victims. He was convicted and sentenced to thirty-four years in prison." BORG-David James Borg 2.pdf http://web.archive.org/web/20070822174244/http://www.mormonalliance.org/casereports/volume1/part1/v1p1c04.htm#OTHER%20CASES "He was placed on the BSA confidential files June 1989 (was in the BSA program since May 1987 as Scout Master. In the files there is a memorandum dated November 8, 1988 which included the following statements. "The existence of molestations in the Troop and Post sponsored by the Church of Jesus Christ of Latter-day Saints, Sierra Vista 2nd ward, came to light in September, 1988.....at least five boys are involved. All of them apparently come from Mormon families in the ward....."Borg loved in 1987 from New jersey. He had been involved there with this church as a Young Men's organization president and had been</p>

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	<p>released from that calling after an incident where he was discovered in bed with a young man from the ward, age 18. He apparently admitted to the BishopThat's all I know about the church calling in New jersey....There is potential liability for the Church on this one, independent of it's position as Sponsoring Organization. It appears that Borg had some contact with a "Brother Perry" in the Social Services of the LDS Church. He said that Brother Perry didn't understand homosexuality and didn't help him very much. There are at least 20 separate instances of sexual misconduct or molestation." The mother of the youngest victim reported the incident according to a copy of news clipping in the files. Borg was convicted and under a plea agreement will serve 24 years in prison."</p> <p>BORG-David James Borg 1-BSA Files.pdf http://documents.latimes.com/david-james-borg/</p>
<p>06/01/89 West Virginia</p>	<p>LDS Jame Adams "This case was filed in Raleigh County Circuit Court in Beckley, WV in January, 1996. Adams was an "Ordained Elder" who sadistically abused his own children, even forcing them to make pornography which was confiscated by the state police. The suit seeks \$750 million dollars from the LDS Church and other defendants. The mother who brought the case is identified only as Rebecca Doe. She alleges that LDS Church leaders had known about the abuse since 1989 but did nothing about it until Adam's arrest in 1994 (FIVE YEARS later).. Adams was sentenced to 76 to 185 years in prison. In 1997, the LDS Church sought removal to the United States District Court in Charleston, WV, claiming a federal question jurisdiction. In the fall, the federal court declined to accept jurisdiction and sent it back to state court. Also in the fall of 1997, the West Virginia Supreme Court, in a 4-1 decision, upheld a trial court ruling that prevented plaintiff's from serving subpoenas on Mormon President Gordon B. Hinckley and other high officials and from seeking detailed statements of LDS Church assets on the grounds they were too "oppressive and burdensome" on the Church. The father first told several Mormon ward leader and members in Beckley that he was abusing his children in 1989." according to the Houston Chronicle May 08, 1999 article by Paul McKay "Mormons Caught up in Wave of Pedophile Accusations. The children were abused for 6 years and the father is serving a</p>

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		<p>prison term totaling 173 years!" ADAMS-</p> <p>James Adams 3.pdf/1.pdf/2.pdf and 2 docx https://www.culteducation.com/group/1057-the-mormon-church/14437-clergy-ignores-victims-allege-lds-plaintiffs.html http://nowscape.com/atheism/mo_pedophile.htm</p>
06/08/89	Texas	<p>LDS Jimmy D. Young " was arrested for Child Abuse and placed on the BSA confidential Fils. "By his own admission to his Scoutmaster, Billy DeBusk, he did in facet sexually abuse the boy as charged."</p> <p>YOUNG-Jimmy Young-BSA file.pdf http://documents.latimes.com/jimmy-d-young/</p>
08/14/89	Arizona	<p>LDS Les Paul was found guilty on 32 counts of child molestation in the LDS 7th ward Tucson East Stake, and he was sentenced to over 400 years in prison. "He "exploited the trust of four boys when he molested them repeatedly for two years." "The boys were ages 8-12 years old. Three of the boys are the sons of a friend and the other a neighbor." PAUL-Les Paul-BSA File.pdf http://documents.latimes.com/les-paul/</p>
08/25/89	Alabama	<p>LDS William W. Gillespie was "charged by separate indictments with four instances of first degree sexual abuse and one instance of first degree sodomy. He was found by jury to be guilty on three of the charges of first degree sexual abuse of little children." "the prosecutor asserted that "We believe we can show that the defendant was charged with incest with his own daughter in a church court, and she (his wife) was aware of those charges. The result of that is, he was excommunicated from the Church of Jesus Christ of Latter Day Saints". The Church records of excommunication were destroyed and the judge disallowed any questions regarding his prior child abuse until witnesses ****in from the Church, a church official."</p>

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<p>09/01/89 Dallas, Texas</p>	<p>Gillespie-William w Gillespie-William W Gillespie v State.pdf http://law.justia.com/cases/alabama/court-of-appeals-criminal/1989/549-so-2d-640-0.html</p> <p>LDS Carlos Rodrigues abused a thirteen-year-old. The victim "told her school counselor that her stepfather, Carlos Rodriguez, had raped her. The counselor called Child Protective Services (CPS), who immediately sent a caseworker and David Wilson, a detective, to the school to talk with the child. The victim told Detective Wilson that Rodriguez had been sexually abusing her for approximately five years. Detective Wilson and the caseworker went to the victims's home to speak with her mother, Deanna Rodriguez. Deanna expressed disbelief at the news that Carlos had raped her child."</p> <p>"Bishop Howard Romney, was Rodriguez's bishop in the Mormon Church. "The prosecutor elicited unfavorable testimony about Bishop Romney from other witnesses. He cites three instances where witnesses testified that Bishop Romney was told about Rodriguez's abuse of the victim one year or more before the police investigation."</p> <p>RODRIGUEZ-Carlos Rodriguez v the State of Texas.pdf Rodriguez v. State, Not Reported in S.W.2d 1997 WL 527843 Only the Westlaw citation is currently available. NOT DESIGNATED FOR PUBLICATION. Court of Appeals of Texas, Dallas. Carlos RODRIGUEZ, Appellant v. The STATE of Texas, Appellee No. 05-95-01356-CR. Aug. 27, 1997. On Appeal from the 199th Judicial District Court Collin County, Texas Trial Court Cause No. 199-80309-95 (1997) Copy in my possession.</p>
<p>09/05/89 Rexburg, Idaho</p>	<p>LDS Jared Chabot Murray was in scouting for "15 years and placed on the BSA Confidential file for pleading guilty to one count of lewd and lascivious conduct with minor children in a plea bargain that resulted in the dismissal of three other felony charges." The charges involve four children under the age of 16. " (Post Register clipping in file)..</p> <p>MURRAY-Jared Chabot Murray-BSA file.pdf_</p>

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09/07/89	Utah	<p>http://documents.latimes.com/jared-c-murray/</p> <p>LDS George P. Lee, of the “ First Quorum of the Seventy, sexually abused a twelve year old girl. He was excommunicated from The Church of Jesus Christ of Latter-day Saints. he pleaded guilty to attempted sexual abuse of a child, a third-degree felony The victim said, "said the abuse began when she was 9 years old and lasted for three years."</p> <p>LEE-George P Lee 2.pdf Ex-LDS leader George P. Lee booked for allegedly not registering as sex offender The Salt Lake Tribune - July 31, 2007 by Nate Carlisle http://www.sltrib.com/news/ci_6504464 http://reformation.com/CSA/variousabuse.html</p>
09/22/89	Orem, Utah	<p>LDS Brian Richard Peterson was "charged with first degree felony on three counts of sodomy on a child" and was placed on the BSA Confidential Files in 1989 but in a document in the Files labeled 'Writeup on Brian Peterson dated September 22, 1989 it is stated that "Between 1985 and the fall of 1988 multiple complaints had been filed against Brian with the Council varying from verbal abuse to threatening hostile action to attempted child abuse, but no formal complaints were ever filed with the authorities." During his sentencing in 1989, "District Judge Cullen Christensen said "Peterson was a poor candidate for sex offender treatment, and had proven 'He's quite accomplished in this type of activity." “ A neighbor testified that Peterson bragged about his sexual exploits with male children and he said to her that "I've had little boys all over the state of Utah in conjunction with the Boy Scout program-give me an 11 year-old boy for a week, and I'll make him a homosexual for life."</p> <p>PETERSON-Brian R Peterson BSA Files.pdf http://documents.latimes.com/brian-r-peterson/</p>
09/22/89	Utah	<p>LDS George M. Schliesser is a “Primary teacher in his ward and an Assistant Scout-master of Troop 235. He was placed on the BSA confidential file for two counts of first</p>

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		<p>degree sodomy of a child and two counts of second degree sexual abuse of a child. Included is a press statement, a documentation of events, and a newspaper clipping. "The oldest child that was involved with Mr. Schliesser was six years old." "The charges involve four children ages 3 to 6."</p> <p>SCHLIESSER-George M Schliesser-BSA File.pdf http://documents.latimes.com/george-m-schliesser/</p>
10/01/89	Montana	<p>LDS Grant Hildreth "In the fall of 1989, in an effort to improve her algebra grades, K.D. began tutoring sessions with her cousin, Grant Hildreth. At the time, K.D. was a fifteen-year-old high school sophomore and Hildreth was a 26-year-old attending college. Hildreth sexually molested K.D. At trial, K.D. testified that Hildreth later apologized and suggested that she go to her bishop and repent because he had gone to his bishop and talked to him about what happened. In August of 1990, K.D.'s parents learned of the incident through two letters written by K.D. which her father inadvertently found in her room. The letters described what was going on in K.D.'s life, and what Hildreth was doing to her. During trial, K.D. testified about several other incidents where Hildreth had subjected her to similar sexual assaults."</p> <p>"After initially thinking that the situation could be handled by the family or through a Latter Day Saints church procedure, K.D.'s parents eventually went to the authorities. Hildreth was charged, by information dated July 9, 1991, with sexual assault, a felony. A two-day trial was held in which Hildreth raised an alibi defense, saying he was attending his own birthday party on November 16, 1989. At the close of trial, the jury returned a guilty verdict on the felony sexual assault charge. The District Court deferred imposition of sentence for six years upon certain terms and conditions. Execution of sentence was stayed pending Hildreth's motion for a new trial. The court denied the motion, and the stay of execution was vacated."</p> <p>HILDRETH-Grant Hildreth The State of Montana v.pdf State v. Hildreth, 267 Mont. 423 (1994) 884 P.2d 771</p>

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		© 2013 Thomson Reuters. No claim to original U.S. Government Works. 1 267 Mont. 423 Supreme Court of Montana.STATE of Montana, Plaintiff and Respondent, v. Grant HILDRETH, Defendant and Appellant. No. 94-025. Submitted on Briefs July 6, 1994. Decided Nov. 1, 1994. Rehearing Denied Dec. 8, 1994. Copy in my possession.
11/07/89	Utah	<p>LDS Michael Stillman was placed on the BSA Confidential files for alleged child molestation.</p> <p>STILLMAN-Michael Stillman-BSA file.pdf http://documents.latimes.com/michael-stillman/</p>
11/09/89	Utah	<p>LDS Jon Ricks Carpenter aka John Rick Carpenter. “is a convicted child molester from Utah, who was set free after serving less than two days of a one- to- 15-year sentence.... “Documents obtained by the Weekly show that in the 1980s, Carpenter was arrested on multiple counts of aggravated sexual abuse and charged with molesting two 8-year-old girls. His victims tell the Weekly that Carpenter, then 24, was a Sunday school teacher at a Mormon church in Provo County. "He had sexually abused several kids," Sharon Davis of Salt Lake City alleges. "I do know [about] other kids. It happened to me."... Carpenter pled guilty to a second-degree felony for sexual abuse of a child and was sentenced to up to 15 years, with a chance to enter a sex-offender treatment center... But the day after he was sentenced in 1989, according to jail reports, Carpenter stood atop his bunk bed and dove head-first into the concrete floor. When a guard later asked if he'd jumped intentionally, Carpenter replied, "Yes, I did, it's better than being in this place for six months."... Although he's a convicted child molester, Carpenter doesn't appear on the public sex-offender registry.”</p> <p>Child Sex Abuser Profits by Suing 1,000 Firms Under Disability Act by Hillel Aron Thursday, Dec 5 2013</p> <p>CARPENTER-Jon Ricks Carpenter.docx</p>

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		http://www.laweekly.com/2013-12-05/news/jon-carpenter-child-abuser-ada-lawsuits/
12/22/89	Idaho	<p>LDS Sidney Spencer was placed on the BSA Confidential files but received another Adult Application 12/18/91 to the BSA approved and signed by Bishop Walz from the LDS Church (Charter Organization) but this was denied by the BSA. On this application Spencer answered the question, Have you ever been convicted of a criminal offense to which he replied-INCEST 1984 16 yr old girl. This application was approved by Bishop Walz despite this admission by Spencer.</p> <p>SPENCER-Sidney L Spencer 1 BSA file 1.pdf _ http://documents.latimes.com/sidney-l-spencer/</p> <p>The following is verbatim from: http://www.idahoboyscoutabuse.com/perpetrators/sidney-spencer/ Perpetrator: Spencer, Sidney - Mormon Place: Rexburg Troop & Location: Attempted to register with the Grand Teton Council Troop 107 Years in BSA: Put in the IV Files in 1989 Description/Convictions: Convicted of Incest in 1984 with 16 yr. old per Adult Application for registration – Never allowed to join BSA was put in IV Files immediately http://www.idahoboyscoutabuse.com/perpetrators/sidney-spencer/ SPENCER-Sidney L Spencer 2.docx</p>
01/01/90	Costa Mesa, California	<p>LDS Todd Summers according to " Plaintiff John Doe states that pedophile Todd Summers molested him in the LDS Church and several other places from 1990 to 1999. The LDS Church settled with the plaintiff for \$100,000.00 said his attorney Vince Finaldi. The suit was originally filed in 2008 and then amended in 2009. The plaintiff claims he was molested from the time he was 12 until he was 18 and older and was threatened by Summers pointing a gun in the boy's mouth. According to the suit, Church officials should have known that Summers behavior was inappropriate and the church failed to protect</p>

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	<p>children from this pedophile. Summers was a videographer for the church and a Elder of the LDS Church."</p> <p>SUMMERS-Todd Summer 1 though 3.pdf http://articles.dailypilot.com/2010-03-26/local/dpt-summers032710_1_costa-mesa-churchmormonchurch-molestation http://www.californiainjurylawyersblog.com/child-sexual-abuse/ http://voice-of-deseret.blogspot.com/2009/03/costa-mesa-man-fileslawsuit-in-orange.html</p>
<p>02/21/90 Utah</p>	<p>LDS Leroy B. Hamblin, "a Webelos leader with six children of his own, pleads guilty to Lewdness with a child on 10-15-1986 but not placed on the BSA files until 2/21/1990. There are two letters in the file which are very informative. The first letter is dated February 21, 1990 from V. Harvey Mortensen, BSA Council Scout Executive to Hamblin with a carbon copy to both LDS Bishop Melvin D. Peel and LDS Stake President Gary L Telford which states the following: Dear Mr. Hamblin, We have received complaints that you are serving as a Webelos Leader in Pack 441, Kaysville 7th Ward, without having completed the registration form to serve in that capacity. It is further alleged that you have not filled out that request to register with the Boy Scouts of America because of your arrest record. You should understand that BSA membership registration is a privilege and is not automatically granted to everyone who applies.....After careful review of your record before the Second Circuit Court in Layton, Utah and the Second Circuit Court in Bountiful, Utah, we have decided that request to register with the Boy Scouts of America would be denied.....Sincerely, V. Harvey Mortensen, Council Scout Executive."</p> <p>To which a Dale D. Foun.....(His name is handwritten and very difficult to read) replied: "Mr. Harvey Mortensen, I am writing to you in response to your letter of condemnation sent to Mr. Leroy Hamblin. In your letter you suggest that it is a privilege to serve in a leadership position with the Boy Scouts of America. Certainly you cannot be so naive as not to realize</p>

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	<p>that the primary reason that most of the local leaders serve is due to religious obligation. Mr. Hamblin has made a sincere effort during the past few years to put his life in order and to mitigate the effects of his grievous sin. A part of Mr. Hamblin's religious obligation to which he is committed and to which he has reaffirmed his commitment is to provide service when requested by his Church leaders. Mr. Hamblin neither requested nor sought after his appointment to the position of Webelos den leader. He agreed to serve in this position when I requested him to do so a few weeks ago. In retrospect, I did not misjudge Mr. Hamblin but I did misjudge the response of one of the parents or the boys that Mr. Hamblin would serve. I take responsibility for this error in judgment. I also failed to foresee the ignorant, self-serving and self-righteous manner in which you and your organization would respond to this appointment. Mr. Hamblin is innocent of any offense in his response and his service that he has provided. Mr. Mortensen, you on the other hand have libeled and slandered Mr. Hamblin, and offended by your response all the recipients of your adulterous letter. Your position of responsibility does not include the right or responsibility to promulgate false and evil rumors, or to offend innocent people. In keeping with the scouting virtues of kindness and courtesy, you simply could have pointed out to us that in keeping with BSA policy or because of BSA liability problems that you could not permit Mr. Hamblin to serve in a scouting function. Instead, you elevate yourself to the position of judge, jury and prosecutor-or should I say lynch mob- in falsely condemning Mr. Hamblin without giving him a chance to defend himself. Mr. Hamblin has never attempted to hide his legal record from you. He had only very recently been called to his scouting position, and his registration was being prepared in conjunction with our rechartering effort. In keeping with the high ideals of scouting to which you profess, Mr. Mortenson, you owe a complete and sincere apology to all recipients of your wicked letter. I sincerely hope that your integrity is sufficient to allow you to correct this gross injustice." Hamblin plead guilty for lewdness with a child and was sentenced to 1 year in jail and fined. HAMBLIN-Leroy B Hamblin-BSA Files.pdf http://documents.latimes.com/leroy-b-hamblin/</p>
04/24/90	Utah LDS Lynn W. Harrison of Ogden , Utah was the Cub-master of LDS 29th Ward, Ogden,

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		Utah until he was refused registration and placed on the BSA Confidential Files for "Suspected Child Abuse" on April 24th, 1990. HARRISON-Lynn w Harrison-BSA file.pdf http://documents.latimes.com/lynn-w-harrison/
05/21/90	Colorado	LDS Dan S. Overholt is married with children but was accused of abuse. He was not registered with the BSA in 1990 but he is "associated with Pack 242. And Jeff Morris, Scout Executive is quoted in a letter to Paul Ernst, National BSA, the Overholt "is not the type of leader that we need." In the files there is a "Confidential Report" on Dan S. Overholt written by Scout Executive Jeff Morris as follows: "About May 14, 1990 I received a phone call from Joan Woody, District Chairman for Bent's fort District. She had received a report from Mimi Marmon a scouter in Las Animas that Dan S. Overholt, who was serving as den leader in Pack 242, had a record of child abuse. I talked with Mrs. Marmon and decided more information was needed. Mr. Overholt is not registered but is active in the unit. I contacted District Attorney, Gus Sandstrom to see if he could provide further information. After a computer check Gus indicated that he could not provide me all the details on Mr. Overholt but said the Boy Scouts 'should avoid him like a plague.' He also thanked me for Mr. Overholts address because he was wanted also for assault with a deadly weapon and manacing and not that they had an address they would arrest him." OVERHOLT-Dan S Overhold-BSA files.pdf http://documents.latimes.com/dan-s-overholt/
06/01/90	San Jose, California	LDS High Priest Larry Gilbert was accused of molesting four girls. According to the Case Reports of the Mormon Alliance authors, photocopies of this information are in their possession. "In 1990, fifty-year-old Larry Gilbert of South San Jose, California, pled innocent to molesting four girls (the ages of three are given as eight, eleven, and twelve). A high priest group leader, he was accused of molesting the girls while he babysat overnight at their homes, One parent said, "I never would have left him alone with my children if he weren't a high priest We considered him our family."

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06/15/90	<p data-bbox="594 289 1883 394">Washington GILBERT-Larry Gilber.pdf http://web.archive.org/web/20070822174244/http://www.mormonalliance.org/casereports/volume1/part1/v1p1c04.htm#OTHER CASES</p> <p data-bbox="594 423 1883 675">LDS Richard Lloyd Dilley was included in the Case Reports of the Mormon Alliance Volume 1, 1995 Chapter 4, Criminal Investigations of Mormons Involved in Child Sexual Abuse page 101 and reads as follows:"Richard Lloyd Dilley, thirty-one, of Washington State, a Scout leader in a Mormon ward, pled guilty in 1990 to one count of third degree child rape and five counts of child molestation for "repeated" offenses over a two year period of the five foster children in his care. He had previously been dishonorably discharged from the Navy for abuse."</p> <p data-bbox="594 716 1883 821">DILLEY-Richard Lloyd Dilley 1 and 2.pdf http://web.archive.org/web/20070822174244/http://www.mormonalliance.org/casereports/volume1/part1/v1p1c04.htm#OTHER CASES</p> <p data-bbox="594 862 1883 976">http://community.seattletimes.nwsourc.com/archive/?date=19901215&slug=1109567 December 15, 1990 - Scout Leader Gets 8 Years For Raping, Molesting Boys --Abuse Of Trust' Pushes Sentence Past Guidelines By Rod Judd</p>
06/20/90	<p data-bbox="594 1027 1883 1133">California LDS Donald L. Wright was placed on the BSA Confidential Files for "inviting youth to participate in oral sex and masturbating in front of the youth." He tried to re-register a year later. This file is heavily redacted!</p> <p data-bbox="594 1174 1234 1243">WRIGHT-Donald L Wright-BSA File.pdf http://documents.latimes.com/donald-l-wright/</p>
07/03/90	<p data-bbox="594 1271 1883 1341">Washington LDS Edgar A.Tisdale was placed on the BSA Confidential files and denied registration due to a "statement from a parent indicating child molestation of her son by Ed Tisdale." Again,</p>

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		<p>this file is heavily redacted but there is a letter to Paul Ernst, BSA National Council, from Norman J. Stone, Scout Executive as follows: "Dear Paul, Here is the information regarding EDGAR TISDALE and the alleged child molestation at our Camp Hahobas in 1989. " Included in the files is a narrative about how the child regressed to age 4 and was hospitalized for three weeks.</p> <p>TISDALE-Edgar A Tisdale-BSA File.pdf http://documents.latimes.com/edgar-a-tisdale/</p>
07/26/90	Washington	<p>LDS Michael L. Hicks was placed on the BSA Confidential Files due to being "Arrested for child abuse." A news-clipping in the files reads, "A Yakima man has again received a suspended prison sentence after being convicted a third time for sexually abusing children.....Hicks was found guilty of molesting two foster children" but "An earlier incident of committing indecent liberties in 1987 did not come to light until recently."</p> <p>HICKS-Michael L Hicks-BSA File.pdf http://documents.latimes.com/michael-l-hicks/</p>
08/17/90	Washington	<p>LDS Michael James Fischer was" arrested on 3 counts of child abuse. Fischer has pled guilty and is currently incarcerated at the Twin Rivers correctional center." He was placed on the BSA Confidential files. A letter in the files to Paul Ernst, BSA National from Norman J. Stone, Scout Executive states "Church leadership was reluctant to release the victims name." A news clipping in the file reads, " A Spanaway church youth leader is to go on trial in October on charges that he repeatedly molested a 14-year-old family friend, sometimes while driving the boy to church events."...Fischer, "was charged with three counts of molestation.""Fischer was young men's president...and is married with three children."</p> <p>FISCHER-Michael James Fischer-BSA File.pdf http://documents.latimes.com/michael-james-fischer/</p>
08/27/90	Utah	<p>LDS Hugh Nibley, according to the article by Edward Wyatt in the New York Times entitled</p>

"A Mormon Daughter's Book Stirs a Storm, Hugh Nibley's daughter accused him of sexually molesting her. The following is verbatim from that article:

"Dr. Martha Beck wrote a heart wrenching expose about her life as a daughter of Mormon's prominent religious scholars and apologist, Dr. Hugh Nibley. According to the New York Times article Dr. Beck, "has accused her father of sexually abusing her as a child in a forthcoming memoir that is shining an unwelcome spotlight on the practices and beliefs of the much-scrutinized but protectively private Mormon religious community."

"Leaving the Saints: How I Lost the Mormons and Found My Faith" details how the author, Dr. Martha Beck, a sociologist and therapist, recovered memories in 1990 of her ritual sexual abuse more than 20 years earlier by her father, Dr. Hugh Nibley, professor emeritus of ancient scripture at Brigham Young University and arguably the leading living authority on Mormon teaching."

"The Mormon Church issued a statement condemning the book, calling it "seriously flawed in the way it depicts the church, its members and teachings." Dr. Beck and her publisher have said she has received e-mail messages containing death threats. In addition, Mormons around the country have participated in an e-mail campaign against the book, sending more than 3,500 messages to Oprah Winfrey, who has featured "Leaving the Saints" on her Internet site and in the March issue of O, the Oprah Magazine. The magazine includes a monthly self-help column by Dr. Beck, who has a doctorate from Harvard."

"In 2003, Jon Krakauer wrote about a group of renegade Mormon fundamentalists in "Under the Banner of Heaven: A Story of Violent Faith." As with the Beck book, the Mormon Church issued a statement condemning it before it was published."

"Her childhood was marked, she said, by unexplained depression, anorexia and despair that at times left her suicidal. She writes, several doctors commented on unusual scar tissue in her vaginal area, which she cites as physical evidence of the abuse. Later, she

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	<p>said, doctors confirmed to her that the vaginal scarring was not the result of childbirth. It was not until she was in her late 20's, however, while teaching at Brigham Young, that Dr. Beck experienced a flashback that resulted in the memories of what she describes as ritualistic rape by her father. During the incident, which she believes took place in her home while her older siblings were at school, her father recited incantations about Abraham and Isaac."</p> <p>NIBLEY-Hugh Nibley.pdf http://www.nytimes.com/2005/02/24/books/a-mormon-daughters-book-stirs-astorm.html</p>
<p>11/01/90 Provo, Utah</p>	<p>LDS Keith Brown, " pleaded guilty to sodomy on a child, a first-degree felony, and two counts of sex abuse of a child, a second-degree felony. The charges against him were only filed last week..</p> <p>Shapiro said his client first went to his LDS bishop to confess the abuse. But prosecutor David Sturgill said it was the daughters who first reported the abuse to police. In a statement released late Thursday, a spokesman for the 5 Brown said the daughters initiated the case against their father. "The women were motivated to approach law enforcement out of concern for the welfare and protection of other young women and girls," Kimball Thomson said.</p> <p>He said the daughters are "at peace" with the agreement and "relieved and grateful to close this chapter in their lives."</p> <p>The sodomy charge stemmed from oral sex incidents that occurred between November 1990 and October 1992, according to prosecutors. Since the crimes occurred in the early '90s, Brown can only be sentenced to a maximum of 10 years to life in prison because of the law 20 years ago. If this incident had occurred today, Brown would be facing 25 years to life in prison, Sturgill said."</p>

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		<p>BROWN-Keith Brown 1.pdf http://www.ksl.com/?sid=14411718&nid=148</p> <p>http://www.dailymail.co.uk/news/article-2034324/Actual-abuse-5-Brownsdaughters-father-Keith-Brown-went-far-charges.html</p>
12/05/90	Utah	<p>LDS Keith G. Williams in the LDS Clinton 2nd Ward in Clearfield Utah was denied BSA registration for "suspected Sexual Child Abuse." A letter from the victim's parents states that his son, "was sexually molested by his scout leader Keith G. Williams starting at age eleven for a period of three years. This report has been made to the police with a subsequent confession received from Mr. Williams just last week.(dated Dec 5, 1990). In a letter written by the perpetrator detailing his repentance process he states, "I disclosed the details of my actions to my Bishop, and then to my stake President just prior to our Temple marriage. We worked through the Spiritual repentance process , before our wedding."</p> <p>Williams-Keith Williams-BSA File. Pdf http://documents.latimes.com/keith-g-williams/</p>
01/01/91	Logan, Utah	<p>LDS Jay Toombs " of Benson, Utah. Toombs faces three counts of aggravated sexual abuse of a child for fondling a 10-year-old boy in 1993 and 1994. This case did not go to trial because the Statute of Limitations had expired. The mother, who is not being identified in order to protect her son's identity, says she spoke of Toombs' misbehavior with boys from 1991 through 1999 with Cooper, two LDS bishops and Toombs' family, including his brother, an LDS stake president.</p> <p>"I was always told to be patient with Jay, he was a good man. That's what I was told again and again and again. I was even given priesthood blessings that I had been chosen to help him," she says.</p> <p>The bishops were inclined each time to tell police, the woman says, but later told her they had checked with church officials and learned they did not have to report Toombs as long as he was repentant and getting professional help."</p>

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		<p>TOOMBS-Jay Toombs 3.pdf http://www.utlm.org/newsletters/no97.htm#The%20Toombs%20Case http://www.deseretnews.com/article/print/751312/3-bishops-cant-be-charged.html</p>
01/10/91	Washington	<p>LDS James R. Matlock, serving as Assistant Scoutmaster "has pleaded guilty to raping his 16 year old step daughter" He was placed on the BSA Confidential file.</p> <p>MATLOCK-James Matlock-BSA File.pdf http://documents.latimes.com/james-r-matlock/</p>
02/24/91	Rhode Island	<p>LDS George S. Davis reportedly molested a child a church. ""On February 24, 1991, six-year-old Marisa 1 went with her parents and siblings to the Church of Jesus Christ of Latter Day Saints on Miantonomi Avenue in Middletown, Rhode Island, to attend Sunday services. After the services concluded, Marisa, and her brother and sister went upstairs to the church gymnasium. As they entered the gymnasium, Marisa and her siblings noticed defendant, George S. Davis (Davis or defendant), whom they had never seen before this encounter, giving the other children in the gym piggyback rides, walking on his hands, and performing tricks for his audience. Davis was the only adult in the gymnasium. It was after the other children had been given piggyback rides that Marisa was given her turn by defendant. During Marisa's piggyback ride, Davis placed his hand beneath her snug fitting underwear and moved his hands and fingers around her buttocks. When Davis did this to her, Marisa told him to stop because her mother had taught her that nobody should be touching her "private part." The defendant did stop when she told him to. Upon returning home from church, Marisa made the following diary entry: "Feb 24, 1991 [T]oday is Sunday. We went to church. [A] giye lift me up and he poot his hands is my panees [sic]." Marisa had been keeping a diary for some time and was in the habit of writing daily entries. It was at a later point that very afternoon when Marisa showed her mother the diary entry she had made concerning her encounter with Davis. Upon reading her daughter's diary entry, Mrs. Brun 2 was "in shock" and informed the Bishop of her Church of what had happened. According to Mrs. Brun's testimony, on the following Sunday</p>

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		<p>defendant appeared "before the congregation and he said that he came from a d [y]sfunctional family and that he had a problem, and he had talked to the Bishop about it, and the Bishop was going to help him receive counseling." On March 5, 1991, Mrs. Brun contacted the police, and on March 17, 1991, Davis was arrested without incident by Lieutenant Terry Hazel (Hazel) of the Middletown police department."</p> <p>DAVIS-George S Davis STATE v George S Davis https://www.courtlistener.com/opinion/1436704/state-v-davis/</p>
03/23/91	Texas	<p>LDS Prescott Louis De Jean III has five children of his own and was removed from scouting for "Pedophila-life long." A letter to Paul Ernst, National BSA from Jerry W. Stevens, scout executive states "Mr. DeJean has moved from this area some time ago. My contact with the LDS Church said he would notify his Bishop, who he knew must to informed. He said he felt that Mr. DeJean had been excommunicated, but they wanted to ascertain that nothing had occurred with the Troop members. I suggested this might be time to show 'A Time to Tell' once again. It is always good to see the system work. Sincerely, Jerry"</p> <p>DE JEAN-Prescott Louis De Jean-BSA File.pdf http://documents.latimes.com/prescott-louis-dejean/</p>
04/01/91	California	<p>LDS Dennis Walter Schult "excommunicated Latter Day Saint" had a 10 prior history of child Sexual Abuse but remained as Webelos Scout Leader. President Garrick commented "someone must have relaxed". He was placed on the BSA confidential files and was convicted for child molestation. In the files there a Confidential Report for Gene Richey-subject Dennis Walter Schult in which an excerpt reads. "Later that afternoon, I spoke with President Garrick of the Chatsworth Stake. He requested that our conversation be kept highly confidential. I assured him it would be handled in this manner. The following information, he related to me, was to the best of his knowledge. About 10 years ago there was an incident involving Dennis Schult. The L.D.S. Church Ward Leadership (Chatsworth 2nd Ward Unit Numbers 535) at the time, decided to remove Dennis from all leadership</p>

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		<p>positions in the church and in the church sponsored Troop. The positions Mr. Schult may have held at the time were Young Men's President and Scoutmaster. He was uncertain as to the exact positions Schult held. Around 1987 another problem occurred with Schult and he was completely excommunicated from the L.D.S. Church. To President Garrick's knowledge, Schult had not been a leader in Scouting after the incident 10 years ago. He also thought the incidents for which the charges were brought occurred within the last several years. He also felt that Schult should never be allowed to register in the Boy Scouts again.....Then I checked the registration records for Pack, Troop, Team and Post 535-" He was registeres 1977-1980 then "I was then surprised to find him again on the 1984 and 1985 Pach Charter registered as a Webelos Leader." "I called President Garrick back and shared with him the fact that Schult had been registered as a Webelos Leader in 1984 and 1985. His comment was that someone clearly, relaxed. He still thought the charges against Schult were for incidents that occurred from 1988-1990 after he was out of scouting. However he felt the boys involved, Schult probably first met through contact in the L.D.S. Church Scouting Program."</p> <p>SCHULT-Dennis Walter Schult-BSA File.pdf http://documents.latimes.com/dennis-walter-schult/</p>
04/11/91	California	<p>LDS Kenneth (AKA Kim) Morgan Harper was placed on the BSA confidential file in 1991 for a history of sexual perversion. From 1971. "Kent Gibbs, Sout Executive, received a call from (REDACTED) Department of Corrections, stating Harper was released from jail on 4/1/1994 and was expected to try and join Scouting."</p> <p>HARPER-Kenneth AKA Kim Morgan harper-BSA File.pdf http://documents.latimes.com/kim-morgan-harper/</p>
04/23/91	Chicago, Illinois	<p>LDS Christopher W. Kite sexually abused 4 year old in the LDS church facility at least 10 times. A lawsuit was filed against the LDS Church on February 24, 2009. Kite was the victims adopted father. "Verbatim from: Sexual Abuse Lawsuit Filed by Edmund J. Scanlan Against Mormon Priest & Church of</p>

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	<p>Latter-Day Saints “CHICAGO, Feb. 24 /PRNewswire/ -- A lawsuit was filed on February 24, 2009, in the Circuit Court of Cook County by attorney Edmund J. Scanlan on behalf of his client, Markeisha Kite. The lawsuit alleges that Christopher W. Kite, her adopted father, sexually abused Markeisha beginning in 1991 when she was four years old. The abuse continued through 2001 when DCFS removed the girl from the home due to her complaints of sexual abuse.”</p> <p>“The suit also alleges that David Bromley, brother-in-law of Christopher W. Kite, sexually abused Markeisha in Kite's home from 1991 through 1996. In 2002 Markeisha obtained an order of protection against defendants Bromley and Kite.”</p> <p>“The Mormon Church is named as defendant in the suit because Kite sexually abused the minor Markeisha on at least ten occasions in the church facility at 2727 West Lake Street in Wilmette, Illinois, and as an ordained priest of the church, Kite was under direct supervision and control of the church.”</p> <p>KITE-Christopher W Kite.pdf http://www.reuters.com/article/2009/02/24/idUS230161+24-Feb-2009+PRN20090224</p>
06/10/91	<p>Nevada</p> <p>LDS Paul M. Jellum was placed on the BSA Confidential Files in 1991 four years after being" accused of sexual abuse of a teen aged boy in Logan, Utah" Although there is a letter dated Nov 3, 1987 detailing the abuse. When Jellum tried to re-register in another LDS Troop a mother of a previous victim called the BSA "concerning rumors that paul Jellum had been reinstated in Scouting. She expressed concern that because no conviction was made that the accused can go on abusing children. She asked if they (the mothers of abused sons) could intervene in the appeal process. I gave her the name of the Refional office and Buford Hill's name-she said she would write." The 1987 allegations were confirmed by the police according to a detailed Nov 3, 1987 letter in the files. The boy was 14 years-old and the incident happened at camp. According to the Nov 3 1987 detailed letter on 11/12/87 "Paul Jellum called me (scout executive) to inquire about the times the</p>

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		<p>police department contacted our office. He again stated that he understood our position but that he was notarizing the letter and sending it to his attorney in Salt Lake (MCCONKIE) because of the charges being brought by the mother of the boy." This file was also heavily REDACTED .</p> <p>JELLUM-Paul M Jellum-BSA File.pdf http://documents.latimes.com/paul-m-jellum/</p>
09/09/91	Idaho	<p>LDS Jeff Hardin pleads guilty to sexually abusing a child at Camp Lemhi Boy Scout camp.</p> <p>From Pedophiles At Scout Camp by Peter Zuckerman: "August to April, 1987: Jeff Hardin attends Ricks College in Rexburg (BYU-Idaho registrar). He was pursuing a degree in counseling. (Chubbuck Police report)</p> <p>1990: Hardin, another waterfront instructor at Camp Little Lemhi, befriends a Scout he later molests. (Chubbuck Police report)</p> <p>Sept. 9, 1991: Between 4:30 a.m. and 6 a.m. Hardin molests a child he met at camp at the child's home.</p> <p>Oct. 24, 1991: Hardin is charged with lewd conduct with a child under 16, which he later pleads guilty to committing. Hardin is released from jail on his own recognizance.</p> <p>Dec. 15, 1991: Hardin is sentenced. He is put on felony probation as a sex offender. (Criminal case)</p> <p>Jan. 3, 1996: Hardin is placed on unsupervised probation. (Criminal case)</p> <p>July 21, 1997: Hardin's probation ends and the felony molestation conviction is reduced to a misdemeanor. (Criminal case)</p>

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		<p>May 23, 2005: Hardin molestation case unsealed. Sources: Unless otherwise noted, the events described in this graphic were described by sworn testimony, exhibits and records in Bonneville County civil case CV-99-3416, Bonneville County civil case CV-03-1877, Bonneville County Criminal case CR-97-2659, Bannock County civil case CV-05-812OC, Bannock County criminal case C-5548-B and Utah County, Utah criminal case 911400153; Post Register archives; and record-keepers from the Idaho Department of Correction and the Utah Department of Corrections. When records contradicted one another, information from the criminal case was used and the source is noted.” HARDIN-Jeff Hardin.pdf (copy in my possession). PEDOPHILES AT SCOUT CAMP By PETER ZUCKERMAN https://www.attorneygeneral.jus.gov.on.ca/inquiries/cornwall/en/hearings/exhibits/Mary_Lyn_Young/pdf/02_Media_Report_rev.pdf</p>
09/13/91	Georgia	<p>LDS Kenneth R. Good was placed on the BSA Confidential file for Child Molestation and sentenced for eight years in prison. GOOD-Kenneth Good-BSA File.pdf http://documents.latimes.com/kenneth-r-good/</p>
01/01/92	Utah	<p>LDS Jason Strong rapes a 7 year old girl. "Franco v. The Church of Jesus Christ of Latter-day Saints: The constitutionality of clergy malpractice claims. Journal of Family Law Studies, 4:175ff. [Retrieved 10/10/04 from LexisNexis Academic database.] By a junior staff member of the journal. Part 1 provides the background of a legal case that was tried in Utah's civil court system. In 1986, Lynette Earl Franco, 7-years-old, was a member of The Church of Jesus Christ of Latter-day Saints when she was sexually abused by Jason Strong, 14-years-old, who was also a Church member and attended her ward. In</p>

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1992, Franco reported the incident to her mother and a school counselor. Franco and her parents also reported the incident to their Church bishop, Dennis Casady, and stake president, David Christensen. “Casady assured Franco and her parents that ‘he would act according to church protocol and resolve the situation.’” Casady and Christensen advised them to “‘forgive, forget, and seek Atonement’ and urged her not to go to the police.”

Franco later asked Casady and Christensen to refer her to a licensed mental health professional, but they sent her to a non-licensed counselor who “‘echoed the same words’ as those counseled by Casady and Christensen.” Franco “decided the advice to ‘forgive’ and not inform the police was unsatisfactory and sought advice from a licensed counselor.” After hearing Franco’s story, the counselor, also a Church member, made a report to the police. The statute of limitations had elapsed, and the police were unable to pursue an investigation. Casady chastised the counselor for making the report.

In 1998, Franco filed a civil complaint against Casady, Christensen, and the Church that alleged claims of “(1) clerical malpractice; (2) gross negligence; (3) negligent infliction of emotional distress; (4) breach of fiduciary duty; (5) intentional infliction of emotional distress; and (6) fraud.” In 1998, a Utah trial court dismissed the tort claims against the defendants. Franco appealed, “arguing that the trial court erred in finding her tort claims barred by the First Amendment.” The state’s Supreme Court in 2001 upheld the defendants’ claims of protection under the U.S. Constitution. Part 2 presents the Court’s analysis of the First Amendment and its application in this case. Part 3 briefly offers varying reactions by religious leaders and lawyers to the decision, including its potential affect on Utah’s mandatory reporting statute that requires “clerics to report child sexual abuse unless only revealed by the perpetrator.” The very brief conclusion notes the unresolved questions: “This ruling... is only a small chapter in the ongoing battle to determine where the courts will draw the line between church and state.” 58 footnotes.

Beginning in July 1986, seven-year-old Lynette Earl Franco was sexually abused by fourteen-year-old Jason Strong (“Strong”). At the time the abuse occurred, both Franco

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and Strong were members of the same local ward of the LDS Church. The sexual abuse perpetrated against Franco was so extreme that she repressed the memory of the abuse until 1992, when she was fourteen years old. Upon recalling these incidents, Franco and her parents sought ecclesiastical counseling from the bishop of their local LDS Church ward, Dennis Casaday ("Casaday"), and from their LDS Church stake president, David Christensen ("Christensen"). During these ecclesiastical counseling sessions, Casaday and Christensen advised Franco to "forgive, forget, and seek Atonement." Moreover, at some point in the process of the ecclesiastical counseling, Franco determined that she needed additional help and therefore asked Casaday and Christensen to refer her to a licensed mental health professional. In accordance with this request, Casaday and Christensen referred Franco and her parents to Dr. Paul Browning ("Browning"), allegedly stating that Browning was "well qualified to help them." Browning was employed by the Bountiful Mental Health Center, where he worked under Craig Berthold ("Berthold"), a licensed clinical social worker. On his business card, Browning held himself out as practicing "Individual, Marital, and Family Counseling," under the heading of "General Psychiatry." However, Browning was not a licensed mental health professional in the state of Utah. Upon receiving the referral from Casaday and Christensen, Browning counseled with Franco and her parents at the Bountiful Mental Health Center, advising Franco to forgive Strong and forget the incidents of sexual abuse rather than to inform the police. Finding Browning's advice unsatisfactory, Franco and her parents sought advice from another secular counselor, who then reported the incidents of sexual abuse to the police. After the incidents of sexual abuse were reported to the police, Franco alleged that she was "ostracized and denigrated" by the members of her local LDS Church ward, with the acquiescence of Casaday and Christensen, and therefore withdrew from the LDS Church."

STRONG-Jason Strong 3.pdf

<http://caselaw.findlaw.com/ut-supreme-court/1270015.html>

<http://www.culteducation.com/group/1057-the-mormon-church/13997-crisis-ofidentity.html>

<http://caselaw.findlaw.com/ut-supremecourt/1270015.html#sthash.d2vBTYLw.dpuf>

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08/01/92	Los Angeles, California	<p>LDS Christian Bearnson was allegedly not reported by LDS church Bishop Bradley Cutler and the church was found liable to acting with "conscious disregard." "The Mormon Church has been found liable for the molestation of a 13-year-old girl by a church elder. A Pomona Superior Court jury Wednesday said leaders in the Azusa third ward of the church acted with "conscious disregard" for the girl's rights and safety. LDS Church Bishop Cutler did not report LDS pedophile Christian Bearnson."</p> <p>"I thank God for this," said the girl's mother, Patsy Mille "Now it won't happen to other kids," said her daughter, now 15. The girl was molested in a van during a church-sponsored camping trip in August, 1992. Christian Bearnson, a 29-year-old church elder, pleaded guilty to lewd conduct.</p> <p>The girl's family filed a civil suit accusing Bearnson of committing the molestation with malice and the Church of Jesus Christ of Latter-day Saints of negligence.</p> <p>The girl's attorney said church leaders knew Bearnson had allegedly molested two other girls in 1990."</p> <p>BEARNSON-Christian Bearnson.pdf</p> <p>http://articles.latimes.com/1993-11-12/local/me-56056_1_mormonchurch POMONA : Mormon Church Found Liable in Molestation Metropolitan Digest / LOS ANGELES COUNTY NEWS IN BRIEF November 12, 1993</p>
09/01/92	Seattle, Washington	<p>LDS Keith Knutson, a former LDS Sunday-school teacher has been charged with first-degree child molestation stemming from the alleged abuse of a 6 year old in 1992 who was his student. Victims claim that Bishop Stolker did not report.</p> <p>"Teacher Charged In Abuse, Seattle Times Staff: Seattle Times News Services Dec.24, 1994</p> <p>"A former Sunday-school teacher has been charged with first-degree child molestation</p>

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	<p>stemming from the alleged abuse of a student in 1992.</p> <p>“Keith Knutson, 26, allegedly told a counselor that in 1992 he molested the girl, who is now 8 years old, according to charging papers filed yesterday in Snohomish County Superior Court.”</p> <p>“The girl told her parents about the alleged abuse in September 1992. The victim's parents then made a report to Mormon Church officials. According to charging papers, the parents apparently expected the church to report the alleged crime to police. The family subsequently moved to King County. Don Stoliker, the bishop for the Alderwood First Ward of the Mormon Church, said the crime was reported to him in 1992 by the child's parents. Stoliker did not notify police, however, because he had received the information secondhand.”</p> <p>“The child told a public-school counselor about the abuse. After consulting church authorities, Stoliker said he advised the parents to press charges and to report the alleged incident through the public-school counselor. It was a miscommunication that was complicated both by the family's move to another area and Knutson's move to another church ward, he said.”</p> <p>Knutson, a Lynnwood resident, was immediately removed as a Sunday-school teacher.”</p> <p>KNUTSON-Keith Knutson.pdf http://community.seattletimes.nwsourc.com/archive/?date=19941224&slug=1948961</p>
12/31/92	<p>Arizona</p> <p>LDS Arthur Phillips sexually molested a 14 year old girl. He was sentenced in jail for one year and placed on probation for four years.</p> <p>http://mormon-alliance.org/casereports/volume1/part1/v1p1c04.htm</p> <p>“ARTHUR FRANK PHILLIPS, MESA, ARIZONA, 1992-93 A few days after Christmas 1992, fourteen-year-old Stacy of Mesa, Arizona, received a</p>

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	<p>telephone call from her Sunday School teacher, forty-three-year-old Arthur Frank Phillips, He "often told her she could be a model." He persuaded her to meet him at a bakery, then drove her to Kleinman Park where he "explained that he helped a lot of girls out in the past with modeling." Part of this "help" would involve taking nude photos of her. He assured her that he was married and did not want sex but he removed her shirt and bra and fondled her breasts.</p> <p>Phillips told Stacy not to tell anyone of the incident because "the Mormon Church frowns upon modeling and might construe what happened as sexual abuse."</p> <p>"She became depressed, even "suicidal," and told her boyfriend about the experience. In February Stacy's father brought her to a Mesa police station to talk with detectives. (The newspaper account does not say who told him.) After he was arrested on 17 March, a camera was found in his car. He was indicted on a charge of sexual abuse, a Class 5 felony, and two counts of solicitation to commit commercial sexual exploitation of a minor. Neither story mentions whether the Church has taken any disciplinary action against him."</p> <p>PHILLIPS Arthur Frank.pdf http://mormon-alliance.org/casereports/volume1/part1/v1p1c04.htm#ARTHUR</p>
05/01/93	<p>Australia</p> <p>LDS Stephen Kay, sexually assaults boy in 1993; and at church sponsored boy scout function. Stephen pleads guilty to 5 child sex charges. "KAY, Stephen, 56 (Queensland, Australia, 1996). Brisbane Mormon school teacher, scoutmaster and Church of Jesus Christ of Latter Day Saints member. Receives 15 month jail sentence in Brisbane District Court after pleading guilty to 5 child sex charges, including 3 counts of indecent treatment and 2 of indecent dealing, against 3 school students, aged under 12, in 1993 while teacher at south-side Brisbane school. Court hears Kay assaulted boys on school premises. Also receives additional 6 month sentence in 1996 for indecent assault of boy, less than 16 years old, in 1993 at boy scout camp, QLD. Arizona Republic, 7/8/94."</p>

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		<p>KAY-Stephen Kay 1.pdf http://www.icyte.com/system/snapshots/fs1/2/5/0/b/250b629dce9997c33d687019220db1a7d91bb3c7/index.Html</p> <p>http://reformation.com/CSA/variousabuse.html</p>
05/01/93	Mesa, Arizona	<p>LDS Richard Peterson, Although attending counseling with his bishop, Steven Smith, he sexually abused a five year old. Verbatim from Lisa Davis' "Sins of the Temple" Phoenix New Times</p> <p>"Richard Peterson of Mesa, Arizona, was preparing to serve a mission when he was arrested for fondling a five-year-old. According to a court-ordered psychological evaluation, Peterson had spent the previous year counseling with his bishop, Steven Smith, over his sexuality, about which he felt extremely guilty but about which he was simultaneously obsessed. He watched an erotic movie, then, "frustrated and curious, chastised by his bishop and church because of [an] indiscretion with his girlfriend, forbidden to masturbate, he unfortunately turned to an innocent five-year-old girl." The girl's family received such "a barrage of abuse" that they have moved twice and still use an unlisted telephone number."</p> <p>PETERSON-Richard Peterson.pdf Lisa Davis "Sins of the Temple" December 22- 28 1994 Phoenix New Times http://www.childpro.org/ https://drive.google.com/file/d/0B_E9N_KN9xzxbWNadnVldDE1LUE/edit</p>
09/06/93	Washington	<p>LDS David Herget sexually molested at least 7 boys starting in 2001 event though he was convicted and served time for sexually abusing a girl in 1993. And even though his membership records were annotated. In 2001 Herget met the children he would molest through the LDS Church court papers confirm. One boy stated he was molested over 1400 times.</p> <p>The following excerpts are from The Herald - Everett, Wash. July 31, 2005 By Scott North:</p>

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"Herget, 62, of Mountlake Terrace carefully groomed the boys, plying them with pornography and cash, police discovered. He made sure they wouldn't tell by threatening to kill himself should the secret ever be revealed."

"Court papers and interviews confirm that it was through the Mormon church in Mountlake Terrace that he met the boys he molested." "The boy's mother said her heart went out to the girl Herget molested. The child first disclosed the molestation to her. The woman said she'd also been abused when she was young. Together, they went to a church leader Herget admitted the abuse, and police were summoned.

His written confession describes the victim as "young, beguiling and lovely," and his offense as a "dastardly deed." Even so, Herget dawdled in negotiating a guilty plea in the 1993 case, Snohomish County deputy prosecutor Paul Stern said. Herget was angry that authorities had barred him from contact with his own children, who then still lived at home."

"The court received dozens of letters from church members urging leniency. One was written by a Seattle police detective who belonged to the congregation. Another came from the parents of the boy who would later unmask Herget." "Excommunicated by a Mormon church tribunal after his conviction, Herget completed the process of penitence, counseling and introspection that allowed him to rejoin the church."

"Officials with Herget's church declined to discuss his case. Instead, they provided papers describing in general how the church tracks members who have been convicted of sexual abuse and bars them from work with children. Herget got around that barrier after 2001 by privately offering assistance as an unofficial volunteer, or by simply being close to the families of his victims. He offered help on scouting projects and provided rides to sporting events, police discovered."

"Mountlake Terrace Police Chief Scott Smith said detectives identified at least seven boys

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	<p>Herget abused over the years. One boy estimated that at least 1,400 acts of abuse occurred, starting in summer 2001."</p> <p>"Herget's arrest came after three of the boys spoke with police. All related similar stories of how Herget began trying to molest them when they were young and overcame their reluctance over time, usually with pornography and money."</p> <p>HERGET-David Herget.pdf http://www.heraldnet.com/article/20050731/NEWS01/507310724 "How a predator fooled everyone" The Herald - July 31, 2005 By Scott North</p>
<p>10/17/93</p> <p>Canada</p>	<p>LDS James Victor, an LDS missionary sexually abused a 12 year old boy while on his mission. "Stake President David Sorenson did not report this pedophile after being told of this abuse according to witnesses. Victor also told Frank that he had sexually molested his cousin before starting his mission, and another Elder/missionary told Frank that Victor had come on to him. Much to his credit, 12-year old Frank told a church member in the local ward - Judy - about what Elder Victor did. She insisted that the mission president be informed, which Frank did with Judy's help and support. The mission president's tone implied incredulity, according to what Frank described to me. "Had Frank spoken to any church member other than Judy about what happened?", asked the mission president. "No", Frank replied. "Good.", the mission president responded. "Make sure that you don't." Shortly after Frank informed the mission president about what Elder Victor had done, the missionary was transferred out of the community where Frank lived. However, the mission president allowed Victor to finish his mission.</p> <p>He never contacted the police about the assault and sexual crimes allegedly committed by Victor. Learning that James Victor was still in the mission field, Frank told his bishop about what happened and what he'd told the mission president. He was instructed to forgive Victor and forget the entire matter."</p>

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01/01/94	<p data-bbox="594 253 1304 289">VICTOR-James Victor.pdf Copy in my possession.</p> <p data-bbox="594 315 1864 675">LDS Bishop Arlo Atkin's accused of raping a 14 year old. "This case was filed in in Maricopa County.. The plaintiff, Ellen LNU (last name unknown) had been molested twice by the time she was fourteen. Her parents turned to Bishops Arlo Atkin took Ellen into his home. Soon after, Atkin sexually abused the child also. Ellen attempted suicide. When Church members became suspicious Ellen moved back home with her family. A few months later, Ellen was pregnant with Atkin's child; she claimed she had been raped by another person. But her mother found sexually explicit love letters from Atkin to the girl. Atkin pleaded guilty, served 132 days in jail and was ex-communicated. Ellen gave birth to the child and put the baby up for adoption. Atkins violated probation by having contact with Ellen. The current status of this case is unknown." Mormon Court Case Overviews.</p> <p data-bbox="594 717 1209 821">ATKINS-Arlo Atkins.docx http://www.oocities.org/wsimister/ldscourt.htm http://childpro.org/ldscases.html</p>
01/15/94	<p data-bbox="594 850 1885 1065">LDS Unnamed Vernon Utah child molester, abused his minor child. "A recent Transcript article described the conviction of a 67-year-old Vernon man for the molestation of his minor daughter 18 years ago ("Father gets six months in jail for seven years of incest," April 19). The focus of the article appeared to be whether the sentence imposed by the court was too lenient. However, the sub-headline to the story was that the "LDS bishop was informed of abuse 18 years ago but failed to report crime."</p> <p data-bbox="594 1107 1860 1321">"When the offender confessed to his bishop in 1994, the bishop took appropriate church disciplinary action but because of the priest-penitent privilege, he did not report the abuse to the police!" V ERNON UTAH PREDATOR UNNAMED-vernon incest case.pdf http://tooeleonline.com/view/full_story/18293903/article-Father-gets-six-months-in-jail-forseven-years-of-incest</p>

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03/04/94	Utah	<p>In Michelle SCOTT, Plaintiff, v. Steven LeRoy HAMMOCK, Defendant. The Church of Jesus Christ of Latter-day Saints, Intervenor. No. 910112, a question was brought before the Supreme Court of Utah.</p> <p> </p> <p>“March 4, 1994.</p> <p>Adopted daughter brought action alleging that adopted father had engaged in various forms of abuse during her childhood. Daughter served deposition subpoena on office of church bishop requesting production of documents disclosing or relating to excommunication of father and any communications containing references to father's abuse of adopted children. The District Court, United States Magistrate Judge Ronald N. Boyce, 133 F.R.D. 610, found that communications between father and bishop were privileged under Utah's statutory clergy penitent privilege. Daughter objected and the District Court, David A. Sam , J., certified question to Utah Supreme Court. The Supreme Court, Stewart , Associate C.J., held that:</p> <p>(1) non-penitential communications between lay person and cleric are privileged under Utah law if they are intended to be confidential and are made for purpose of seeking spiritual counseling from cleric acting in her professional role and pursuant to discipline of her church, and</p> <p>(2) term “confession” in clergy-penitent privilege need not be construed to apply only to penitential communications because broad construction of that term is necessary to take into account the essential religious role clergy play in dealing with parishioners' wrongdoings. We do not reach the issue of whether the documents relating to Hammock's excommunication proceeding are privileged, as it was neither briefed nor argued.”</p> <p>ZIMMERMAN, C.J., and HOWE and DURHAM , JJ., concur.HALL, J., sat on this case but retired before he could act.</p> <p>All Citations 870 P.2d 947 © 2017 Thomson Reuters. No claim to original U.S. Government Works. 1</p>
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		870 P.2d 947 SCOTT v Hammock 870 P.2d 947 (1994).pdf https://www.courtlistener.com/opinion/1349803/scott-v-hammock/
07/01/94	Texas	<p>LDS Jimmy Earl Brooks, "used his position as an LDS Sunday School teacher to find his victims. He was a known pedophile and had been arrested in GA, CA, NM, FL, and TN. Jimmy Earl Brooks, 52, who was living on a boat docked in the Galveston area and is described as "associated with the Mormon Church in Galveston," was charged on 22 July 1994 with molesting four children. He had earlier been arrested in Georgia, California, New Mexico, Florida, and Tennessee, on charges ranging from exposing himself to aggravated sexual assault, usually involving children under age ten. Police from Morristown, Tennessee, had been looking for him since March 7, when he was charged with the aggravated sexual assault of eight children. His modus operandi was to "teach Sunday School at ... churches around the country, which is where he came in contact with most of his victims.... Brooks was able to make friends with families and talk them into going sailing with him, usually at night," according to investigator Connie Guelfi of the Galveston Police Department. "While parents sat on the stern of the boat, Brooks would go into the bow of the boat with some of the children."</p> <p>BROOKS-Jimmy Earl Brooks 1.pdf http://mormon-alliance.org/casereports/volume1/part1/v1p1c04.htm</p> <p>CASE REPORTS OF THE MORMON ALLIANCE VOLUME 1, 1995</p> <p>Chapter 4 CRIMINAL INVESTIGATIONS OF MORMONS INVOLVED IN CHILD SEXUAL ABUSE "</p> <p>"Brooks' charges range from exposing himself to aggravated sexual assault. Many of the felony charges involved children under the age of 10." "Brooks was charged with the</p>

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		<p>aggravated sexual assault of eight children."</p> <p>BROOKS-Jimmy Earl Brooks 2.pdf Serial child molester charged in Galveston" by Jack Osteen The Daily News Screen shot in my possession.</p>
07/04/94	Idaho	<p>LDS Rex Furness, a Bishop in the LDS church was sentenced to two months in jail and seven years probation for sexually assaulting his teenage granddaughter. "The Idaho Falls Post Register reported the following on November 13, 1996: "A former state senator [Rex Furness] will be spending the next two months in jail for sexually battering his teenage granddaughter.... Furness will serve 60 days in the county jail, and seven years probation....</p> <p>"He was also very active in the Church of Jesus Christ of Latter-day Saints, holding various titles, including bishop until he confessed the acts to his church and surrendered his temple recommend."</p> <p>http://www.utlm.org/newsletters/no92.htm</p> <p>"What he did not say in court was that the charge against him forced him to resign from the state senate."</p> <p>"Republican officials say they plan no disciplinary action now against Rigby Sen. Rex Furness, who has been charged with a felony count of sexual battery on a minor. The party was shaken following news Wednesday that Furness was charged in Madison County District court."</p> <p>May 17, 1996 in Idaho Charges Take GOP Legislators By Surprise Republicans Express Shock, Plan No Action Against Furness Yet Associated Press http://www.spokesman.com/stories/1996/may/17/charges-take-gop-legislators-by-surprise/</p> <p>March 26, 1997 in Idaho Court To Clarify Ex-Senator's Probation Rules Associated Press</p>

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	<p>“Rex Furness’ sexual battery case has returned to court amid concerns the former Republican state senator failed to follow the terms of his probation.</p> <p>Now 7th District Judge Brent Moss plans to issue a clarification of when Furness may have contact with minors, said Carol Ehlinger, a state Department of Correction section supervisor.</p> <p>The action was prompted by two instances of Furness apparently breaking rules set by the Correction Department.”</p> <p>FURNESS-RexFurness-LDS Bishop.pdf http://www.spokesman.com/stories/1997/mar/26/court-to-clarify-ex-senators-probation-rules/</p>
<p>08/01/94 Dallas, Texas</p>	<p>LDS Gene A. Guinn “was excommunicated by the LDS Church for sexually assaulting at least two children Guinn was sentenced to 68 years in prison. Guinn appealed his case on the grounds that the testimony of Bishop Porter and President Harshaw should be stricken from the record. "Guinn admitted he had sexual contact with a nine-year old girl from his church" "Guinn confessed he had inappropriately touched other young girls." He appealed his case but the Court ruled that "In a proceeding regarding the abuse or neglect of a child, evidence may not be excluded on the ground of privileged communication except in the case of communications between an attorney and client." GUINN-Gene Guinn 1 v the State of Texas.pdf: Gene GUINN, Appellant,v.The STATE of Texas, Appellee. No. 05-00-01251-CR. Nov. 20, 2001.On Appeal from the Criminal District Court # 3, Dallas 2001 WL 1466816County, Texas, Trial Court Cause No. F00-01439-TJ. Copy in my possession.</p> <p>"Four other women who said Mr. Guinn had fondled or assaulted them when they were children. All had met Mr. Guinn through church, including a young woman whose baptism</p>

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		<p>had been organized by the defendant. Two testified that he fondled them in a church building on Kiest Boulevard.</p> <p>Testimony outside the jury's presence showed that the trial was delayed for nearly two years while prosecutors and attorneys for local and national branches of the Church of Jesus Christ of Latter-Day Saints battled over subpoenaed records and testimony.</p> <p>The church excommunicated Mr. Guinn after he admitted the molestation to at least two church officials and during a church disciplinary hearing, according to testimony the jury heard. The judge ordered various church records turned over to prosecutors."</p> <p>GUINN-Gene Guinn 2. Pdf http://www.tdavis.org/holysmoke/thread.htmlthreadid=1:393/9005.13_99ee5892&msgid=1:393/9005.13_99ee5892 http://dallasnews.com/latestnews/113747_molestation.html Mormon high priest convicted of indecency 07/18/2000 By Holly Becka /</p>
10/25/94	Jackson, Mississippi	<p>LDS Bruce A. McAskill a bishop's clerk "with a past rape conviction, faces a minimum sentence of 5 years in prison after a judge found him guilty of kissing and fondling a boy, 8, whom he was babysitting. The boy's mother attended McAskill's church. A police officer who was called to the scene said McAskill told him "he didn't see any problem" with an adult sleeping naked with a child." (Jackson Citizen Patriot, 10/25/94)"</p> <p>MCASKILL-Bruce A McAskill.pdf http://reformation.com/CSA/variousabuse.html</p>
01/01/95	Texas	<p>LDS Ralph Neeley's Bishop knew about abuse allegations but failed to report that he molested an eight year old girl repeatedly alleges victim. "Ralph Neeley of Beaumont, Texas who was sentenced to life imprisonment for molesting an eight-year-old in empty rooms of their Mormon meeting house while services were going on.</p>

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	<p>NEELEYRalph Neeley 1.pdf http://mormon-alliance.org/casereports/volume1/part1/v1p1c04.htm "Neely's actions were so egregious he got sentenced to life in his criminal trial.. "This case was filed Jefferson County, Texas (Port Arthur). In January, 1995, the LDS Church settled for an undisclosed amount. An eight-year-old girl had been repeatedly molested in the LDS Church by Neeley. Neeley was a Mormon priesthood member and his Bishop knew about the allegations but failed to report it. Neeley's molestations were so egregious that he was sentenced to life in his criminal trial. Church leaders claim they encouraged Neeley to turn himself in to the police. John Charles Blome and Neeley were friends who attended the same LDS Church in Texas and had the same Bishop who reported neither Blome nor Neeley." (Listing of Cases of Abuse.docx)</p> <p>NEELEY-Ralph Neeley 2.pdf http://www.childpro.org/ldscases.html "Jefferson County, Texas, court records show the church settled for an undisclosed amount in this case. .The lawsuit names as co-defendants the church and Neeley's bishop, who apparently knew about the allegation but failed to report it." (The Salt Lake Tribune, June 10, 1995 pp. D1, D3)</p>
01/17/95	<p>Utah</p> <p>LDS Bishop Kennard is charged with 25 counts of sexual abuse of a child. "Lon Harvey Kennard held without bail on charges that he sexually abused two of his adopted daughters Wednesday, his family issued a public apology." "Kennard is charged with 25 counts of first-degree felony aggravated sexual abuse of a child, 21 counts of second-degree felony sexual exploitation of a minor and one count of witness tampering. According to court documents, the abuse was ongoing between 1995 and 2002. During that time frame, Kennard served as a Church of Jesus Christ of Latter-day Saints bishop."</p>

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	<p>KENNARD-Lon Harvey Kennard 1.pdf and 2.pdf http://www.freerepublic.com/focus/f-news/2479608/posts Family apologizes after sexual abuse arrest [Lds bishop] Salt Lake Tribune ^ March 24, 2010 Christopher Smart</p> <p>http://www.freerepublic.com/focus/news/2478562/posts Heber charity founder Lon Kennard Sr. charged with years of sexual abuse Deseret News ^ March 23, 2010 Geoff Liesik</p>
<p>04/08/96 Filer, Idaho</p>	<p>LDS Ronald Alvin Jenkins was “Accused of molesting scouts in the 1990’s. Convicted of Lewd Conduct with a minor in April, 1996, 17 year sentence.</p> <p>Verbatim: http://www.idahoboyscoutabuse.com/perpetrators/ronald-jenkins/ “Perpetrator: Jenkins, Ronald - Mormon Place: Filer Troop & Location: Grand Teton Council - Filer 2nd Ward Years in BSA: No IV File, Scouting 1989-1993 Accused of molesting scouts in the 1990’s. Convicted of Lewd Conduct with a minor in April, 1996, 17 year sentence.</p> <p>Timeline for Ronald Alvin Jenkins: Born 1942 (SSN Issued in Idaho) 1966 BYU 1970’S Married and has four children. 1980’s LDS Bishopric counselor in Filer, Idaho, 2nd Ward (per victim.)</p>

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1984-1988	Molested Scout(s) on Scouting trips (per victims in court documents.)
1990	Resigned from being LDS Bishopric Counselor to become a Scoutmaster of the Filer 2nd Ward Boy Scout Troop. Teton Council (per victim.)
1990-1993	Continually molested Scout(s) on scouting trips (per victim.) Summer of 1991 On a church overnight camping trip Jenkins asked victim if he could see his penis. Another time, victim was being interviewed by Jenkins as part of church-conducted interviews with children to see if they were in need of adult guidance. Jenkins sexually abused victim. Jenkins abused victims at least two more times at victim's house and at Jenkins' house. Another incident occurred on an LDS church camp. Other incidents happened on a motorcycle trip and on a camping trip. Jenkins told the victim to victim's older brother. Victim met Jenkins through Scouts. (1995 Twin Falls County Sheriff's Report.)
1993	Scout's parent found out. It is unknown when or if the LDS church or the BSA ever notified of the molestation. Law enforcement involved (per victim.)
1994 (and earlier)	Abused several brothers in a family, per statement. (1995 Twin Falls County Sheriff's Report.)
Fall 1994	Quit teaching job at Filer High School. (Spokesman-Review.)
10/27/1994	Wife filed for divorce. Decree of Divorce Issued 12/07/1994.
3/30/1995	Investigation by Twin Falls County Sheriff's Office.
1995	Charged in several counties for Lewd Conduct with a Child Under 16.
1996	

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		<p>Convicted in Twin Falls County and Franklin County in 1996. Current, he has been incarcerated ever since his conviction.”</p> <p>http://www.idahoboyscoutabuse.com/perpetrators/ronald-jenkins/JENKINS-Ronald Alvin Jenkins.pdf</p>
01/01/97	Kansas City, MO	<p>LDS David Neil Brown was charged with 32 counts of statutory sodomy. Brown molested 5 boy scouts."Accused pedophile David Neil Brown was an active Mormon and a Boy Scout Leader in the LDS Church. The Jackson County Missouri prosecutor's office brought 32 charges of statutory sodomy against Brown. Court documents allege that Brown had molested five boys between 1997 and 2001.</p> <p>http://www.justice.gov/usao/mow/news2007/brown_david.sen.htm</p> <p>In 2003 Brown pled guilty to two counts of statutory sodomy in the first degree and three counts of statutory sodomy in the second degree. He is serving a state sentence of 15 years at this time but on Dec. 28, 2005 Brown plead guilty to downloading child images on his computer on March 2002 and could be imprisoned for 30 more years federally without parole." "Court documents allege that Brown had sexual contact repeatedly with five boys between 1997 and 2001."</p> <p>BROWN-David Brown.pdf</p> <p>http://www.justice.gov/usao/mow/news2007/brown_david.sen.htm</p> <p>http://blogs.kansascity.com/crime_scene/2005/12/index.html#storylink=cpy</p>
01/01/97	Utah	<p>LDS James W. Penrod was forced to return from an LDS mission and arrested for sodomy of a child. As part of a plea agreement 18 other criminal counts of sexual abuse of minors were dismissed."Since he was forced to return from an LDS Church mission and arrested in July 1997, Penrod has been housed at the Juab County Jail and then the Utah State Hospital in Provo." ". The judge sentenced Penrod to serve six years-to-life on one count of sodomy of a child, a first-degree felony. In 1998, Penrod entered a plea of guilty and</p>

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	<p>mentally ill to that charge and two others. He also admitted committing sexual abuse of a child, a second-degree felony, and providing harmful material to a minor, a third-degree felony. His sentences for those counts will run concurrent with that for the sodomy charge. A judge determined last year that Penrod was not mentally ill." " Penrod committed sexual acts on the children just prior to leaving on an LDS Church mission to Pennsylvania and then wrote a sexually explicit letter to a boy while serving as a missionary, the prosecutor said."</p> <p>PENROD-James Penrod.pdf http://www.mormonstoday.com/000116/D2Penrod01.shtml Nephi man sent to prison despite suicide threat Sex abuser tells judge he suffers from depression By Edward L. Carter Deseret News staff writer Published: Saturday, Jan. 15 2000 12:00 a.m. MST http://www.deseretnews.com/article/print/738526/Nephi-man-sent-to-prison-despite-suicidethreat.html</p>
01/15/97	<p>Arizona</p> <p>Victim Kendahl states that she had told "several bishops that she was being sexually abused and not one reported the pedophile. her unnamed perpetrator. This is despite the fact that Arizona requires clergy and priest to report child abuse! She further states that therapists she had told did not report. Kendahl says she was abused by a relative starting at the age of 8. At BYU she told a therapist and 2 campus bishops who did nothing." "Church leaders say this is an anomaly, but CBS 5 Investigates uncovered that might not be the case."</p> <p>VICTIM-Kendahl-kpho 2012.pdf http://www.kpho.com/story/16146484/2-alleged-sexual-abuse-victims-saytheir-church-leaders-failed-to-report-abuse-to-police http://www.bishopaccountability.org/news2011/11_12/2011_11_29_Leitner_2Alleged.htm</p>

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		2 alleged sexual abuse victims say church leaders failed to report abuse Nov 29, 2011 , February 28, 2012 12:56 PMBy Tammy Leitner PHOENIX (CBS5)
01/30/97	Utah	LDS Lloyd Gerald Pond allegedly molests a 13 year old girl. "This case was filed in Third District Court in Salt Lake City, Utah. Pond was a Mormon Church spokesman, the host and executive producer of "Times and Seasons", a public affairs program of the LDS Church, broadcast nationally and overseas. The program focused on moral and social issues, including child abuse. Pond groomed an eleven year old girl, eventually photographing her nude and molesting her at age 13. He received a plea bargain which was criticized in the press for being too lenient. The bargain was considered special treatment because of his position and connections. A newspaper article from March 2, 1997 discusses the plaintiff's attempts to obtain discovery of the prosecutor's file in the Pond case and the resistance put up by the Salt Lake City District Attorneys' office to the civil subpoena." POND-Lloyd Pond.pdf http://www.oocities.org/wsimister/ldscourt.htm http://www.childpro.org/ldscases.html
02/11/97	Tennessee	LDS John Haws Burrell , "was convicted of twelve counts of sexual battery, three counts of rape and two counts of coercion of a witness. He was sentenced to 24 years in prison. The victims were 13 and 14 years old." BURRELL-John Haws Burrell 1 State v Burrell.pdf https://casetext.com/case/state-v-burrell-37
05/24/97	Bakersfield, California	LDS Jason Chad Larsen , a missionary from Idaho "was arrested in late May on suspicion of molesting a girl, 8, at the school. Jason Chad Larsen, 20, a Mormon missionary from Idaho, was charged with 1 felony count of child molestation for an incident in the school cafeteria among other children and reading volunteers. Larsen reportedly put his hand in the girl's shorts and eventually inside her underwear while she was reading to him. The girl

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	<p>said she was scared and tried to ignore the act. After finishing the book, Larsen reportedly asked if she wanted to read another book. She said no and returned to her class where she reported the incident to a teacher's aide. Larsen, who has volunteered at the school since mid-Feb., was arrested a few hours later. He was released on \$10,000 bail. Source: Bakersfield Californian 5/24/97"</p> <p>LARSEN-Jason Chad Larsen.pdf http://ffrf.org/legal/national-day-of-prayer-victory/stop-the-national-day-of-prayerpetition/item/16948-black-collar-crimes http://reformation.com/CSA/allabuse.html</p>
<p>06/01/97 Utah</p>	<p>LDS Shon M. Ricks "was found guilty by a Salt Lake City jury of molesting a 6-year-old girl in February 1997. Citing Ricks' severe heart condition, the judge reduced his two second-degree felony convictions to third-degree felonies, which carry a maximum sentence of five years rather than the 15 years he could have received.</p> <p>Then when Ricks, a Mormon, came up for parole in a hearing last August, his friends, relatives and church leaders reportedly filled the room.</p> <p>The reason: Mormon leaders contended that Ricks was sufficiently rehabilitated after less than two years in prison to receive a church "call" to a mission in Chile." "The parole board chairman, also a Mormon pushed for the early release-which the full board later approved-and Ricks was freed over the objections of the victim's father, who also is a Mormon." "Ricks remains free, although the church scrapped the mission assignment after a high-ranking Mormon official in Salt Lake City intervened."</p> <p>RICKS-Shon Ricks 1.pdf Mormons caught up in wave of pedophile accusations / Church deals with abuse cases without reporting them, critics say PAUL McKAY Staff</p>

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		<p>SUN 05/09/1999 Houston Chronicle,</p> <p>http://newscape.com/atheism/mo_pedophile.htm</p>
07/01/97	Montana	<p>LDS Kelly Teters is "waiting trial on charges he sexually abused a stepdaughter, who first turned for help to her Mormon Church leaders in nearby Manhattan but got none. The church leader in Manhattan, Mont., sent the girl back to her family without reporting to police, saying "he tried to focus on the authority of the `Heavenly Father' rather than on earthly authorities such as the police," said Gallatin County prosecuting attorney Ashley Harrington."</p> <p>TETERS-Kelly Teters 1.pdf http://www.vachss.com/help_text/archive/mormon_officials.html</p> <p>"According to Kelly James Teter v the State of Montana, the LDS church is report the allegations of sexual abuse to the Police in early October 2000 but from April to August of 1999 "Rex Dahl, Stake President of the Bozeman, Montana LDS church testified that he met with Teters on approximately eight occasions. During the course of these meetings, Teters disclosed that he had been sexually abusing J.U. for approximately two years. President Dahl recalled one occasion in which Teters brought J.U. to the meeting so that she could discuss the events taking place with her stepfather." "Although Dahl was concerned for the child, he believed his duty of confidentiality prevented him from reporting the abuse."</p> <p>TETERS-Kelly Teters 2 State of Montana v.pdf State v. Teters, 321 Mont. 379 (2004) 91 P.3d 559, 2004 MT 137 321 Mont. 379 Supreme Court of Montana. STATE of Montana, Plaintiff and Respondent, v. Kelly James TETERS, Defendant and Appellant. No. 02-638. Submitted on Briefs June 19, 2003. Decided May 25, 2004. Copy in my possession.</p>

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01/01/98	Sacramento, CA	<p>LDS Luis Gonzales, a Bishop, "has been charged with 20 counts of child molestation, battery, rape, bigamy, stalking, and fraud. The victim, alias Tammy Doe alleges, "The Church of Jesus Christ of Latter-Day Saints has been fully aware of this man's illegal activities since 1998 and failed to do anything until the child molestation became public." The trial is being held in the Sacramento County Court House, Department 26 located on H Street. Nancy Cachrane is the Deputy District Attorney for Sacramento County, and is prosecuting this case against Luis Gonzales. (Tapestry Against Polygamy, July 2002)"</p> <p>GONZLES-Luis Gonzales 2.pdf http://reformation.com/CSA/variousabuse.html</p>
05/01/98	United Kingdom	<p>LDS Michael Adamson, "A CHURCH caretaker who abused children as young as seven has been jailed - more than 25 years after his crimes. Over a 16-year-period, Michael Adamson molested four girls in the congregation of the Church of Jesus Christ of Latter-Day Saints - including two in the church's boiler room. He abused a third in her home when he came around to tune her piano while she was off school ill."</p> <p>York Crown Court also heard how elders at the church knew of Adamson's crimes as long ago as 1998 and allowed him to continue worshipping there." "In the past Adamson was jailed for six years after pleading guilty to 11 charges of indecent assault committed between 1966 and 1982."</p> <p>ADAMSON-Michael Adamson.docx http://www.yorkpress.co.uk/news/2356364.michael_adamson_convicted_of_molestation/</p>
06/01/98	New Jersey	<p>LDS William Scott Hanson "sexually raped, molested, battered and fondled him while plaintiff was a minor, and that defendant Corporation of the President of the Church of Jesus Christ of Latter-Day Saints d/b/a the Mormon Church knew that Hanson was a pedophile that was abusing children but retained him as a High Priest, Scout leader and Young Men's Leader." "Hanson is a serial pedophile and a life-long compulsive sexual predator of boys. He has been convicted in Utah, Wisconsin and New Jersey of molesting</p>

and raping young boys. He is presently serving a thirty year sentence in New jersey and will then serve a consecutive term of forty years for child rape in Wisconsin.

9. At all relevant times Hanson was raping and molesting boys, he was also serving defendant COP's church as High Priest, Scout leader and Young Men's leader."

FACTS

#5 "The Mormon Church knew or should have known that HANSON was a dangerous child molester yet for at least fifteen years repeatedly put him in to positions that gave him access to young boys, dozens of whom he raped and sodomized.

6. HANSON was known by church authorities to be a sexual offender with children while he was still a teenager.

7. In approximately 1986, HANSON was a scout leader, HANSON sexually abused DC, RS, and MD, in Utah.

8. HANSON was subsequently arrested and charged with multiple counts of attempted forcible sodomy and aggravated sexual abuse of a child in Utah Count, Fourth Judicial District, State of Utah, Criminal No. 87-72.

10. Robert o Hansen was HANSON's ward bishop in 1987. Robert O. Hansen was aware of specific allegations against Hanson, yet spoke as a character witness and argued for leniency at the sentencing hearing. He told the court that HANSON was not a child molester. Hansen told the court that HANSON had merely exercised bad judgment. HANSON was sentenced to probation and therapy.

11. On information and belief, HANSON failed to complete court ordered sexual deviancy therapy. Instead, Hanson moved to Texas in 1088 and joined an LDS ward in Dallas.

12. Bishop Robert O. Hansen informed the bishop of the Dallas LDS ward about HANSON's criminal law problems in Utah. Notwithstanding Hanson's known sexual abuse of boys in Utah, church officials in Texas put HANSON in church positions working with youth in the ward.

13. HANSON moved to West Lafayette, In, in approximately 1090, and joined a local ward of the LDS church.

14. In Indiana, HANSON became a scout leader in the local LDS ward. Through his

position as ward scout leader, HANSON befriended a church member's family. HANSON began grooming and later sexually abusing their son PM. HANSON abused PM on scout camp outings in multiple locations including Indiana, Arkansas and Iowa." He moved to Reston, Virginia and then on to Beaumont, Texas where he joined a Mormon ward and was once again called as a scout leader. He abused more boys in Texas and this included DB. " 16. HANSON moved to Waukesha, Wisconsin, in approximately 1995. He joined the local ward of the Mormon church. The church put him in charge of the Blazers, younger scouts ages 11 to 12. The church also made him Young Men's Leader. In those positions, HANSON sexually abused more boys in Wisconsin including BH. In approximately 1998 he moved to Warren County, New Jersey and joined the Ledgewood ward of the Mormon Church. Church authorities again put HANSON into scouting and youth leadership positions. In those positions, HANSON raped **Plaintiff David V. Ames**, a minor at that time, on hundreds of occasions and in multiple locations including Warren, Morris and Middlesex counties, New Jersey, as well as other locations throughout the United States and Canada. 19. Despite being placed in scouting leadership positions in Mormon church wards in Texas, Indiana, Wisconsin and New Jersey, Mormon Church officials never registered HANSON with the Boy Scouts of America. 20. In 2000, HANSON was arrested and charged with 42 counts of aggravated child sexual abuse in Warren County, New Jersey."

HANSON-William Scott Hanson 1 COMPLAINT AMES V COP.pdf
<https://dockets.justia.com/docket/new-jersey/njdce/2:2006cv03441/19186>

EXCERPTS FROM PLAINTIFF'S (P) COMPLAINT & DEFENDANT'S (D) ANSWERS (RESPONSES):

PARTIES SECTION

P-8.WILLIAM SCOTT HANSON ("HANSON"), is a citizen of the State of New Jersey, residing at the Adult Diagnostic & Treatment Center in Avenel, Woodbridge Township,

Middlesex County. HANSON is a serial pedophile and a life-long compulsive sexual D-8. Defendant admits that, in or about November 1986, Hanson was charged with one count of Attempted Forcible Sodomy and one count of Aggravated Sexual Abuse of a Child in Utah County, Utah. Defendant further states that in or about February 1987, the charge of Aggravated Sexual Abuse of a Child was amended and subsequently reduced to Sexual Abuse of a Child. Except as expressly admitted herein, Defendant denies the remaining allegations contained in Paragraph 8 of the section of the Complaint entitled "Facts."

P-9. At all relevant times HANSON was raping and molesting boys, he was also serving defendant COP's church as High Priest, Scout leader and Young Men's Leader. "

D-9. Defendant admits that, in or about October 1987, pursuant to a plea agreement, Hanson entered a plea of guilty to the charge of Lewdness Involving a Child, a Class A misdemeanor."

FACTS SECTION

P-10. Robert O. Hansen was HANSON'S ward bishop in 1987. Robert O. Hansen was aware of specific allegations against Hanson, yet spoke as a character witness and argued for leniency at the sentencing hearing. He told the court that HANSON was not a child molester. Hansen told the court that HANSON had merely exercised bad judgment. HANSON was sentenced to probation and therapy. "

D-10. Defendant admits that in or about 1987, Robert O. Hansen ("Hansen") was The bishop of the Orem, Utah 27th Ward in which Scott Hanson was a member. Defendant further admits Hansen was aware of the Utah County criminal charges, and that Hansen addressed the court during Hanson's sentencing hearing. Defendant further admits that, according to the Judgment and Order of Probation entered by the Utah County Court, Hanson was sentenced to probation and therapy, although Hanson was not required to serve jail time or pay a fine or victim reparation fee in connection with his guilty plea to Lewdness Involving a Child."

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	<p>P-11. On information and belief, HANSON failed to complete court ordered sexual deviancy therapy. Instead, Hanson moved to Texas in 1988 and joined an IDS ward in Dallas.</p> <p>D-11. Defendant admits that, at some point in time, Hanson moved from Utah to Dallas, Texas, and states that on information and belief that Hanson did comply with all of the conditions of his probation. Accordingly, Defendant denies the remaining allegations contained in Paragraph 11 of the section of the Complaint entitled "Facts."</p> <p>P-12. Bishop Robert O. Hansen informed the bishop of the Dallas LOS ward about HANSON'S criminal law problems in Utah. Notwithstanding HANSON'S known sexual abuse of boys in Utah, church officials in Texas put HANSON in church positions working with youth in the ward.</p> <p>D-12. Defendant denies that Church officials in the Dallas, Texas 3rd Ward "put Hanson in church positions working with youth" despite knowledge of "Hanson's known sexual abuse of boys in Utah," and further states that to the best of Defendant's knowledge, information and belief, Hanson was not an active member of the Dallas, Texas 3rd Ward. Defendant is without knowledge or information sufficient to form a belief as to the truth or falsity of the remaining allegations of Paragraph 12 of the section of the Complaint entitled "Facts."</p> <p>P-13. HANSON moved to West Lafayette, IN, in approximately 1989, and joined a local ward of the LOS church.</p> <p>D-13. Defendant admits that, at some point in time, Hanson moved to West Lafayette, Indiana and may have resided in a local ward in that area. Except as expressly admitted herein, Defendant denies the remaining allegations, if any, contained in Paragraph 13 of the section of the Complaint entitled "Facts."</p> <p>P-14. In Indiana, HANSON became a scout leader in the local LOS ward. Through his position as ward scout leader, HANSON befriended a church member's family. HANSON began grooming and later sexually abusing their son, PM. HANSON abused PM on scout camp outings in multiple locations including Indiana, Arkansas and Iowa.</p>
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	<p>D-14. Defendant is without knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 14 of the section of the Complaint entitled "Facts," and on that basis denies those allegations.</p> <p>P-15. HANSON moved to Reston, Virginia, and then to Beaumont, Texas. In Texas, HANSON joined the local ward of the Mormon church and again was put into the church's scouting program. In Beaumont, HANSON abused more boys, including DB. "</p> <p>D-15. Defendant admits that Hanson moved on multiple occasions, and may have resided, during certain periods of time, in Reston, Virginia and Beaumont, Texas. Defendant further admits that Hanson may have resided in the local ward of the Church in Beaumont, Texas, but states that Hanson was not an active participant in the Beaumont, Texas Ward, and specifically denies that "Hanson was put into the church's scouting program." Defendant is without knowledge or information sufficient to form a belief as to the truth or falsity of Plaintiff's allegation that, while in Beaumont, "Hanson abused more boys, including DB." Except as expressly admitted herein, Defendant denies the remaining allegations, if any, contained in Paragraph 15 of the section of the Complaint entitled "Facts.""</p> <p>P-16. HANSON moved to Waukesha, Wisconsin, in approximately 1995. He joined the local ward of the Mormon church. The church put him in charge of the Blazers, younger scouts ages 11 to 12. The church also made him Young Men's Leader. In those positions, HANSON sexually abused more boys in Wisconsin including BH.</p> <p>D-16. On information and belief, Defendant admits that, at some point in time, Hanson moved to Waukesha, Wisconsin, where he resided in a local ward of the Church and served, for a certain period of time, as a First Counselor and Teacher's Quorum Advisor in the Young Men's Presidency. Except as expressly admitted herein, Defendant denies the remaining allegations contained in Paragraph 16 of the section of the Complaint entitled "Facts."</p> <p>P-17. HANSON moved to Warren County, New Jersey, in approximately 1998, and joined</p>
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	<p>the Ledgewood ward of the Mormon Church. Church authorities again put HANSON into scouting and youth leadership positions. In those positions, HANSON raped Plaintiff DAVID V. AMES, a minor at that time, on hundreds of occasions and in multiple locations including Warren, Morris and Middlesex counties, New Jersey, as well as other locations throughout the United States and Canada.</p> <p>D-17. Defendant admits Hanson moved to Warren County, New Jersey in or about 1998 and resided in the Ledgewood, New Jersey Ward of the Church. Defendant further admits that, while in New Jersey, Hanson participated in the lay priesthood of the Church, as that term is doctrinally defined and understood by the Church, and that, during certain periods of time, Hanson served in youth leadership positions.”</p> <p>P-18.HANSON also brought BH from Wisconsin to New Jersey on his vacations and repeatedly sexually assaulted BH in New Jersey.</p> <p>D-18.Defendant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 18 of the section of the Complaint entitled “Facts,” and on that basis denies those allegations.</p> <p>P-19.Despite being placed in scouting leadership positions in Mormon church wards in Texas, Indiana, Wisconsin and New Jersey, Mormon Church officials never registered HANSON with the Boy Scouts of America.</p> <p>D-19.Defendant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 19 of the section of the Complaint entitled “Facts,” and on that basis denies those allegations.</p> <p>P-20. In 2000, HANSON was arrested and charged with 42 counts of aggravated child sexual abuse in Warren County, New Jersey.</p> <p>D-20. Defendant admits the allegations contained in Paragraph 20 of the section of the Complaint entitled “Facts.”</p> <p>P-21.In 2001, HANSON pleaded guilty and was sentenced to multiple concurrent sentences Of 15 to 30 years.”</p>
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	<p>D-21. Defendant admits the allegations contained in Paragraph 21 of the section of the Complaint entitled "Facts."</p> <p>P-22. In 2004, HANSON was sentenced to a consecutive 40 year term of imprisonment in Waukesha County, Wisconsin.</p> <p>D-22. Defendant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraph 22 of the section of the Complaint entitled "Facts."</p> <p>https://docs.justia.com/cases/federal/districtcourts/newjersey/njdce/2:2006cv03441/191864/3</p> <p>see also Charles Toutant, Mormon Church Sued on Charges of Sexual Abuse by Youth Leader, 185 N.J. L.J. 475 (2006)(reporting that a Mormon bishop from Provo, Utah notified the child abuser's new ward, or congregation, about his previous criminal sexual offenses in Utah and Wisconsin, but the ward still put him in positions working with children in Dallas, Texas, and later working with children in Ledgewood, New Jersey)</p> <p>http://scholarship.richmond.edu/cgi/viewcontent.cgi?article=1005&context=law-faculty-publications</p> <p>https://docs.justia.com/cases/federal/district-courts/newjersey/njdce/2:2006cv03441/191864/3</p> <p>Case 2:06-cv-03441-WJM-MF Document 3 Filed 09/20/2006 Page 1 of 16 AMES v. CORPORATION OF THE PRESIDENT OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS et al</p> <p>HANSON-William Scott Hanson 2, 3, and 4 pdfs</p>
11/15/98	<p>Utah</p> <p>LDS Matt Jaroscak allegedly sexually assaulted Kareena Macgregor." Kareena is now suing in civil court six people who she says have contributed to her emotional distress. These defendants included the COP of the LDS Church and Bishop Douglas Walker. The</p>

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	<p>trial began April 23." JAROSCAK-Matt Jaroscak 1. And 2.pdf</p> <p>Kareena claims in her civil suit that she went to her LDS Bishop Douglas Walker in December 1999. She told him Matt Jaroscak was touching her. Bishop Walker, in a court filing, denied Kareena ever reported sexual abuse to him. A later filing amended that denial to "he has no recollection of Kareena or anyone else talking to him about someone having sexual contact with Kareena."</p> <p>The MacGregors' former bishop, Douglas Walker, through his lawyer, declined to comment. The LDS Church released a statement saying in part: "While the Church denies any responsibility for the harm that Kareena MacGregor has suffered, we are deeply saddened by what has happened to her. The Church and Bishop Walker have extended their love to her and have provided counseling and other assistance to help her through the emotional difficulties that she has faced." In its initial response to Kareena's civil complaint, the LDS Church, however, denied she was a member of her ward. This came as a surprise to Kareena, who has been a member of the Willow Canyon 4th Ward, in the East Sandy LDS Stake, since her baptism at age. This victim is suing the LDS church and the Bishop."</p> <p>http://www.cityweekly.net/utah/blog-13224-7513-medical-experts-testify-in-macgregor-case.html</p> <p>http://www.cityweekly.net/utah/article-35-7375-hear-my-plea.html</p>
<p>01/01/99</p> <p>Washington</p>	<p>Victim Flanagan alleges that "Bishop McCrea concealed the fact that a sexual predator was an abuser & granted him entrance into the Temple in order to marry an unsuspecting woman claims victim."</p> <p>"This case took place in the state of Washington and was a case by the wife of a sex abuser who sued her bishop for granting her a Temple Recommend in order to get married, despite indications that her husband was a sex abuser. The Bishop concealed the fact that this man was an abuser and granted him entrance into the Temple in order to marry. This case</p>

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		<p>was dismissed."</p> <p>FLANAGAN V MCCREA-Flanigan v. McCrea.pdf (Jeff Breinholt) http://mormonmatters.org/2009/09/23/the-growing-mormon-sex-abuse-scandal/</p> <p>The Growing Mormon Sex Abuse Scandal by Jeff Breinholt JD • September 23, 2009</p>
01/15/99	Idaho	<p>LDS Tim Ryan “is serving a 10-year probation term after pleading guilty in 2008 to a charge of sexual abuse of a child under the age of 16. Detectives say the victim's family reported the case in 1999; it was dropped when the girl's family wouldn't cooperate with investigators. About the time the case was dropped, prosecutors said, the girl met with Ryan and an LDS bishop. The victim told the Idaho Statesman last week that she had to attend meeting with an LDS bishop and Ryan where she was asked to forgive Ryan for his actions. ' At that point, I was really scared. My family was about to be torn apart,' she said. 'They wanted me to forgive him. I was 14. I was put on the spot.’”</p> <p>RYAN-Tim Ryan.pdf http://www.mcclatchydc.com/2010/12/12/105162/did-fellow-mormons-cover-up-officers.html</p> <p>Did fellow Mormons cover up officer's baby molestations?Parick Orr Idaho Statesman December 13, 2010</p>
02/08/99	Washington	<p>LDS Darrell Howe abused a child and the following appeal to their lawsuit was decided by the court. “At issue in this case is whether any of the defendants owed the plaintiffs a duty. Jeffrey Pearson argues that Bishop McRae, the church, and other church officials (“Bishop McRae,” collectively) had a duty to protect him from the actions of fellow church member Darrell Howe.” The court affirmed the summary judgment order requested by the defendants. The following are excerpts from Court of Appeals of Washington, Division 1.</p>

Kimberlee Rae FLANIGAN; Jane MacLean as Guardian Ad Litem of Jeffrey David Pearson, a minor; and John Does 1–10, Appellants, v. John Doe McCRAE and Jane Doe McCrae, husband and wife; John Doe, Marysville State President and Jane Doe, Marysville State President, husband and wife; John Doe, Regional Representative and Jane Doe, Regional Representative, husband and wife; and The Church Of Jesus Christ Of Latter Day Saints, a Corporation, Respondents.

No. 41345–7–I.

|
“Feb. 8, 1999.

Appeal from Superior Court of Snohomish County, Docket No 95–2–08382–8, judgment or order under review, date filed 08/19/1997; Ronald L. Castleberry ,Judge.

Attorneys and Law Firms

Jerald D. Pearson , The Pearson Law Firm, Kirkland, WA, for Appellant(s).

Thomas D. Frey , Stafford Frey Cooper, Seattle, WA, Marcus B. Nash , Stafford Frey & Cooper, Seattle, WA, for Respondent(s).

UNPUBLISHED COX .”

“*1 At issue in this case is whether any of the defendants owed the plaintiffs a duty. Jeffrey Pearson argues that Bishop McRae, the church, and other church officials (“Bishop McRae,” collectively) had a duty to protect him from the actions of fellow church member Darrell Howe. Kimberlee Flanigan claims that Bishop McRae owed her a duty of care arising out of their relationship as bishop and church member. We hold there was no duty and affirm the

summary dismissal of all claims. Vernon McRae served as a bishop in the Church of Jesus Christ of Latter Day Saints, more commonly known as the Mormon Church. Darrell Howe, a member of Bishop McRae's parish or “ward,” sought his advice in the spring of 1989. Howe told the bishop that he had recently been in a fight with two teenage boys and that they had falsely accused him of inappropriate touching. Bishop McRae advised Howe to be honest with the authorities and to seek the help of an attorney if criminal charges were filed. Several months later, Howe met with Bishop McRae again, telling him that he had pleaded

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guilty to misdemeanor assault. At Howe's request, Bishop McRae agreed to help him find community service opportunities, as well as to monitor his progress in completing the required community service hours. Bishop McRae then arranged for Howe to help another ward member, Debbie Pearson, build a log house. Howe worked diligently on the Pearson home. After several months, Bishop McRae informed the court that Howe had completed his community service hours, and the court entered an order terminating his community supervision. While Howe worked on the Pearson property, he became friends with Ms. Pearson and her family and began dating Pearson's 17-year-old daughter, Kimberlee Flanigan. Several months later, on Flanigan's 18th birthday, they got engaged. The couple hoped to be married in the temple. A "temple marriage" is a sacred ceremony that would allow their marriage to continue not just for the duration of their lives, but for "time and eternity." According to Mormon doctrine, Howe and Flanigan had to be deemed worthy by both the ward bishop and another church official to qualify for a temple marriage. During this temple recommend process, Howe and Flanigan met with Bishop McRae, both individually and as a couple. At Bishop McRae's prompting, Howe revealed to Flanigan that a young man had falsely accused him of sexual assault. Howe told her that it was this accusation that led to his pleading guilty to misdemeanor assault. Flanigan believed Howe when he said that he had not sexually assaulted or abused his accuser.

Within two and one-half months of their engagement, Howe and Flanigan received their temple-recommends and were married in the temple. Shortly after their wedding, they moved to Montana. Debbie and her son, Jeffrey Pearson, later moved to Montana as well. About two years after moving to Montana, Howe was arrested for sexual contact with a teenage boy. Following Howe's arrest, Jeffrey Pearson disclosed that Howe sexually abused him while their family was living in Montana.

*2 Thereafter, Flanigan and Jeffrey Pearson commenced this action. Flanigan and Pearson appeal from the trial court's summary dismissal of their claims."
Flanigan v. McCrea, Not Reported in P.2d (1999) 93 Wash.App. 1085 (*Flanigan v. McCrea*, 93 Wash.App. 1085, 1999 WL 58767 (Wash.App. Div. 1 1999)

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	<p>HOWE-Darrell Howe Flanigan and Does 1-10 v COP.pdf Copy in my possession.</p>
<p>06/29/99 Plaquemines Parish, Louisiana</p>	<p>LDS Matthew Todd Wallis, “of Ogden, Utah was extradited to Plaquemines Parish, where he pleaded guilty to oral sexual battery on a 4 year old child.”</p> <p>“Wallis was 15 or 16 years old at the time he perpetrated the abuse. The crime, which occurred between 1999 and 2000, was covered up by the then-teenager's parents and also possibly by a bishop in Harvey at the Church of Jesus Christ of Latter-day Saints, according to the Plaquemines Sheriff's Office. (Courtesy of Plaquemines Sheriff's Office)”</p> <p>“The victim reported the crime to Plaquemines authorities in May 2014 and Wallis was arrested at his Utah home in September. Witnesses told police last year that Wallis had videotaped one of his sexual crimes, and that the tape had been brought to his mother's attention. Wallis's mother had chastised those who found it and later had told a family member that she burned the tape to destroy the evidence and "make this all just go away," according to the Sheriff's Office.”</p> <p>“Around the same period in which Wallis abused the girl, between 1999 and 2000, a second victim reported to a bishop of the Church of Jesus Christ of Latter Day Saints in Harvey that she had been assaulted by Wallis, according to the Sheriff's Office. Authorities said Wallis later met with that bishop possibly to "confess his sins" and go through a "repentance program." One of the bishops at the church during that period acknowledged knowing the Wallis family, but he told investigators that he did not remember being told about any sexual abuse committed by Wallis, the Sheriff's Office said.”</p> <p>By Benjamin Alexander-Bloch, NOLA.com The Times-Picayune Email the author updated January 29, 2015 at 12:02 PM</p> <p>WALLIS-Matthew Todd Wallis 1.docx, 2.docx and pdf</p>

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	<p>http://www.nola.com/crime/index.ssf/2014/09/utah_man_charged_with_sexual_a.html</p>
<p>09/30/99 Pennsylvania</p>	<p>LDS Vance Hein “sexually abused a victim using his position as Boy Scout leader. Hein has been in prison for a parole violation related to this abuse. The victim states his entire life was affected by this abuse. "A Delaware man has sued the BSA and the Church of Jesus Christ of Latter-day Saints on Wednesday over Childhood sexual abuse committed by the scoutmaster at his church-sponsored troop. Melvin Novak filed the lawsuit in state court in Philadelphia, charging that newly released Boy Scout files support his claim that the organization hid abuse complaints for years. 'They knew about this conduct, they knew what was going on , and the covered it up in the most despicable way,' lawyer Stewart J. Eisenberg said at a news conference."</p> <p>“Vance Hein, 61, is in prison for a parole violation related to his 1999 misdemeanor conviction in Novak's case. He originally got probation but is now serving 15-30 years for possessing child pronography." Novak was 15-years-old when Hein abused him. HEIN-</p> <p>Vance Hein 1.pdf http://www.ksl.com/?nid=148&sid=23366547</p> <p>Boy Scouts, LDS Church sued by former scout over sex abuse By Associated Press and Josh Furlong December 13th, 2012</p> <p>"90. Upon information and belief, the conspiracy among the Boy Scout and LDS Church Defendants, and Defendant Hein, to avoid civil and criminal liability for the harmful illegal, and immoral acts of their Scoutmasters and Youth Leaders, including Defendant Hein, existed before Plaintiff's sexual assault at the hands of Defendant Hein. 91. Had BSA and/or LDS Church notified or advised Plaintiff; his parents; or civil authorities, or otherwise been candid with the scouting public regarding the pervasiveness of sexual abuse of boys by an alarminly large percentage of BSA's adult scout leaders, then minor-Plaintiff Melvin Novak would either (1) not have joined the BSA or (2) not been allowed to join BSA by his Parents."</p>

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	<p>HEIN-Vance Hein 2-complaint.pdf https://archive.org/stream/538065-novak-complaint/538065-novak-complaint_djvu.txt</p>
<p>10/17/99 North Carolina</p>	<p>LDS Matthew Alan Nash, "sexually molested 11 young girls ages 5-8 while on his mission in North Carolina. He was sentenced to prison for 5 years. In exchange for the guilty pleas, prosecutors dismissed a more severe count of sexual offense of a child. According to North Carolina police, Nash's victims were all members of the Church of Jesus Christ of Latter-day Saints between the ages of 5 and 8 years. The assaults took place while Nash taught class at a local LDS church or during at-home visits with church members between February and May 1999, police said. Nash served in the North Carolina Charlotte Mission, which covers roughly the western half of the state." http://www.deseretnews.com/article/840386/SL-molester-sent-to-NC-prison.html?pg=all S.L. molester sent to N.C. prison He admitted to assaulting girls during mission By Angie Welling Deseret News staff writer Published: Tuesday, May 1 2001 11:01 a.m. MDT "A Salt Lake man will spend the next five years in prison after admitting to sexually molesting 11 young girls while serving an LDS mission in North Carolina. Matthew Alan Nash, 27, of Salt Lake City, has admitted to molesting at least 22 children in both North Carolina and Utah since age 16. Matthew Alan Nash, 27, pleaded guilty Monday in Macon County Superior Court to 18 counts of indecent liberties with a child. He was sentenced to serve five years and five months in prison and was immediately turned over to the North Carolina Department of Corrections." http://www.mormonstoday.com/010504/D2MNash01.shtml By Kent Larsen Former Missionary Sentenced for Sexual Assault during Mission The following are listed as Kent Larsen's sources: Former Mormon missionary sentenced to five years Asheville NC Citizen-Times 30Apr01 D2</p>

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		<p>By Quintin Ellison: Staff Writer Former Mormon missionary sentenced to five years <u>S.L. molester sent to N.C. prison</u> Deseret News 1May01 D2 By Angie Welling: Deseret News Staff Writer</p> <p><u>Missionary accused of molesting girls returns to North Carolina</u> Raleigh NC News &Observer (AP) 1May01 D2 <u>Man Gets 5-Year Sentence for Sex Offenses While on Mormon Mission</u> Salt Lake Tribune (AP) 1May01 D NASH-Matthew Alan Nash.pdf</p>
12/01/99	Sandy, Utah	<p>Bishop David Maxwell failed to report the rape of a 15 year old girl by an LDS boy and Maxwell tells police that he was informed that "his obligation was to not report" by LDS legal offices (Deseret News). "police in December 1999 when he learned about the alleged sexual assault of a 15-year-old girl. Maxwell waited until February to contact police after the girl also disclosed the information to an LDS seminary teacher, who then spoke with Maxwell, according to a Sandy police report. The boy who allegedly committed the assault faces charges in juvenile court."</p> <p>LDS BISHOP-David Maxwell.pdf http://www.deseretnews.com/article/760432/LDS-bishop-charged-with-failure-to-report.html?pg=all http://www.deseretnews.com/article/760432/LDS-bishop-charged-with-failure-toreport.html?pg=all</p>
01/01/00	Saint George, Utah	<p>LDS David Marlen McGhie was charged with forcible sexual abuse and forcible sodomy of a child. "According to Justice Court records, the incidents happened between August 1998</p>

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	<p>and January 2000. . " "An LDS bishop, Bishop Brent Atkinson was accused of failing to report child sexual abuse and has signed a diversion agreement with the Washington County Attorney's Office.</p> <p>Under the agreement, the Class B misdemeanor charge against Brent Atkinson will be dismissed if he abides by terms of the agreement for one year, said Deputy County Attorney Tara Dugan."</p> <p>"The agreement calls for Atkinson to do 100 hours of community service, commit no law violations and pay \$250 in court administration fees." "Two other LDS bishops in Utah have been charged this year (2000) with failing to report child sexual abuse."</p> <p>LDS BISHOP-Brent Atkinson.pdf http://www.deseretnews.com/article/771963/LDS-bishop-signs-diversion-in-child-abuse-reporting-case.html</p>
05/05/00	<p>Utah</p> <p>LDS James Denos a bishop in the LDS church was "sentenced to a minimum of 20 years in prison after pleading guilty in October to four counts of aggravated child sexual abuse in a Utah District Court. The ruling Friday by Utah Third District Court Judge Timothy R. Hanson sentenced James Denos, 73, to a minimum 20 years in a Utah state prison for sexually abusing four of his granddaughters living in Utah. Although the charges deal only with abuses that occurred in Utah, family members say that Denos did molest the girls when they visited him in Huntington Beach. The Huntington Beach Police Department is conducting its own investigation, but authorities could not give any further details. The family has identified 17 alleged victims. Denos' son Ray claims his father molested his first known victim 50 years ago.</p> <p>"They're mostly girls between the ages of 3 and 11 and we're concerned because there could be a lot more victims in his church." Gilliland said.</p> <p>Denos is a retired Long Beach junior high school teacher and the former bishop of the</p>

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		<p>Church of Jesus Christ of Latter-day Saints in Westminster. "Denos abused girls in both the state of Utah and California."</p> <p>DENOS-James Denos.pdf http://articles.hbindependent.com/2002-01-17/news/export8186_1_molestation-utah-state-prison-huntingtonbeach-police-department</p> <p>Also see THE SALT LAKE TRIBUNE Salt Lake City, Utah Man Sentenced To Up to Life For Molestation Saturday, January 12, 2002 BY STEPHEN HUNT James E. Demos, right, appears before 3rd District Judge Timothy Hanson</p>
05/17/17	Sandy, Utah	<p>LDS BISHOP David Maxwell "was originally charged with failure to report, a class B misdemeanor, for not coming to police in December 1999 when he learned about the alleged sexual assault of a 15-year-old girl. Maxwell waited until February to contact police after the girl also disclosed the information to an LDS seminary teacher, who then spoke with Maxwell, according to a Sandy police report. The boy who allegedly committed the assault faces charges in juvenile court."</p> <p>"We have every reason to believe that Bishop Maxwell handled this situation properly, in full accordance with Utah law and church policy," said LDS Church attorney Von G. Keetch in a statement. "We expect him to be exonerated by the judicial process." According to the report, Maxwell learned of the rape in December. He then interviewed the victim at least three times and also spoke with the boy involved. The police report states Maxwell told police he sought other church leaders and the LDS Confidential Offices for legal advice. "Maxwell said he was informed that his obligation was to not report," according to the police report."</p> <p>LDS BISHOP David Maxwell alleged Failure to report 2.pdf http://www.deseretnews.com/article/760432/LDS-bishop-charged-with-failure-to-</p>

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08/16/00	Buenos Aires, Argentina	<p data-bbox="594 256 850 289">report.html?pg=all</p> <p data-bbox="594 321 1894 605">LDS Miguel Angel Michel was “accused of sexually molesting 3 children ages 5-8 years by the victims. He was an active member of the LDS Church in the Derqui neighborhood."The testimony of two children 18 and 19 years of La Alborada neighborhood complained to the Justice that have been sexually abused as children by a Mormon neighbor of President Derqui same neighborhood, were enough for other evidence pointing to the same subject come out to the light. In the last hours, a 36-year Derqui center reportedly confessed that the man, identified as Miguel Angel Michel, 58, had abused her when she was 4. "</p> <p data-bbox="594 646 1879 751">MICHEL-Miguel Angel Michel.pdf http://pilaradiario.com/noticias/Las-jovenes-que-denunciaron-al-mormon-fueron-sometidas-apericias_31795</p>
03/19/01	Utah	<p data-bbox="594 784 1879 1101">In Franco v. The Church of Jesus Christ of Latter-day Saints, 21 P.3d 198 (2001) 416 Utah Adv. Rep. 32, 2001 UT 25 “Former church member and her parents brought action against church and its leaders for clerical malpractice, gross negligence, negligent infliction of emotional distress, breach of fiduciary duty, intentional infliction of emotional distress, and fraud, resulting from members of church allegedly ostracizing and denigrating member with acquiescence of church leaders after she reported incidents of sexual abuse to the police. The District Court, Salt Lake Department, J. Dennis Frederick , J., dismissed plaintiffs' claims. Plaintiffs appealed. The Supreme Court, Russon , Associate Chief Justice, held that:</p> <p data-bbox="594 1109 1879 1320">(1) claims for gross negligence, negligent infliction of emotional distress, and breach of fiduciary duty were barred by First Amendment; (2) member failed to establish cause of action for intentional infliction of emotional distress; and (3) member failed to establish fraud claim against church and its leaders. The Court Affirmed the decision of the lower court.</p>

BACKGROUND:

Beginning in July 1986, seven-year-old Lynette Earl Franco was sexually abused by fourteen-year-old Jason Strong (“Strong”). At the time the abuse occurred, both Franco and Strong were members of the same local ward of the LDS Church. The sexual abuse perpetrated against Franco was so extreme that she repressed the memory of the abuse until 1992, when she was fourteen years old. Upon recalling these incidents, Franco and her parents sought ecclesiastical counseling from the bishop of their local LDS Church ward, Dennis Casaday (“Casaday”), and from their LDS Church stake president, David *201 Christensen (“Christensen”). During these ecclesiastical counseling sessions, Casaday and Christensen advised Franco to “forgive, forget, and seek Atonement.” Moreover, at some point in the process of the ecclesiastical counseling, Franco determined that she needed additional help and therefore asked Casaday and Christensen to refer her to a licensed mental health professional.

In accordance with this request, Casaday and Christensen referred Franco and her parents to Dr. Paul Browning (“Browning”), allegedly stating that Browning was “well qualified to help them.” Browning was employed by the Bountiful Mental Health Center, where he worked under Craig Berthold (“Berthold”), a licensed clinical social worker. On his business card, Browning held himself out as practicing “Individual, Marital, and Family Counseling,” under the heading of “General Psychiatry.” However, Browning was not a licensed mental health professional in the state of Utah. Upon receiving the referral from Casaday and Christensen, Browning counseled with Franco and her parents at the Bountiful Mental Health Center, advising Franco to forgive Strong and forget the incidents of sexual abuse rather than to inform the police. Finding Browning's advice unsatisfactory, Franco and her parents sought advice from another secular counselor, who then reported the incidents of sexual abuse to the police. After the incidents of sexual abuse were reported to the police,

Franco alleged that she was “ostracized and denigrated” by the members of her local LDS Church ward, with the acquiescence of Casaday and Christensen, and therefore withdrew from the LDS Church.

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¶ 4 Based on the above-described allegations, Franco asserted six claims against the LDS Church Defendants, 6 all in tort: (1) clerical malpractice; (2) gross negligence; (3) negligent infliction of emotional distress; (4) breach of fiduciary duty; (5) intentional infliction of emotional distress; and (6) fraud. On April 18, 1997, Franco voluntarily dismissed her case, and she refiled it on April 4, 1998, asserting the same claims.

¶ 5 The LDS Church Defendants did not file an answer to Franco's complaint but moved to dismiss under rule 12(b) (6) of the Utah Rules of Civil Procedure . In their motion, the LDS Church Defendants argued that as a matter of law, Franco could not recover under any of her theories. Specifically, the LDS Church Defendants contended that a determination of Franco's claims would necessarily implicate an excessive governmental entanglement with religion because resolution of the claims would require the courts to impose a secular duty of care on pastoral counselors and therefore the claims were barred by the First Amendment to the United States Constitution. The LDS Church Defendants further contended that even if Franco's claims were not barred by the First Amendment, her fraud and emotional distress claims failed as a matter of Utah law.

¶ 6 In response, Franco argued that her tort claims did not require an inquiry into the LDS Church's religious doctrines, practices, or beliefs and therefore the First Amendment was inapplicable. Moreover, Franco argued that she had sufficiently stated claims for fraud and emotional distress under Utah law.

¶ 7 On October 13, 1998, the trial court issued a memorandum decision 7 dismissing Franco's tort claims against the LDS Church Defendants. The trial court held that each of Franco's tort claims was based on allegations that the LDS Church Defendants (1) counseled with Franco in an ecclesiastical setting and (2) recommended Browning as someone whom Franco might consult for further counseling and that, by doing so, the LDS Church Defendants departed from accepted *202 practices in the services rendered. In light of these allegations, the trial court concluded that Franco's claims were essentially asking the court to impose a secular duty of care on pastoral counselors in the performance of their ecclesiastical counseling duties, which the trial court concluded was prohibited by the First Amendment to the United States Constitution. In addition, the trial court held that there were

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	<p>no allegations that the LDS Church Defendants “had any indication their conduct might cause bodily harm or that they engaged in conduct of such a nature as to be considered outrageous and intolerable” and therefore any claims for negligent or intentional infliction of emotional distress failed as a matter of law.</p> <p>¶ 8 On December 23, 1998, Franco appealed to this court. Franco argues that the trial court erred in holding that her claims for gross negligence, negligent infliction of emotional distress, breach of fiduciary duty, intentional infliction of emotional distress, and fraud are barred by the First Amendment. Specifically, Franco argues that her tort claims do not require an inquiry into the LDS Church's practices or religious beliefs and therefore the First Amendment does not offer the LDS Church Defendants any protection from her claims. Franco does not argue on appeal, however, that the trial court erred in its determination that her claim for clerical malpractice was barred by the First Amendment.</p> <p>¶ 9 In response, the LDS Church Defendants argue that the essence of Franco's claims, like her clerical malpractice claim, was that the clergymen failed to properly perform their ecclesiastical counseling duties and that based on these allegations, the trial court correctly dismissed the claims under the First Amendment. Moreover, the LDS Church Defendants argue that Franco's claims for fraud, gross negligence, and negligent and intentional infliction of emotional distress fail as a matter of Utah law.”</p> <p>STANDARD OF REVIEW Franco v. The Church of Jesus Christ of Latter-day Saints, 21 P.3d 198 (2001) 416 Utah Adv. Rep. 32, 2001 UT 25 © 2017 Thomson Reuters. No claim to original U.S. Government Works. 6” Franco v The Church of Jesus Christ of Latter-day Saints 21 P3d 198 MARCH 2001 416 Utah Adv Rep 32 2001 UT 25.pdf Copy in my possession http://caselaw.findlaw.com/ut-supreme-court/1270015.html</p>
<p>07/19/01</p> <p>California</p>	<p>LDS Michael Scott Woodbury originally faced 30 felony counts of lewd acts with a minor but because of the legality of using taped phone calls as evidence the counts were reduced. "Woodbury, who is a lawyer, met the boys when he served as Young Men's President in</p>

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		<p>the Rosemont Ward of the Church of Jesus christ of Latter-day Saints, authorities said. He worked with male church members 12-19 years old," according to the Associated Press Article.</p> <p>WOODBURY-Michael Scott Woodbury.pdf</p> <p>http://culteducation.com/group/1057-the-mormonchurch/13863-former-mormon-youth-counselor-sentenced-tosix-months-in-prison.html</p> <p>Former Mormon youth counselor sentenced to six months in prison ASSOCIATED PRESS January 3, 2006</p>
09/14/01	Provo, Utah	<p>LDS Brad Gale, was charged in the sexual abuse of a 15-year-old boy, "with forcible sodomy and forcible sexual abuse. Brad Gale, is the owner of Gale's Office Supply and Books in Roosevelt and Vernal. Gale, is already facing 33 felony charges in Duchesne County accusing him of sexually abusing the same teen over a five-year period. Court records in the case state that some of the abuse occurred in the back room of Gale's Roosevelt store, which sells scriptures and books by LDS authors."</p> <p>3 charged in abuse of boy By Geoff Liesik For the Deseret Morning News Thursday, Sept. 14 2006</p> <p>http://www.deseretnews.com/article/print/645201374/3-charged-in-abuse-of-boy.html</p> <p>GALE-Brad Gale.pdf</p> <p>Gale will serve "15 years in federal prison for photographing a teenage boy engaging in sexual acts".....</p> <p>"Investigators say Gale sexually abused the 14-year-old boy for years. His alleged offenses included mailing nude and semi-nude pictures of the boy to another man and also offering him up as a sex partner."</p> <p>"Gale could spend time behind bars beyond the 15 years. He is slated to be sentenced</p>

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		<p>March 29 in Roosevelt's 8th District Court, where he pleaded guilty last month to four first-degree felonies in connection with sexually abusing the boy.” Duchesne Co. businessman gets 15 years for child porn By Pamela Manson The Salt Lake Tribune http://archive.sltrib.com/story.php?ref=/news/ci_5186300 GALE-Brad Gale 2.pdf</p>
11/09/01	South Jordan, Utah	<p>LDS Andrew James Gwilliam was arrested for allegedly sexually abusing “two 14-year-old girls who claim they were abducted off the street by three men, taken to a hotel and sexually assaulted.” He was arrested and booked into the Salt Lake County Jail for investigation of two counts of kidnapping, two counts of forcible sexual abuse and two counts of violating parole, according to a Salt Lake County Jail report.”</p> <p>In 2003, Gwilliam was convicted and sentenced to a total of 10-years-to-life for “kidnapping six young girls and young women in Sandy and is already on the sex offender registry after having served time at the Utah State Prison.”</p> <p>“He was released in January of 2012 and is currently listed on the state sex offender registry.”</p> <p>“Police say he found the six victims in 2001 and 2002 — ranging in age from 12 to 20 — while they were walking home from a friend's house or church, riding a scooter in the case of the 12-year-old, or getting out of a car when he forced them either at gunpoint or knifepoint into his vehicle. Prosecutors in 2003 said all six feared they would be raped or killed.”</p> <p>“He noted Monday, however, that the two girls had not been cooperative with police since their initial contact. It was unclear Tuesday what circumstances changed that caused detectives to no longer investigate the incident as a kidnapping and no longer believe three men were involved.</p>

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		<p>The case has not yet been turned over to the Salt Lake County District Attorney's Office and no official criminal charges have been filed against Gwilliam.”</p> <p>GWILLIAM-Andrew James Gwilliam 2.docx https://www.ksl.com/?sid=37300987&nid=148 Convicted kidnapper now accused of abducting 2 teens By Pat Reavy Posted Nov 9th, 2015 @ 10:34pm</p>
12/20/01	California	<p>LDS Donald Mark Blanchard was convicted of two counts of lewd and lascivious acts with a child under 14 (criminal record). Attorney Breinholt stated, "Of course the Brethren in Salt Lake knew about these cases." (The Growing Mormon Sex Abuse Scandal, September 23, 2009 by Jeff Breinholt) Blanchard appealed the conviction but the Appellate court "rejected the defendant's claim of cumulative error and affirmed the judgement. "</p> <p>BLANCHARD-Donald Mark Blanchard People v Blanchard.pdf Copy in my possession. http://www.mormonmatters.org/2009/09/23/the-growing-mormon-sex-abuse-scandal/</p>
06/05/02	Utah	<p>LDS George Tilson was in the court again for having abused yet another child. “a Salt Lake County woman, claims Tilson, a convicted sex offender, sexually abused her in 1976 and molested her 5-year-old son nearly two decades later. LDS Church leaders allegedly knew of the abuse, but failed to report it to the proper authorities.” A lawsuit was filed against the LDS church.” “Tuesday's 15-page filing describes Tilson as a "dangerous serial predatory pedophile" who sexually abused at least 11 underage members of his Salt Lake County LDS ward from 1963 to 1996, when he was convicted of abusing an 11-year-old girl in his hot tub. He served six months in jail after pleading guilty to attempted sexual abuse of a child, a third-degree felony.” “Parents of Tilson's victims allegedly reported the abuse to various church leaders, including a Young Women's president, a stake president, a bishop and a stake high council member. But rather than report the abuse, the suit states, LDS</p>

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		<p>church officials continued Tilson's church appointments and allowed him to serve as a Boy Scout leader.”</p> <p>TILSON-George Tilson 5.pdf http://www.deseretnews.com/article/917911/Lawyer-ready-to-fight-LDS.html</p>
10/17/02	Texas	<p>LDS Eustacio Munioz was alleged to have sexually assaulted a 14 year old boy. The victim, now an adult, filed a lawsuit against the COP and won the case. The church appealed and that appeal can be found in this document on October 10, 2013. “In his original petition” to the court, Doe asserted that Eustacio Munioz sexually assaulted him on numerous occasions from 2002, when he was fourteen years old, through 2009, when he was twenty-one. Doe alleged that Munioz committed an intentional tort and that the Church was vicariously liability for the acts of Munioz, who Doe claimed was the Church's employee or agent at that time. Doe alleged that the Church was directly liable for, among other things, negligently hiring, training, retaining, and supervising Munioz when they knew or should have known of his dangerous propensities. Doe also claimed in his first amended petition that Munioz coerced and threatened him with reports of criminal prosecution if he reported the assaults or otherwise made a claim.”</p> <p>MUNIOZ-Eustacio Munioz COP v John DOE Appellee No 13–13–00463–CV 2.pdf https://www.courtlistener.com/opinion/3088008/the-corporation-of-the-president-of-the-church-of-jesus-christ-of/</p>
10/26/02	Calgary, Canada	<p>LDS Pierson was accused of several sexual abuse allegations. "The Church of Jesus Christ of Latter Day Saints has excommunicated a long-time high-ranking member in the wake of multiple allegations of sexual abuse and a police probe, The Sun has learned.... Pierson, a Patriarch with the Church of Jesus Christ of Latter Day Saints in Calgary, is being investigated by police over allegations he has had inappropriate sexual contact with young males in the church. Patriarchs are high-ranking church elders who can bless congregation members....In 1973, Snelling, now 57, says he complained to his stake president - similar to</p>

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		<p>an archbishop - of the Mormon church in Edmonton that Pierson had fondled his genitals. That individual has since died. "(The Stake president) swept it under the rug," Snelling said..."</p> <p>http://www.canoe.com/EdmontonNews/es.es-10-26-0008.html</p> <p>https://www.mail-archive.com/ctrl@listserv.aol.com/msg97853.html</p> <p>From L Moss Sharman Church Shocker Mormon Leader Excommunicated by Kevin Connor, Edmonton Sun 10/26/02</p> <p>PIERSON-Pierson-a Patriarch with LDS.pdf https://ritualabuse.us/2008/10/issue-48-january-2003/</p>
01/01/03	Arizona	<p>Victim Brian Poe, reported that "the LDS Church failed to report an LDS married woman who abused him as a teen. The victim states that despite assurances of handling the issue from two different LDS bishops neither one reported the pedophile."</p> <p>VICTIM-Brian.pdf</p> <p>http://www.kpho.com/story/16146484/2-alleged-sexual-abusevictims-say-their-church-leaders-failed-to-report-abuse-topolice</p> <p>2 alleged sexual abuse victims say church leaders failed to report abuse Posted: Nov 29, 2011 2:15 PM EST Tuesday, February 28, 2012 12:56 PM EST By Tammy Leitner PHOENIX (CBS5)</p>
01/01/03	Syracuse, Utah	<p>LDS Aaron Marcos Montoya "primary teacher" molested six different victims ages 3-11. Some of the children were molested during Primary Class at the LDS Church. Montoya pleads guilty. "Montoya was found "guilty of four counts of aggravated sexual abuse of a child." " Montoya has subsequently pled guilty to additional charges involving the sexual</p>

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		<p>molestation of six different victims ranging in age from three to eleven."</p> <p>MONTOYA-Aaron Marcos Montoya 2.pdf (and pdfs 1-4) http://www.deseretnews.com/article/635155625/Ex-LDS-primary-teacher-gets-anothersentence.html?pg=all</p> <p>http://digitalcommons.law.byu.edu/lawreview/vol2006/iss2/6/ Predator in the Primary: Applying the Tort of Negligent Hiring to Volunteers in Religious Organizations BYU Law</p> <p>http://www.ksl.com/?nid=148&sid=120712</p> <p>http://archive.sltrib.com/story.php?ref=/utah/ci_2964932 Girl takes stand, alleges sex abuse LDS ex-teacher: Child says she was "mad"; defense says he didn't do it By Elizabeth Neff The Salt Lake Tribune Salt Lake Tribune</p>
02/04/03	Illinois	<p>LDS Mark Thomas molested a 4-year-old girls while the parents were worshipping at a Nauvoo temple the plaintiff says and therefore is suing the LDS Church for "the circumstances it alleges led to the sexual assault." "The suit accuses the Church of knowing Thomas' prior criminal acts of sexual assaults, but then reinstated his status within the church after excommunicating him." "The suit alleges that the Illinois Department of Children and Family Services uncovered the fact that Thomas had sexually assaulted the girl back in 2002."</p> <p>THOMAS-Mark Thomas 1.pdf https://www.culteducation.com/group/1057-the-mormon-church/13792-family-sues-mormon-church.html</p>
03/11/03	California	<p>LDS Grant O. an 18 year old had repeated sexually assaulted his younger sisters "The older sister reported that her father was sexually molesting her and two younger sisters.</p>

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		<p>The youth leaders reported that Grant had been disciplined by the Church for touching his younger sister B.O. in a sexual manner. The probation officer found that Grant was developing a pattern of sexual molestation, which had not been addressed or deterred." "O" GRANT-Grant O (juvenile) AND THE PEOPLE v Grant O (perpetrator).pdf</p> <p>Court of Appeal, Fifth District, California. In re GRANT O., a Person Coming Under the Juvenile Court Law. The People, Plaintiff and Respondent, v. Grant O., Defendant and Appellant. No. F044271. (Super.Ct.No. JW101358-00). Oct. 7, 2004. 2004 WL 2251747 Copy in my possession.</p>
05/05/03	Las Vegas, Nevada	<p>LDS Robert Stevenson "is arrested on July 16th, 2003 on charges that he molested an 8 year old boy. The day after the arrest, police detectives went to Stevenson's home and asked his wife, Cindy, for permission to seize two computers. "It was during this time that Mrs. Stevenson informed (detectives) that LDS church elders had contacted her earlier and requested that they be able to look into the contents of the same computers," a detective wrote in a police report obtained by the Review-Journal." When police interviewed Stevenson in July, he said someone had reported to his church bishop, Mark Gamett that they felt uncomfortable about the way Stevenson was acting around young boys. He said this report was lodged prior to the incidents in which he has been charged. Stevenson told police the report to the bishop did not contain an allegation of actual sexual abuse, but rather was an allegation of inappropriate contact or hugging of children."</p> <p>STEVENSON-Robert Stevenson.pdf</p> <p>Thursday, October 23, 2003 Copyright © Las Vegas Review-Journal TEACHER CHARGED: Suspect's computer examined Mormon Church officials admit checking files, say they sought to identify abuse victims By GLENN PUIT REVIEW-JOURNAL copy in my possession</p>
05/07/03	Abbotsford, Canada	<p>LDS Robert Tanner Cervo was charged with four sex offenses. He has been charged with touching a person under the age of 14 for sexual purposes, sexual assault, and two counts</p>

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	<p>of sexual exploitation.</p> <p>CERVO-Robert Tanner Cervo.docx http://www2.canada.com/theprovince/news/story.html?id=b8a8b824-4ec7-49c5-a045-562336f508a5</p> <p>Tanner Cervo, 36, 8th grade teacher at Chief Dan George Middle School, Abbotsford School District, Abbotsford, British Columbia, Canada, "charged with sexual offenses involving an underage girl", victim under 14.</p> <p>Also serves as youth pastor at The Church of Jesus Christ of Latter-day Saints, Abbotsford, British Columbia, Canada http://www.iheartmyteacher.org/index.php?threads/tanner-cervo-abbotsford-british-columbia-canada-charged-april-2013.1731/</p> <p>Cervo, a married father of four, is also a referee for high-level university basketball and has coordinated youth basketball camps. http://www.abbynews.com/news/abbotsford-teacher-faces-four-sex-offence-charges/</p>
06/27/03	<p>Texas</p> <p>LDS Horacio Muniz a church youth group leader is arrested and charged with aggravated sexual assault of a child. Two additional allegations were also being investigated. Police believe there are more victims.</p> <p>MUNIZ-Horacio Muniz.pdf http://www.brownsvilleherald.com/news/valley/article_03af5029-87bd-5a85-a5fc-2aba9dcc5356.html</p> <p>More accusations: Church leader faces additional claims of abuse By MADELINE BUCKLEY/The Brownsville Herald Posted: Tuesday, October 18,2011 12:00 am</p>

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<p>10/08/03</p>	<p>Nevada</p>	<p>LDS John Misseldine was accused of molesting two children. Misseldine was a missionary and he told authorities. "His church advised him not to speak with the police without an attorney present. The victims were ages 7 and 4 and the molestation took place at a "Las Vegas Valley church." "According to police reports, Misseldine told officers he had a similar legal problem in Virginia. The suspect did not elaborate other than to say that the charges in Virginia were dropped and that the Mormon Church knew about the prior accusations, according to Las Vegas police reports." "A Las Vegas Valley woman told detectives she took her two nieces, ages 7 and 4, and a third girl, age 2, to a Mormon church at 1775 N. Christy Lane. It is there that Misseldine molested the girls. When the Aunt was told by the girls what Misseldine did to them she 'returned to the church and told an official of the conversation with the children'. "She was not getting any satisfaction, so she called the police," the report said."</p> <p>MISSELDINE-John Misseldine.pdf Ex-missionary sentenced By Ken Ritter Associated Press Published: Saturday, Jan. 5 2008 12:28 a.m. MST http://www.deseretnews.com/article/695241544/Ex-missionary-sentenced.html?pg=all</p>
<p>01/01/04</p>	<p>Washington</p>	<p>“JANE DOE” (a pseudonym) and Michael F. Osborne, on behalf of “Rebecca Doe” (a pseudonym), Respondents, v. The CORPORATION OF THE PRESIDENT OF THE CHURCH OF JESUS CHRIST OF LATTER–DAY SAINTS, and “John Roe” (a pseudonym), Appellants. No. 52452–6–I. June 1, “Church disciplinary action concerning abuse- The Superior Court, King County, Richard F. McDermott , J., ordered disclosure of report. Father and church appealed. Holdings: The Court of Appeals, Schindler , J., held that: [1] participants in disciplinary proceeding were ordained clergy, and thus clergy-penitent privilege protected report from disclosure, and [2] neither father's agreement to allow previous confession to be used in church disciplinary proceeding, nor confidential recording and transmission of report to church authorities</p>

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		<p>effected waiver of father's right to assert privilege. Reversed and remanded.” Jane Doe & Rebecca Doe v COP 122 Wash App 556 June 2004.pdf</p>
04/03/04	Utah	<p>LDS Michael Driggs was charged with “sexual abuse of a 12 year old child he met at the LDS Church. This pedophile was convicted in 1985 of child sex abuse and in the past while serving an LDS mission in Brazil. He was arrested and charged with on first-degree felony counts of sodomy on a child and aggravated sexual abuse of a child, and a third-degree felony count of dealing harmful material to a minor. Court records show that Driggs had been previously convicted of sexual conduct with a minor in Maricopa County, Ariz., and was a registered sex offender as a result.”</p> <p>DRIGGS-Michael Driggs 1.pdf http://www.deseretnews.com/article/865579560/Man-charged-with-sexually-assaulting-boy-he-met-at-church.html?pg=all http://archive.slttrib.com/story.php?ref=/slttrib/news/56274733-78/drigr</p>
04/15/04	Oregon	<p>LDS Keith McMullin was sentenced to “25 years in prison for 10 counts of first degree rape, 10 counts of sexual abuse and two counts of sodomy. The child was 5 years old child when the abuse began. McMullin declined to make a statement during the sentencing, which was attended by about 35 of his supporters, many from his church.”</p> <p>MCMULLIN-Keith McMullin.pdf http://blog.oregonlive.com/milwaukie_news/print.htmlentry=/2013/02/milwaukie_foster_parent_senten.html</p>
05/11/04	Tennessee	<p>LDS Jeffery Brian Parks "pled guilty to two counts of sexual battery by an authority figure, two counts of incest and two counts of statutory rape of a 15 year old." Parks, stated that he was a member of the Church of Jesus Christ of Latter-day Saints."</p>

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		<p>PARKS-Jeffery Brian parks.pdf</p> <p>Court of Criminal Appeals of Tennessee, at Nashville. STATE of Tennessee v. Jeffery Brian PARKS.No. M2003-02002-CCA-R3-CD. Assigned on Briefs May 11, 2004. Aug. 30, 2004. 2004 WL 1936404</p>
05/18/04	Utah	<p>Doe v. The Corporation of the President of the Church of Jesus Christ of Latter- Day Saints, 98 P.3d 429 (Utah App. 2004)</p> <p>“Utah had only one civil case involving Mormon sex abuse, and it was quickly dismissed, based on the notion that the Church had no duty to warn”. The Growing Mormon Sex Abuse Scandal by Jeff Breinholt • September 23, 2009 http://mormonmatters.org/2009/09/23/the-growing-mormon-sex-abuse-scandal/</p> <p>Doe v. The Corporation of the President of the Church of Jesus Christ of Latter- Day Saints, 98 P.3d 429 (Utah App. 2004) 2.docx</p> <p>“With regard to civil liability for failure to report child abuse, Utah Courts that have refused to permit victims of child abuse to sue mandatory reporters who failed to report the abuse:</p> <p>The ruling in Doe v. The Corporation of the President of the Church of Jesus Christ of Latter- Day Saints, 98 P.3d 429 (Utah App. 2004) is as follows:</p> <p>"when a statute makes certain acts unlawful and provides criminal penalties for such acts, but does not specifically provide for a private right of action, we generally will not create such a private right of action". There are other states who have ruled in this way http://www.churchlawandtax.com/cltr/2009/may-june/civil-liability-for-failing-to-report-child-abuse.html</p>

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06/10/04	California	<p>LDS Craig Allen Harward, "pled guilty and was sentenced to 14 years in prison for lewd and lascivious acts on four children spanning a six year period. He was a secretary in the Bishopric ."</p> <p>HARWARD-Craig Allen Harward The People v.pdf</p> <p>The PEOPLE, Plaintiff and Respondent,v.Craig Allen HARWARD, Defendant and Appellant.No. H026754. (Santa Clara CountySuper. Ct. No. CC256862). June 10, 2004. 2004 WL 1282850</p>
06/20/04	Idaho	<p>LDS Clayton R. Hildreth, a Stake President, was arrested for allegedly soliciting sex with a 14 year old girl. He claimed to have had sex with other girls. He "allegedly corresponded with Boise police detectives over the internet in an online chat room. The detectives posed as a 14-year-old girl. Over that time, Hildreth allegedly sent explicit videos of himself and claimed to have had sexual relations with other girls. Hildreth is married and has five children."</p> <p>HILDRETH-Clayton Hildreth 2.pdf</p> <p>http://mtstandard.com/news/state-and-regional/mormon-officialarrested/article_8c05402a-af18-5a8c-af55-a8756d68a27c.html</p> <p>http://mtstandard.com/news/state-and-regional/mormon-officialarrested/article_8c05402a-af18-5a8c-af55-a8756d68a27c.html</p>
06/25/04	California	<p>LDS Frank Arthur Lind was sentenced to 30 years to life and had had a previous conviction with resulting prison sentence for molesting a child. "in approximately June of 2000, when Jacob was 13 years old" Lind began molesting him. "He had molested two boys and was a registered sex offender." The mother of the victim stated that "she had spoken to her bishop, her therapist and her child and stated that her church believed in giving people second chances." "Paul Petrich is a bishop at the Church of Jesus Christ of Latter Day Saints. He stated he met appellant in 2000 through Gary and Shirley (the victim's parents)</p>

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	<p>Before appellant was baptized into the church, Shirley told Petrich about appellant's prior convictions. He spoke with appellant about his past and noted that appellant appeared to accept responsibility for his prior crimes. Petrich stated that Appellant was remorseful for what he had done. Appellant was a good member of the church."</p> <p>LIND-Frank Arthur Lind The People v.pdf</p> <p>Court of Appeal, Fifth District, California. The PEOPLE, Plaintiff and Respondent,v.Frank Arthur LIND, Defendant and Appellant. No. F042447. (Super.Ct.No.662171-8). June 25, 2004. 2004 WL 1427134</p>
08/19/04	<p>Utah</p> <p>98 P.3d 429 (2004) 2004 UT App 274 Jane DOE (a pseudonym), individually and as parent and guardian ad litem of John Doe (pseudonym), a minor, Plaintiffs and Appellants,v.The CORPORATION OF THE PRESIDENT OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole; and George K. Tilson, Defendants and Appellee. No. 20030511-CA.This case was dismissed because the Statute of Limitations expired and the Plaintiff appealed the decision to Court of Appeals of Utah from which excerpts follow:</p> <p>Court of Appeals of Utah. August 19, 2004. Before Judges DAVIS, GREENWOOD, and THORNE. OPINION GREENWOOD, Judge:</p> <p>“¶ 1 Plaintiffs Jane Doe (Jane) and John Doe (John) appeal from the trial court's order dismissing their negligence claims against the Corporation of the President of The Church of Jesus Christ of Latter-day Saints (COP or the Church) on the basis that Jane's claim was untimely and John's claim was statutorily barred. We affirm.</p>

	<p>430*430 BACKGROUND[1]</p> <p>¶ 2 For many years, Jane and her son John were members of the Church and regularly attended a ward in the Salt Lake Holladay Stake.[2] George Tilson was also a member of the Church, and held the positions of "High Priest"[3] and scout leader within the Church.</p> <p>¶ 3 Beginning in 1966 and continuing through 2002, COP received several complaints from its members that Tilson was sexually abusing children within his ward.[4] However, COP not only failed to do anything in response to these complaints, it actively concealed Tilson's sexual abuse from its members and secular authorities. Moreover, COP allowed Tilson to continue to hold the positions of High Priest and scout leader.</p> <p>¶ 4 Two of Tilson's victims during the time period that he was alleged to have engaged in child sexual abuse were Jane and John. In the summer of 1976, Tilson enticed Jane, who was then thirteen years old, into his home where he fondled her under her clothing. Tilson sexually abused John, Jane's son, some time between 1993 and 1996 when John was approximately five years old. John's abuse also occurred in Tilson's home after Tilson lured him away from a neighbor's yard where he was playing.</p> <p>¶ 5 In the fall of 2001, Jane learned of news reports that led her to believe that COP had prior knowledge of Tilson's propensities to sexually abuse children. Jane's subsequent investigation of these reports ultimately prompted her to file a complaint in June of 2002 against Tilson, alleging that he had sexually abused Jane and John, and against COP, alleging negligence, breach of fiduciary duty, and intentional infliction of emotional distress arising out of Tilson's alleged sexual abuse. In response, COP filed a motion to dismiss, pursuant to rule 12(b)(6) of the Utah Rules of Civil Procedure. Shortly thereafter, Plaintiffs filed a Notice of Constitutional Challenge to Utah Code Annotated section 78-12-25.1 (2002).</p> <p>¶ 6 On November 5, 2002, the trial court granted COP's motion to dismiss. The trial court dismissed Jane's negligence and breach of fiduciary duty claims on the basis that the applicable statute of limitations had run. The trial court dismissed John's negligence and breach of fiduciary duty claims on the basis that section 78-12-25.1(5) allows an action for</p>
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	<p>negligently permitting sexual abuse to be brought against only "a living person." The trial court dismissed Plaintiffs' claims for intentional infliction of emotional distress for the same reasons it dismissed their other claims, and also because their claims were prohibited under the Establishment Clause of the First Amendment to the United States Constitution. Finally, the trial court rejected John's claim that section 78-12-25.1(5) violated the open courts provision of the Utah Constitution because no special relationship existed between COP and John, and therefore, COP had no duty to protect John from Tilson.</p> <p>¶ 7 In response to the trial court's ruling, Plaintiffs filed an amended complaint. On May 5, 2003, the trial court dismissed the amended complaint for the same reasons it had dismissed the original complaint. Plaintiffs timely filed their notice of appeal."</p> <p>Jane Doe and John Doe v COP 98 P3d 429 2004 UT App 275.pdf</p>
<p>09/28/04 Salt Lake, Utah</p>	<p>LDS Spencer Dixon, "was once a Mormon bishop." "he allegedly molested a 13-year-old girl in a Salt Lake City church library." He was charged with "first-degree felony aggravated sexual abuse of a child." "The Mormon Church has had serious problems concerning sexual abuse in recent years and has been sued regarding its handling of such matters. According to the plaintiffs the church did not take proper action when leaders were confronted with such situations. DIXON-Spencer Dixon.pdf</p> <p>According to the following article, Dixon was exonerated, but in closing arguments District Attorney Parker said, "he touched her three times, and each time he placed his hand in a sensitive area."</p> <p>"It's not a mistake. It's not a spasm of the arm. It's an intentional act," Parker said. "This man intended to cop a feel." Parker said Dixon was "flirting" with the girl. The first touch to the girl's buttocks was especially telling, Parker said, because of its placement in the center of her buttocks."</p> <p>"There cannot be any rational purpose to touch a woman (like that) other than with sexual</p>

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		<p>intent," Parker said. "No reasonable person does that."</p> <p>http://www.deseretnews.com/article/520033368/Ex-bishop-is-cleared-of-abuse.html?pg=all</p> <p>http://culteducation.com/group/1057-the-mormon-church/14404-former-mormon-bishop-busted.html</p>
12/14/04	Argentina	<p>LDS Alberto Reyes, a Bishop in the Church of Jesus Christ of Latter-day Saints was arrested and convicted of sexual assault of a nine year old girl. "This pedophile has a long history of child abuse against his own daughter who is now 23 and testified against him. "Reyes, preached in a chapel of José León Suárez, in the Buenos Aires province, was arrested and prosecuted for alleged sexual assault of a child under nine years." "He is also suspected of abusing another child who was 11 years old. "He was married for 15 years. The child was examined physically and specialist observed signs which were presumably a result of the abuse."</p> <p>REYES-AlbertReyes-LDS Bishop.pdf http://www.clarin.com/ediciones-antiores/detienen-procesan-obispo-mormon-supuesto-abuso-vena-jose-leon-suarez_0_BJsf1nckRYx.html</p>
03/14/05	Utah	<p>LDS Ronald Devere Hall was a Seminary teacher and Manti Pageant Director. The following is a narrative from the family victimized by this man. "In 1998 I was told by my oldest teenage daughter that "Grandpa Hall" had been touching her for several years. Charges were filed (ST. George), went to trial (ST George), the entire Hall family perjured them-selves on the stand and of course, blamed me as a bitter ex-wife. Needless, to say with a jury of Mormons, were we really going to get a fair trial? Not at least the first time. Fast forward to approx. 2003 and he was again accused and charged with sexual abuse (Delta) with one of his granddaughters of his second oldest daughter. He was sent to prison for a number of years and on the Utah Registry for Sexual Offenders for a number of years as well."</p>

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		<p>"If there is anyone out there who had contact with this man and never confided it to someone....please heed my advice and take care of your emotional well-being. Sexual abuse is prevalent in the church and it's just covered up by a facade of being a "good, temple worthy member".</p> <p>On March 14, 2005 Hall was convicted and sentenced for "SEXUAL ABUSE OF A CHILD-ATTEMPTED/3RD DEGREE." http://www.sexoffenderrecord.com/offender/view/302653 Molestation By Former Seminary Teacher/Pageant Director HALL-Ronald Devere Hall 1.docx HALL-Ronald Devere Hall 2.docx</p>
04/24/05	Cardiff, Wales	<p>LDS Michael Davies "sexually abused 2 young girls under the age of 10. He pled guilty to 13 sexual offenses. Using his priesthood in the LDS church he gained the trust of the girls. He had a history of lewd behavior with minors. "Police also discovered indecent images of children on Davies' home computer after they raided the home in Pant Glas Pentwyn Cardiff. He pled guilty to 13 sexual offenses against the two girls. Davies, "described himself to police as a "Mormon Priest' and gained the trust of the girls' parents, who allowed him to take them out on day trips."</p> <p>DAVIES-Michael Davies.pdf http://www.walesonline.co.uk/news/wales-news/priest-jailed-for-sex-abuse-2386464</p>
07/30/05	Toronto, Canada	<p>LDS Melvin MacNeil, an Elder in the LDS Church, is accused of sexually assaulting an 8 year old girl for over two years. Melvin MacNeil was active in Church and had regular access to children according to news article."Police believe there could be more victims." "MacNeil was helping to coordinate missionary work in Toronto, and police say he had regular access to children at the church on Ossington, north of Bloor." "Melvin Macneil was active in his church and has regular access to children. If you are or were part of that church, you know who he is."</p> <p>MACNEIL-Melvin MacNeil.pdf</p>

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		http://www.citynews.ca/news/news_13318.aspx
07/31/05	Arizona	<p>LDS Manuel Archibeque “molested his stepdaughter and on the very day the molestation took place, S. went to see David Snyder, a bishop in the Church of Jesus Christ of Latter-day Saints.” Archibeque confessed to Snyder that he had molested L three times but that he still did not have any memory of touching S. Archibeque subsequently met with Snyder Several times "as a part of (the Church's) repentance process...to confess and try to unburden his soul and so repent." Snyder then advised Archibeque to turn himself in to the police, but he did not."</p> <p>ARCHIBEQUE-Manuel Archibeque ARCHIBEQUE v Lee.pdf</p> <p>Archibeque appealed Judge Lees ruling</p> <p>“ ¶ 7 Archibeque argues that the order denying his motion to suppress (“Judge Lee's order”) was incorrectly based on the trial court's belief that it was bound by the court's previous ruling on Snyder's motion for a protective order (“Judge Keppel's order”) under the principles of collateral estoppel. Archibeque argues that the proceedings in front of Judge Keppel did not involve Archibeque as a party and, accordingly, Archibeque was precluded from cross-examining witnesses and testifying himself</p> <p>¶ 12 Accordingly, given Archibeque's lack of ability to participate in the factual record relied upon by Judge Lee, it was error to hold that the privilege had either been waived or the alleged statements were outside the privilege. Because of our holding on this issue, we need not address the other arguments made by Archibeque and express no opinion as to them.</p> <p>¶ 13 We therefore reverse Judge Lee's ruling and remand for a new determination on the merits as to whether the clergy-communicant privilege should bar Snyder's testimony.</p> <p>Conclusion</p> <p>¶ 14 For the foregoing reasons, we vacate Judge Lee's order denying Archibeque's motion to suppress and remand for an evidentiary hearing.”</p> <p>Court of Appeals of Arizona, Division 1, Department A.Manuel ARCHIBEQUE, Petitioner, v. The Honorable Raymond P. LEE, Judge of the Superior Court Of The State Of Arizona, in and for the COUNTY OF MARICOPA, Respondent Judge, State Of</p>

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	Arizona ex rel. Andrew P. Thomas, the Maricopa County Attorney, Real Party in Interest. No. 1 CA-SA 07-0125. July 3, 2007.
<p>08/18/05 Mesa, Arizona</p>	<p>LDS Chance Lee Ray 25, "was arrested last week and charged Tuesday with three counts of sexual conduct with a minor and one count of attempted sexual conduct with a minor."</p> <p>"He is being held without bond at a Maricopa County jail. Ray had been a Boy Scout Varsity Scout leader four years."</p> <p>"The Mormon congregation affiliated with the Mesa troop originally asked Ray to serve as a Scout leader. Once the congregation had made its recommendation, the scouting organization's criminal background check on Ray turned up nothing, Dolberg said."</p> <p>"When church leaders learned of these allegations, they encouraged the parents to report it to the proper authorities. The church is cooperating fully with the investigation."</p> <p>"Police said the 14-year-old victim told his parents last month that Ray had had sexual contact with him on multiple occasions over the past two years."</p> <p>"Ray tried to keep the boy quiet by telling him about an alleged instance in which a girl reported she had been sexually abused, police said. Ray told the victim that others "treated her differently" when they learned she had been molested."</p> <p>"When police questioned Ray on Aug. 5, he confessed to molesting the boy and acknowledged there was another victim"</p> <p>RAY-Chance Lee Ray.docx http://www.eastvalleytribune.com/local/mesa/article_abe6bd57-a798-5fc6-95bf-4fc5fc2cc984.html Scout leader jailed in sex abuse August 18, 2005 11:13 am Mike Branom</p>
<p>09/01/05 Methuen, Massachusetts</p>	<p>LDS Kevin Curlew sexually "assaulted a young boy at the Mormon Church in Methuen, Massachusetts. A lawsuit was brought against the church."</p>

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	<p>“The complaint alleges that the Church, located at 39 Hill Avenue, permitted a man with a criminal record including prior acts of sexual abuse to act as the Church's babysitter. Kevin Curlew was charged and convicted in the early 1980s in Maine of sexual assault on a child and served time in prison.” The Complaint further alleges that after the mother notified Church officials of the abuse, the officials, rather than immediately reporting the incident to the authorities as required by Massachusetts Law, attempted to silence the mother in order to avoid bad publicity. In order to protect the boy from further harm, the suit has been filed under the name John Doe.”</p> <p>“The boy's mother, whose name is also kept confidential in order to protect her son's identity, stated, "I brought this action only after it became clear that the Church's concern was not with my son's welfare, but with protecting themselves from bad publicity." “A convert to Mormonism twenty years ago, the boy's mother left the Church after reporting the abuse to Church officials in the fall of 2005.”</p> <p>"I was horrified that after I told the Church officials about the abuse, they still allowed the perpetrator free reign at the Church, and my son was terrified." The boy suffers from post traumatic stress disorder and is in therapy to help deal with the trauma." Curlew was sentenced to 9-10 years in prison.</p> <p>CURLEW-Kevin Curlew.pdf http://www.reuters.com/article/2008/05/14/idUS197505+14-May-2008+PRN20080514 Mother of Sexually Abused Child Brings Suit Against Mormon Church PR Newswire Association/May 14, 2008</p>
09/07/05	<p>California</p> <p>LDS Christopher Todd Hettinger was found guilty of “19 counts of sex crimes against minors. He sexually abused a 9 year old boy for 8 years according to court records. "He was found guilty of 19 counts of sex crimes against minors." "Both the defendant and the victim's mother testified that they were members of the LDS church and met at the church.</p>

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	<p>The Mormon Church selected defendant to be the home teacher for the victims's families.</p> <p>Hettinger was sentenced to 30 years in prison and appealed on the grounds that the “trial court erred in providing the prosecution with records he subpoenaed from Jackson K.'s psychiatrist. Further, he argues the court erred in failing to instruct the jury with CALJIC No. 2.40 that character evidence could raise a reasonable doubt as to his guilt. Defendant also contends the court erred in allowing testimony about Child Sexual Abuse Accommodation Syndrome (CSAAS) that exceeded the permissible scope of that testimony and in failing to instruct the jurors on the limited use for this testimony.”</p> <p>But the appellate court affirmed the trial courts judgement and rejected Hettinger's claims.</p> <p>HETTINGER-Christopher Todd Hettinger The People v.pdf Court of Appeal, Third District, California. The PEOPLE, Plaintiff and Respondent, v. Christopher Todd HETTIGER, Defendant and Appellant. No. C046755. (Super.Ct.No. 02F09970). Sept. 7, 2005. 2005 WL 2143640 (Cal.App. 3 Dist.) Copy in my possession</p>
<p>09/12/05 Pleasant Grove, Utah</p>	<p>LDS Andrew Bishop arrested for sexual abuse against children. “He had admitted that he sexually abused five individuals in 10 years. Reports state Bishop, 33, told officers he sexually abused his first victim nine years ago. The last victim was abused over the past eight months. He was booked into the Utah County Jail on suspicion of 85 separate first-degree felony counts for sodomy on a child and one second-degree felony count for aggravated sexual abuse of a child.”Bishop “self-reported sexual abuse of children to Pleasant Grove police after he was confronted by LDS church leaders who learned of the abuse from an alleged victim.” There is no information about how long it took for Andrew's LDS Bishop to convince him to "self report."</p> <p>BISHOP-Andrew Bishop.pdf Utah Man Faces 85 Counts of Child Sexual Abuse After Being Confronted by LDS Church Leaders By Izpro on September 14th, 2015 http://www.clergyabusevictims.com/utah-man-faces-85-counts-of-child-sexual-abuse-after-being-confronted-by-lds-church-leaders/</p> <p>http://kutv.com/news/local/pleasant-grove-man-charged-with-7-counts-of-sexual-abuse-of-a-</p>

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		child
09/30/05	Australia	<p>LDS Joseph Carlton Atwater, "a man of high standing" in the LDS Church pled guilty to one count of stalking and one count of kidnapping involving two minors. He exposed himself; showed pornographic images and sketches to the children. "The former missionary sneaked into the teenagers' house at night without their parents' knowledge and entered the bedrooms of their younger siblings, the court was told." "Judge Campton said Atwater had the support of the Church of Jesus Christ of Latter Day Saints and said a bishop described him as "of high-standing in the church, devoted to his wife, family and grandchildren."</p> <p>ATWATER-Joseph Carlton Atwater.docx http://www.truthandgrace.com/mormonpredator.htm http://www.news.com.au/heraldsun/story/0,21985,22765667-2862,00.html Mormon man stalked girl Herald Sun Kate Uebergang November 16, 2007</p>
01/17/06	Utah	<p>LDS John Baysden a former missionary "pled guilty to two counts of forcible sex abuse with minors. Baysden was serving in the Ogden Mission of the LDS Church."</p> <p>BAYSDEN-John Baysden.docx http://www.ksl.com/index.php?sid=151339&nid=481</p>
03/20/06	Washington	<p>In Fleming Kenneth et al v COP 2006 WL 691331 Washington 2006, the Church of Jesus Christ put a motion before the Court to grant a Summary Judgement and dismiss the case.</p> <p>"Introduction: *1 This matter comes before the Court on defendants' Motion for Summary Judgment pertaining to Washington's statute of limitations in abuse cases. (Dkt. 66). Defendants argue that plaintiff R.K.'s claims have long been barred under Washington's three-years statute of limitations because he had the knowledge and capacity to bring this lawsuit decades ago but chose not to do so. 1Defendants further argue that plaintiff cannot meet his burden of</p>

proof to toll the statute of limitations under Washington's discovery rule for abuse victims. Therefore, defendants ask the Court to grant summary judgment in their favor, and dismiss plaintiff's claims. In response, plaintiff argues that he does meet the elements of Washington's discovery rule for abuse victims, and therefore, the statute of limitations should be tolled.

Plaintiff further argues that he at least raises a genuine issue of material fact as to whether he meets such elements. Plaintiff has also sought to toll the statute of limitations by asserting the affirmative defenses of equitable estoppel and fraudulent concealment. (Dkt. 79). For the reasons set forth below, the Court agrees with plaintiff and DENIES defendants' motion for summary judgment.

DISCUSSION:

Background:

This action arises from sexual abuse suffered by plaintiff at the hands of Jack LoHolt in the early to mid-1970s. At that time, Mr. LoHolt was a member of the Mormon church in the Kent 2 nd Ward. Mr. LoHolt held several leadership positions within the church at various times throughout the 1970s. Plaintiff asserts several claims against the church and a related social service agency, including Negligence and Breach of Fiduciary Duty, Negligent Infliction of Emotional Distress, Estoppel and Fraudulent Concealment, and Civil Conspiracy. Plaintiff has not named Mr. LoHolt as a defendant in this action. In 1971, church member, and later Bishop, Richard Pettit informed the then-Bishop of the Kent 2nd Ward, Randall Borland, that Mr. LoHolt had abused his son while on a Boy Scout campout, at which Mr. LoHolt was the Scout leader. In late 1972 or early 1973, Bishop Borland received another complaint that Mr. LoHolt had sexually molested children in the church's Boy Scout program. Bishop Borland apparently confronted Mr. LoHolt, who denied the accusations, but admitted that he had been abusing three boys from the Allenbach family. During this time period, Mr. LoHolt had been residing in an apartment on the Allenbach property. Shortly after Mr. LoHolt's admission to Bishop Borland, Dr. Allenbach apparently learned of the abuse and asked Mr. LoHolt to vacate the premises. The record shows no evidence that anyone reported Mr. LoHolt to the authorities at that time. However, Bishop Borland

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	<p>temporarily removed Mr. LoHolt from the Boy Scout program and referred him for sexual deviancy therapy at LDS Social Services. Mr. LoHolt apparently remained in therapy at LDS Social Services for one year, where, he asserts, he was truthful about his actions and behavior.</p> <p>There is nothing in the record to indicate that LDS Social Services ever reported Mr. LoHolt to the authorities. *2 After Mr. LoHolt's treatment ended, the Kent 2nd Ward allowed him to return to assisting with the Boy Scout program. Mr. LoHolt would supply transportation and would go on hikes and campouts with the boys. In October 1973, he was appointed as the Wards' AssistantVenturer Leader working with Scouts age 14-16. In February 1974, Mr. LoHolt became the lead Scoutmaster of the Kent 2 nd Ward. Mr. LoHolt admits that he continued to molest boys throughout this time period. In 1973, Phillip Coleman had become the Bishop of the Kent 2nd Ward. Bishop Borland did not advise him of the previous complaints about Mr. LoHolt. However, in 1974, Bishop Coleman learned that Mr. LoHolt was abusing children. The record shows no evidence that Bishop Coleman reported the allegations to the authorities, or removed Mr. LoHolt from his duties within the church.”</p> <p>Fleming Kenneth et al v COP 2006 WL 691331 Washington 2006.pdf Fleming v. Corporation of the President of the Church of..., Not Reported in... © 2017 Thomson Reuters. No claim to original U.S. Government Works. 2</p>
<p>03/21/06</p> <p>Washington</p>	<p>The Church of Jesus Christ of Latter-day Saints again motions the court to grant Summary Judgement in Fleming v. Corporation of President of Church of Jesus 2006 WL 753234 on the following 7 points: (MARTINEZ, J.)</p> <p>“*1 This matter comes before the Court on defendants' Motion for Summary Judgment pertaining to the merits of plaintiff R.K.'s claims. 1 (Dkt. 3/8 65). Defendants request summary judgment in their favor on:</p> <p>(1) plaintiff's claim based on a failure to report sexual abuse pursuant to RCW 26.44; (2) plaintiff's negligence/special relationship claim for lack of duty;</p>

(3) plaintiff's claim for equitable estoppel and fraudulent concealment;
 (4) plaintiff's claim for negligent infliction of emotional distress;
 (5) plaintiff's civil conspiracy claim;
 (6) plaintiff's claim for sexual abuse that occurred prior to first notice to defendant Corporation of the President of the Church of Jesus Christ of Latter Day Saints ("COP") in 1972; and
 (7) plaintiff's claim for failure to prove proximate cause of damages caused by defendants' conduct. Defendants also seek a legal ruling on the issue of segregation of damages between intentional tortfeasors and negligent tortfeasors. In response, plaintiff argues that an implied right of action exists for violation of the mandatory reporting statute, a special relationship between COP and plaintiff did exist, defendant LDS Social Services owed a common law duty of care to plaintiff, plaintiff has raised genuine issues of material fact with regard to the civil conspiracy claim, COP can be held liable for pre-1972 sexual abuse, and there is no requirement for segregation of damages between the intentional tortfeasor and negligent tortfeasors in this case. For the reasons set forth below, the Court GRANTS INPART and DENIES IN PART defendants' motion for summary judgment.

II. DISCUSSION.

A. Background

This action arises from sexual abuse suffered by plaintiff at the hands of Jack LoHolt in the early to mid-1970s. The background and procedural history have been set forth in the Court's Order on defendants' Motion for Summary Judgment pertaining to the statute of limitations. Accordingly, the Court does not find it necessary to repeat them here. To the extent that any other facts are relevant to the instant motion, the Court will raise those facts within the discussion below.

III. CONCLUSION

Having reviewed defendants' motion for summary judgment (Dkt. 3/8 65), plaintiff's response (Dkt. 3/8 80), defendants' reply (Dkt. 3/8 90), the declarations and evidence in support of those briefs, and the remainder of the record, the Court hereby ORDERS:

(1) Defendants' Motion for Summary Judgment pertaining to the merits of plaintiff's claims (Dkt. 3/8 65) is GRANTED IN PART and DENIED IN PART as follows:

- a. The Court declines to dismiss plaintiff's negligence claim on the basis that RCW 26.44 does not provide for a private cause of action.
- b. The Court declines to dismiss plaintiff's negligence claim on the basis that defendants do not have a special relationship with plaintiff.
- c. The Court DISMISSES plaintiff's Equitable Estoppel and Fraudulent Concealment claims as MOOT.
- d. The Court DISMISSES plaintiff's Negligent Infliction of Emotional Distress claim.
- e. The Court DISMISSES plaintiff's Civil Conspiracy Claim.
- f. The Court declines to dismiss any of plaintiff's pre-1972 negligence claims on the basis that defendants had no notice of the abuse prior to 1972.

(2) The Clerk shall forward a copy of this Memorandum

Order to all counsel of record.

All Citations

Not Reported in F.Supp.2d, 2006 WL 753234

Footnotes

1 This action initially involved four plaintiffs-Kenneth Fleming, John Doe, R.K. and T.D. However, Mr. Fleming, John Doe and T.D. have since settled. (Dkt.# 95). Accordingly, R.K. is the only remaining plaintiff, and this Court will address the parties' arguments only as they pertain to him. In addition, the Court will limit any factual and procedural background to R.K.

2 Original plaintiffs, John Doe and T.D. appeared to have been pursuing common law negligence claims not based on breach of statutory duty. (See Dkt. # 80 at 8 n. 32). However, it is not clear from the Complaint whether plaintiff R.K. also pursues a common law negligence claim based on anything other than breach of statutory duty. In any event, because defendants have only raised an argument that the statute in question does not provide for a private cause of action, the Court limits its discussion to that issue.

3 The Court declined to address plaintiff's arguments regarding these two theories, having

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		<p>found that his lawsuit was filed within the applicable statute of limitations period, and therefore, no such tolling defenses were necessary. (See Dkt. # 99 at 9).” Fleming v. Corporation of President of Church of Jesus..., Not Reported in... 2017 Thomson Reuters. No claim to original U.S. Government Works. 1 Fleming v COP 2006 WL 753234.pdf</p>
04/11/06	Twin Falls, Idaho	<p>LDS William Anthon Jansen “of Twin Falls faces four felony counts of lewd conduct with a minor under 16 and one misdemeanor count of disseminating material harmful to a minor... A teenage girl came forward with the allegations two weeks ago, saying Jansen sexually abused her in 2008 and 2009 when she was between 7 and 9 years old. She told the sheriff’s detective that Jansen also abused at least two other girls – one who has since died, and another who confirmed Jansen abused her when she was 8 years old, in 2005 and 2006...Jansen’s ex-wife told sheriff’s investigators Jansen admitted to “inappropriately touching juvenile girls” and to having sex with a 17-year-old roommate that lived with them while they were married. She also told investigators that Jansen was sent home dishonorably from his Mormon mission “due to a sexual incident that occurred.”...His ex-wife also told detectives Jansen disclosed to his Mormon bishop that “he had inappropriate contact with juveniles.”” South Idaho police officer charged with sexually abusing young girls (Alex Riggins, Idaho State Journal)</p> <p>JANSEN-William Anthon Jansen.pdf http://magicvalley.com/news/local/crime-and-courts/twin-falls-police-officer-charged-with-sexuallyabusing-young-girls/article_ad30f745-9f17-56ef-bad7-031363d3d6fa.html</p>
05/01/06	Cambridge, UK	<p>LDS Martyn Conway was convicted for sexual assault in 1990 and excommunicated in 2006 (for confessions involving pornography) but continues to work with children in the church. "Martyn was branded a predatory pedophile and was found guilty of carrying out years of sexual abuse on a child he befriended at his church and will be sentenced today." Tim Brown, for the prosecution, describes Conway as a "predatory Paedophile." CONWAY-</p>

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		<p>Martyn Conway.pdf</p> <p>“As reported first on Cambridge News Online yesterday, Martyn Conway was convicted of eight indecency charges - including the rape and attempted rape - of the boy to whom he posed as a father figure while a member of the Church of Jesus Christ of the Latter Day Saints in Cherry Hinton Road, Cambridge.”</p> <p>http://www.freerepublic.com/focus/f-news/2520145/posts</p> <p>‘Brothers began abusing boy when he was aged 5’ (UK) Cambridge News ^ 5/24/2010 John Goode Posted on Monday, May 24, 2010 2:16:26 PM by markomalley</p>
05/01/06	Cambridge, UK	<p>John Patrick Conway “former postman and church missionary denies six charges of indecent assault on a boy under 14 between April 1979 and May 1986. John “claims either his brother Martyn Conway “tricked” the boy into thinking it was actually him for seven years or the victim genuinely could not distinguish the difference between them both.” ‘His twin brother Martyn has admitted six charges of sexual assault on the same boy.” John Patrick along with his brother Martyn (who was convicted for child sexual abuse and branded as a predatory pedophile with convictions in 1990 and again in 2006) met the victim at the Church of Jesus Christ of Latter-day Saints. “The jury has been told that Martyn Conway began the sex with the boy – and John Conway would ask the boy what his brother had done and then repeat it.” The victim “said the abuse by the brothers stopped between 1980 and 1982 when they went away to be missionaries but it started again within six months of their return.”</p> <p>http://www.freerepublic.com/focus/f-news/2520145/posts</p> <p>‘Brothers began abusing boy when he was aged 5’ (UK) Cambridge News 5/24/2010 John Goode</p> <p>http://www.bishopaccountability.org/news2010/05_06/2010_05_27_Day_ManAccuses.htm</p>
05/24/06	Utah	<p>LDS Robert Jackson, assistant BYU professor was sentenced to 2 second-degree felonies of sex exploitation and will be incarcerated for 2 years. Robert Jackson set up hidden cameras in order to video tape a 14 year old undressing.”</p>

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		<p>JACKSON-Robert Bentley Jackson.pdf http://www.deseretnews.com/article/print/635209887/Child-porn-nets-term-of-2-years.html Child porn nets term of 2 years By Sara Israelsen Deseret Morning News Published: Wednesday, May 24 2006</p>
06/15/06	Orem, Utah	<p>LDS Gary Wade Brown, “42, pleaded guilty in June to four counts of sexual abuse of a child and sexual exploitation of a minor, second-degree felonies, and one count of lewdness involving a child”. Seven additional charges were dismissed as part of a plea agreement. Brown faced one to 15 years in prison for his crimes.The sexual abuse took place between 2005 and 2006.” “The boy was 12 years old “A friend of Sheri Brown, (wife of Gary) read a statement from her to the judge. She wrote that Brown had an affair early in their marriage with another man, and he has never shown an interest in changing or remorse. Over the years, Wade's behaviors have gone from being morally wrong to obviously illegal.” “Sheri Brown wrote that her husband betrayed the entire family with his actions and asked that he be incarcerated. One day, his prison doors will open, she said, but his victim's prison doors may not.” Brown was not incarcerated and “Brown's attorney, Sheldon Carter, said he was happy Brown did not receive prison time. Though Brown's crimes were atrocious, he said, he also is a good man. "There's a lot of nice things to say about Wade," he said.” Former Orem Boy Scout leader sentenced in child sex abuse case Janice Peterson - Daily Herald Aug 18, 2009 BROWN-Gary Wade Brown 1.pdf http://www.heraldextra.com/news/local/central/ore/former-ore-boy-scout-leader-sentencedin-child-sex-abuse/article_47b4a149-79b2-5b35-a2a2-73c84e2e4a57.html</p> <p>“Brown, 42, was sentenced to a year in jail Monday morning as a result of pleading guilty to four felonies of sexual abuse of a child and one charge of sexual exploitation of a minor. The abuse happened at Brown's house in Orem, in his car and during Scout outings, sometimes with other boys or leaders just feet away, the boy's stepfather said. “ Ex-Scout leader gets jail for sexual abuse By Sara Israelsen-Hartley, Deseret News</p>

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		BROWN-Gary Wade Brown 2.pdf http://www.deseretnews.com/article/705324069/Ex-Scout-leader-gets-jail-for-sexualabuse.html?pg=all
07/21/06	Utah	LDS Timothy O'Sean McCleve was "charged with child sexual abuse of three girls ages 6, 8, and 12. Police said McCleve used his position of trust as an LDS Bishop to molest the little ones. McCleve was charged "with three counts of forcible sex abuse and these charges carry a possible sentence of life in prison." MCCLEVE-Timothy O'Sean McCleve.pdf http://archive.sltrib.com/printfriendly.php?id=5537513&itype=ngpsid Police say LDS bishop used trust to molest sisters Chief says man knew when parents were away and would visit kids then BY NATE CARLISLE THE SALT LAKE TRIBUNE PUBLISHED MARCH 28, 2007
08/07/06	California	LDS Eric Olsen "confessed to sexually abusing over 200 girls. Olsen attended a Mormon Church in Bakersfield which has local Mormon Church members concerned. "Ontario police arrested Olsen on suspicion of abusing a 10 year old girl and then he confessed to molesting up to 200 girls with as many as 30 victims in Kern County." OLSEN-Eric Olsen.pdf http://www.bakersfield.com/news/former-local-teacher-admits-to-molesting-students/article_453da6e4-b9fe-5dbd-8a4b-dbc277e981a0.html
09/14/06	Seattle, Washington	In R.K., (Plaintiff), v.The CORPORATION OF THE PRESIDENT OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, et al., Defendants.No. C04-2338RSM a motion in Limine was brought before the court to exclude Clergy-Penitent Communication. "I. INTRODUCTION *1 This matter comes before the Court on defendant Corporation of the President of the Church of Jesus Christ of Latter-Day Saints' ("COP") Motion In Limine to exclude evidence of a confidential 1972 disclosure by Richard Pettit, a Church member, to his Bishop,

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	<p>regarding Mr. LoHolt's abuse of his son. 1 (Dkt. 141). Defendant argues that Mr. Pettit made the disclosure in the context of spiritual counseling, and therefore, it should be excluded under the clergy-penitent privilege, or because it is protected by the Free Exercise Clause of the First Amendment. Plaintiff opposes the motion, arguing that the communication does not meet the criteria necessary to qualify for the clergy-penitent privilege, and that the mandatory reporting statute in effect at the time of the communication required disclosure to appropriate authorities, and enforcing that statute would not have offended Constitutional principles. (Dkt. 157). For the reasons set forth below, the Court agrees with plaintiff and DENIES defendant's Motion In Limine."</p> <p>The Courts Discussion can be found in RK v COP Washington Sept 2006 No CO4-2338RSM.pdf https://www.scribd.com/document/2706326/R-K-v-Corporation-of-the-President-of-the-Church-of-Jesus-Christ-of-Latter-Day-Saints-et-al-Document-No-174</p>
11/01/06	<p>California</p> <p>LDS Todd Mitchell Edward, "a bishop in the LDS Church, was charged with sexually assaulting two teen girls. He was arrested and charged with 3 felonies-sexual battery, sexual penetration with a foreign object and witness intimidation." "Riverside County district attorney's office, said the victims attended Edwards' church." " Edwards was friends with the families of both girls." "investigators identified a possible third victim but the statute of limitations on filing criminal charges had run out on that case, he said. Details about the date of that incident were not available."</p> <p>EDWARDS-Todd Mitchell Edward.pdf</p> <p>http://www.pe.com/local-news/riverside-county/menifee/menifee-headlines/20130603-menifeeman-charged-with-sex-crimes-was-mormon-bishop.ece MENIFEE: Man charged with sex crimes was Mormon bishop Todd Mitchell Edwards, 48, of Murrieta, is accused of sexually assaulting teen girls, authorities said BY SARAH BURGE</p>

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		STAFF WRITER Published: June 03, 2013;
01/01/07	Washington	<p>Victim Doe (See Peter Taylor 1/01/1988) " The jury found the LDS Church liable both for the failure of a bishop to report the abuse of the older sister and for the subsequent abuse of the younger sister in Doe v COP WA Filed in 2007</p> <p>The plaintiff was awarded damages in this case by jury verdict, in the amount of \$1.2 million, in the state of Washington. This involved two sisters who were abused by their father, and the jury found the LDS Church liable both for the failure of a bishop to report the abuse of the older sister and for the subsequent abuse of the younger sister. The jury also found the LDS Church liable for intentional infliction of emotional distress, due to intimidating statements made by the bishop to the victim.</p> <p>The Church got hit with another plaintiff's jury verdict, in the amount of \$1.2 million, in Washington"</p> <p>TAYLOR-Peter Taylor 1 Complaint and Appeal.pdf and TAYLOR-Peter Taylor 3.pdf http://www.leagle.com/xmlResult.aspx?xmlDoc=20071360167P3d1193_11350.xml</p>
01/03/07	Idaho	<p>LDS Laury Scott Wolfley was accused of abusing a child. "pleaded not guilty Monday morning on one count of lewd conduct with a minor and one count of sexual battery of a minor. (Jul 30, 2007)." The child was a 13-year-old male. At the Bonneville County Courthouse, he was sentenced to serve 12 years of probation and six months in the county jail. The victim's family stated they are devastated and the family has been pulled apart" because of what happened.</p> <p>Wolfley is a graduate of BYU 1975 and is registered as a Sexual offender in Idaho. According to a comment online on a Mormon Stories.org (Stories about child sexual abuse in the LDS church). Nate said, "When I was in YM and then YSA there was a single man in our ward, a lawyer. Very well off and loved by the ward and the stake. He would often times take the young men from the inner city wards out on his boat to go water skiing among other things. I spent many nights hanging at his house as he lived a few streets down from</p>

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	<p>my family. He moved after a few years and probably within a year the stake sent out a notice to our ward that he had been arrested for child molestation. They wanted to make sure that no one in our area was a victim.” http://www.mormonstories.org/stories-about-child-sexual-abuse-in-the-lds-church/</p> <p>“He was sentenced to serve 12 years of probation and six months in the county jail. He will be able to use the work release program for treatment or to find a job.” http://vigilant-antis.blogspot.com/2008/03/laury-scott-wolfley-child-molesting.html</p> <p>Attorney Heading To Trial For Sexual Battery of Minor (KIFI) An attorney who lives in Bonneville County is on his way to trial, but this time he's the defendant. Laury Scott Wolfley pleaded not guilty Monday morning on one count of lewd conduct with a minor and one count of sexual battery of a minor. (Jul 30, 2007)</p> <p>WOLFLEY-Laury Scott Wolfley.docx http://www.attorneyhelp.org/attorney_news/200707_attorney_news_25.html</p> <p>“Offense: SEX BATTERY OF MINOR CHILD AGE 16/17” http://www.sexoffendersarchive.com/zipdirectory/id/83406/Laury_Scott_Wolfley_117505</p>
01/08/07	<p>Logan, Utah</p> <p>LDS Bruce T. Jeppesen “was prominent in the local LDS ward, having been asked by the stake president to be an elders quorum president. That position, Anderson (Jeppesen's ex-wife) noted acidly in her statement to Judge Hadfield, came at the same time as he was raping her daughter on a cold cement floor in their basement.” Jeppesen “turned himself in to the police and confessed to having “multiple sexual-intercourse incidents,” with a child, then 12, during the fall of 2005, according to a police report.”</p> <p>“The judge had agreed to a plea deal... Jeppesen would get six years’ probation and no jail or prison time. Surprised that the victim had not been notified of the deal as required by</p>

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	<p>Utah statute and the Victims Rights Act, Judge Hadfield’s only caveat to the plea deal was that the victim had to be told, adding that her input could still affect the case. Utah Crime Victims Legal Clinic’s Heidi Nestel, who eventually represented Tina, argued in court pleadings that the plea deal effectively led to Tina being “re-victimized by a system which was supposed to protect her rights, but instead failed to even address her rights.”</p> <p>“She later wrote, “Rarely, if ever, does an adult rapist of a 12-year-old girl never spend one day in jail or prison—yet, this was the known agreement at the time of plea.”</p> <p>On January 8, 2008 Jeppesen was sentenced on two second-degree felony counts of child sexual abuse. Deputy Attorney General Kristine Knowlton, told the court that Jeppesen’s confession, supposedly an act of contrition, was “cloaked in secrecy and deception, and as a result of that, the damage to the victim and her family has been extraordinary.”</p> <p>“Knowlton got the plea deal quashed, and Jeppesen was sentenced to two concurrent terms of 15 years in the Utah State Prison.”</p> <p>JEPPESEN-BRUCE T JEPPESEN.DOCX The Mysterious Mr. Smith Brad Smith's ascent leaves behind questions By Stephen Dark @stephenpdark April 25, 2012 http://www.cityweekly.net/utah/the-mysterious-mr-smith/Content?oid=2161197</p>
01/15/07	<p>Kentucky</p> <p>LDS Jason Starks, "while serving as a missionary of the LDS Church, engaged in sexual misconduct and deviate sexual intercourse with plaintiff's minor child "" while "acting as an agent, servant, employee, or otherwise on behalf of the defendant, the Church of Jesus." Olinger v. Corporation of the President of the Church of Jesus Christ 521 f. Supp.2d 577, US District Court Lexington Kentucky, "Mother on behalf of her minor child, sued the LDS church but loss the case when the defendant motioned the court for Summary Judgement and it was granted. Olinger v COP Kentucky 2007.pdf "Starks was accused of sexually abusing three people in 2005 during a mission. Stark is from Idaho and "was charged with two counts of sodomy and one count of attempted sodomy." "The church has asked that</p>

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		<p>the lawsuit be dismissed, saying some of the claims might be barred by the statute of limitations and that it cannot be held responsible for actions of someone not necessarily under its control." STARK-Jason Stark.docx</p> <p>STARKE-Jason Starke-Olinger v COP.pdf http://www.bishopaccountability.org/news2007/01_02/2007_01_30_nwi_EasternKentucky.htm https://dockets.justia.com/docket/kentucky/kyedce/5:2007cv00029/52068</p>
01/30/07	Ogden, Utah	<p>LDS Cory Campbell an LDS youth leader has been accused of molesting five girls ages 14 and 15. He was booked on "three counts of forcible sex abuse." "Authorities believe there may be more victims. One victim reported that the molestation began in January 2007 through much of 2009. Campbell served as an LDS Young Men's leader. CAMPBELL-Cory C Campbell 1.pdf LDS youth leader arrested on suspicion of child sex abuse Crime » Allegations don't appear related to church position. BY LINDSAY WHITEHURST THE SALT LAKE TRIBUNE PUBLISHED FEBRUARY 10, 2010 http://www.sltrib.com/news/ci_14373964</p>
03/15/07	Dublin Ireland	<p>LDS Unnamed Missionary was accused of abusing a girl. The Victim is suing the LDS Church claiming that she was abused by an LDS missionary when she was a minor. She claims that other LDS church members stood guard alerting the molester if other LDS members were near. The claims that the LDS concealed and allowed this man to exploit her. She claims the LDS failed to protect a child. In fact, "The woman says that when she told senior church members what happened, they told her not to reveal it to her non-Mormon parents or to the police." They did not report this pedophile. She brought the case before Dublin's High court." LDS Missionary-Irish Central Article.pdf</p>

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		<p>Mormon Church sued in Dublin's High Court by abuse victim of U.S. missionary Papers to be served on elder now resident in America By: CATHAL DERVAN Published Wednesday, November 30, 2011, 7:45 AM Updated</p> <p>http://www.irishcentral.com/news/Mormon-Church-sued-in-Dublins-High-Court-byabuse-victim-of-US-missionary-134741433.html</p>
05/14/07	Mossblown, South Ayrshire, Scotland	<p>LDS James Broom, "The grandfather pleaded guilty to lewd, libidinous and indecent practices towards the girl in his then home in Mossblown, from October 2007 to February 2008. Broom was jailed in 2009 after he admitted sexually abusing a 15-year-old schoolgirl. The abuse only came to light when he made a full confession to a senior member of his church."</p> <p>http://www.dailyrecord.co.uk/news/local-news/ayr-dad-jailed-paedophile-threat-2419819</p> <p>"A MORMON grandfather jailed last week for sexually abusing a 15-year-old girl now faces being excommunicated. Two representatives of the Church of Jesus Christ were in Ayr Sheriff Court last week to hear James Broom sentenced to 15 months. Broom, 62 was appearing on deferred sentence. He had earlier admitted using lewd, libidinous and indecent practices towards the girl in his home in Mossblown between October 1 2007 and February 2, 2008."</p> <p>http://www.truthandgrace.com/mormonpredator.htm By court reporter AYR Advertiser</p> <p>BROOM-James Broom.pdf "Broom is considered at a high risk of re-offending." http://scottishchristian.com/news/page/385/ Mormon Jailed for Abusing Fifteen-Year-Old Girl by Billy Paterson.</p>
06/21/07	California	<p>LDS Luis Perez pled no contest to one count of lewd act upon a child. He was sentenced to state prison for six years. Perez appeared to be "totally without remorse." "According to the probation report, defendant was placed in the victim's family home by the bishop of the</p>

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		<p>Latter Day Saints church." The investigating officer viewed the defendant "as an extreme risk for reoffending."</p> <p>Court of Appeal, Second District, Division 5, California. The PEOPLE, Plaintiff and Respondent, v. Luis PEREZ, Defendant and Appellant. No. B191850. (Los Angeles County Super. Ct. No. MA032197). June 21, 2007. 2007 WL 1776210 PEREZ-Luis Perez The People v.pdf</p>
06/27/07	Martinsburg, West Virginia	<p>LDS Christopher Michael Jensen sexually molested 12 children he was sentenced to 35-75 years in prison. "The victims allege that the LDS Church Bishop Fishel along with other members failed to warn or protect these children. A civil suit was filed naming the LDS Church and LDS members individually as defendants on September 16, 2013. "This case involves unthinkably horrible sexual abuse of children between the ages of three and twelve. Jensen was found guilty by a West Virginia jury of two counts of sexual abuse by a custodian and one count of first-degree sexual assault. The criminal charges include only two of the twelve victims." Jensen was sentenced to 35-75 years in prison and 50 years probation. The complaint states that the "Church was repeatedly put on notice and/or had knowledge of Michael Jensen's predatory acts. In 2007, before the abuses of the minor children suing herein, the Stake High Council held a meeting where Michael Jensen's sexual abuses of his younger sibling and another minor child were discussed. A church Relief Society President, Local Bishops, Stake Presidents and were told about Jensen's predatory actions. "Instead of reporting to the authorities or warn or protect other young children, the Church, through its agents, took the opposite approach. It actively covered up the abuse and assisted Michael Jensen in committing further unspeakable acts, by enabling him to babysit for and live with other Church families with young children." "This pattern continued over five years." "The Church has not accepted responsibility for what it did and, equally importantly, for what it failed to do, despite being confronted with Michael Jensen's abuse on several occasions,.....Instead, it has continued to cover-up, sending emissaries from Salt Lake City, Utah to Martinsburg, West Virginia, who instructed fact witnesses not to talk with counsel for the Plaintiffs. Through Church leaders, it has tried to intimidate</p>

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		<p>Plaintiffs from pursuing this action.....lest they run afoul of Church teachings regarding forgiveness"</p> <p>JENSEN-Christopher Michael Jensen COMPLAINT 2.pdf http://blog.kosnoff.com/wp-content/uploads/2013/10/2013-10-24-Jane-Doe-1-et-al-v-LDS-Berkeley-County-West-Virginia-Civil-Action-Number-13-C-656.pdf</p>
07/11/07	Utah	<p>LDS Michael J. Pratt an LDS Seminary Leader is arrested for the sexual abuse of a 16 year old seminary student. Judge Christine Johnson "sentenced Pratt to three concurrent terms of five years to life in prison and an additional one to fifteen year sentence." Pratt pleaded guilty. The victim was ostracized at school and on Facebook and her stepfather commented that Pratt tried to "deflect the blame from himself onto his victim.</p> <p>PRATT-Michael Pratt 1.pdf LDS seminary principal is arrested in sexual abuse By Sara Israelsen-Hartley, Deseret News Published: Saturday, July 11 2009 http://www.deseretnews.com/article/705316062/LDS-seminary-principal-is-arrested-insexual-abuse.html?pg=all</p> <p>"Sheriff's investigators said Michael Pratt, 37, of Orem was principal at Lone Peak High School's Church of Jesus Christ of Latter-day Saints seminary when he was arrested Thursday on multiple charges, including aggravated forcible sexual abuse, forcible sodomy and object rape."</p> <p>http://www.denverpost.com/headlines/ci_12818586</p>
07/21/07	New Zealand	<p>LDS Daniel Taylor was charged with "15 counts of sexual assault alleges two boys age under 12 to over 16. He was a prominent elder and youth leader in the LDS Church. The charge of indecent assault, and two of attempted unlawful sexual connection involving boys aged from under 12 to over 16 which police say the offending happened between 2007 and</p>

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		<p>early 2011." Taylor was sentenced to five years seven months in prison. TAYLOR-Daniel Taylor 2.pdf Taylor was "a seminary teacher at the local Mormon Church" and this was "pivotal in much of his offending."</p> <p>TAYLOR-Daniel Taylor 1.pdf http://www.newshub.co.nz/nznews/unrest-over-sentence-for-mormon-sexoffender-2013111417#axzz429oZuJBU http://www.bishop-accountability.org/AbuseTrackerArchive/2012/11/</p>
08/28/07	Orem, UT	<p>LDS Robert Matthews a member of the Tabernacle Choir was arrested and "charged with four counts of sexual exploitation of a minor and lewdness involving a child." The boys ages were 7 to 15 years. They were abused at camp. Matthews pled guilty to possession of child pornography also and thus" the state charges were dismissed in lieu of a Federal case."</p> <p>MATTHEWS-Robert Matthews.pdf http://www.deseretnews.com/article/695204943/Ex-member-of-LDS-choir-pleads-guilty-inporn-case.html?pg=all</p> <p>Ex-member of LDS choir pleads guilty in porn case By Geoffrey Fattah, Deseret News Published: Tuesday, Aug. 28 2007</p>
09/17/07	Washington	<p>JANE DOE ET AL., Respondents, v. THE CORPORATION OF THE PRESIDENT OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS ET AL., Appellants.</p> <p>¶1 APPELWICK, C.J. — Two sisters who had been sexually abused by their stepfather sought damages from the Corporation of the President of the Church of Jesus Christ of Latter Day Saints (LDS Church) for negligence and intentional infliction of emotional</p>

distress. They also sought damages against their stepfather for intentional infliction of emotional distress. A jury found the LDS Church liable both for the failure of a bishop to report the abuse of the older sister and for the subsequent abuse of the younger sister. The jury also found the LDS Church liable for intentional infliction of emotional distress, due to intimidating statements made by the bishop to the victim. Lastly, the jury found the stepfather liable for intentional infliction of emotional distress. The trial court entered a judgment against the stepfather and the church, holding them jointly and severally liable. LDS Church appeals the verdict. The victims cross-appeal the issue of whether the church owed them a common law duty to protect them.

¶2 We affirm the jury verdict for the tort of outrage against the LDS Church but vacate the determination of joint and several liability with the stepfather. We affirm that the LDS Church did not owe a common law duty to protect the plaintiffs. We reverse the jury verdict of negligence against the LDS Church, concluding that the bishop was not a social service counselor as defined by the mandated reporting statute and therefore did not have a duty to report the abuse. We remand to the trial court for entry of a judgment consistent with this opinion.

FACTS

¶3 Peter Taylor«1» was accused of and pleaded guilty to sexually abusing his stepdaughters. Taylor; his former wife, Dianne Osborne; and her two daughters were members of the LDS Church during all relevant times.

Hammock, 870 P.2d at 949 n.1.

¶6 According to Jessica, sometime in 1995 she met with Bishop Hatch and told him her stepfather was sexually abusing her. Jessica testified that she told her friend, Cherisse Anderson that "[Taylor] was coming into [her] room at night, and abusing [her]." Cherisse encouraged her to speak to their bishop. Jessica stated that she went to Bishop Hatch because she "just wanted the abuse to stop. That's it." Jessica testified that Bishop Hatch referred to a conversation with Cherisse in which Cherisse had suggested that Taylor had

been touching Jessica inappropriately. Jessica testified that after some "back and forth," she told Bishop Hatch that her stepfather "touched me on my private parts in the middle of the night, in my bed, and it did make me uncomfortable."

¶7 According to Jessica, Bishop Hatch responded, "I'm so glad you came and talked to me, because I don't have to report it." Jessica said that Bishop Hatch then talked about another family in the ward. She testified that he told her "that one of the twin daughters had gone to the school counselor, and told the school counselor that her dad was abusing her, and the school counselor reported it to Child [Protective Services]. And [then] he said that, Child [Protective Services] went into the house, the family is losing everything, they are going bankrupt, and everybody in the ward is gossiping about them." When asked at trial, Jessica replied that she knew about the Roberts family at the time "because there were people talking about it."

¶14 In January 2000, Dianne Osborne learned that Taylor had sexually abused her younger daughter, Ashley. Dianne called CPS to report the abuse. Upon placing that call, she learned that Jessica's abuse had never been reported by the LDS Church. Taylor was criminally charged and prosecuted for the sexual abuse of both Jessica and Ashley. Taylor pleaded guilty to child molestation in the first degree and was sentenced to prison.

¶16 The LDS Church moved for a directed verdict "to dismiss any claims arising or connected to the reporting statute for lack of evidence that the bishops were acting in any capacity other than as a bishop under the Motherwell«[6]» decision. Plus, there's no evidence that they were social service counselors, as defined by statute." This motion was denied by the trial court.

LDS BISHOP Bruce Randall Hatch alleged Failure to Report in Jane Doe v the COP.pdf «6» State v. Motherwell, 114 Wn.2d 353, 788 P.2d 1066 (1990) (holding that one of the defendants was exempt from the mandated reporting requirement because of his status as an ordained minister acting in a religious context).

¶17 The LDS Church then sought summary judgment on the plaintiffs' negligence claim, arguing again that Bishop Hatch did not meet the statutory definition of social service counselor and therefore did not have a duty to report. This was also denied by the trial court, which "believe[d] that whether or not these people were acting as clergy or as social workers pursuant to the terms and definitions of the statutes is a question of fact for the jury." The LDS Church sought discretionary review of the trial court's order compelling the church to produce confidential church disciplinary records regarding Taylor. This was resolved in the church's favor. Jane Doe, 122 Wn. App. at 556.

¶18 At the close of plaintiffs' case, the trial court granted the LDS Church's motion to dismiss the negligence claim based on breach of a special relationship. After three weeks of trial, the jury returned a verdict in the plaintiffs' favor. Jessica's total damages were \$3,180,000, with \$1.2 million against Taylor for the tort of outrage based on his sexual abuse, \$1.1 million against the LDS Church for the tort of outrage, and \$880,000 against the LDS Church for negligence arising out of Bishop Hatch's failure to report the abuse under RCW 26.44.030. Ashley's total damages were \$1,052,000, with \$530,000 against Taylor for the tort of outrage based on his sexual abuse, and \$522,000 against the LDS Church for negligence arising out of Bishop Hatch's failure to report the abuse under RCW 26.44.030.

¶19 Over the LDS Church's timely objections, the trial court entered judgment against both defendants jointly and severally. On February 9, 2006, LDS Church filed posttrial motions for judgment as a matter of law and/or for a new trial and/or for remittitur. These motions were denied. The LDS Church filed for appeal on February 28 and a supplemental notice of appeal seeking review of the trial court's order denying its posttrial motions. The plaintiffs filed a cross-appeal on April 7, 2006, seeking review of the trial court's dismissal of their negligence claim based on breach of a special relationship.

¶44 Further, Jessica presented evidence that Bishop Hatch suggested that if the abuse were to be reported to CPS, she, rather than the abuser, would be the cause of her family's breakup and would be at the center of church gossip. Bishop Hatch admitted that he

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	<p>discussed the possibility of a separation of the family if CPS got involved, and also "mentioned to [Jessica's mother] at that time that any case of child abuse, a person is in jeopardy of losing their membership in the Church." According to Jessica's mother, he did not tell her that Jessica had told him that she was being sexually abused.</p> <p>¶45 While Bishop Hatch testified that he suggested placing a lock on Jessica's bedroom door and that he told Jessica that she had many people to whom she could turn, he did not report the sexual abuse to LDS Social Services, his LDS Church superiors, or CPS. And, his advice had the effect of silencing Jessica:"</p> <p>http://www.find-laws.com/courtcases/view/washington-141-wn-app-407-jane-doe-v-latter-day-saints</p> <p>LDS BISHOP Bruce Randall Hatch alleged Failure to Report in Jane Doe v the COP.pdf</p>
<p>10/09/07</p> <p>Cherry Park Ward, Oregon</p>	<p>JACK DOE 1, JACK DOE 2, JACK DOE 3, JACK DOE 4, JACK DOE 5, and JACK DOE 6, individuals proceeding under a fictitious name, Plaintiffs,v. CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, THE BOY SCOUTS OF AMERICA, and CASCADE PACIFIC COUNCIL, BOY SCOUTS OF AMERICA,</p> <p>"At all times relevant to this complaint, Timur Dykes, also known as "Timur Van Dykes" (hereinafter "Dykes") served as a spiritual leader, Home Teacher, Sunday school teacher,or (hereinafter collectively "Spiritual Leader") selected by LDS Defendants to educate and minister to LDS families and their children, including Plaintiffs in this case. At all times relevant to this complaint, Dykes also served as a scout leader, assistant, volunteer or in a similar capacity (hereinafter collectively "Scout Leader"), selected or accepted by Boy Scout Defendants to educate and train young boys, including Plaintiffs in this case, in morality, patriotism, and various life skills.</p>

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	<p>Plaintiff Jack Doe 1. 10. Specifically, Dykes sexually abused and molested Plaintiff Jack Doe 1 in 1983 through approximately 1984,</p> <p>Plaintiff Jack Doe 2. 21. Specifically, Dykes sexually abused and molested Plaintiff Jack Doe 2 for two years from 1983 through approximately 1985</p> <p>Plaintiff Jack Doe 3. 32. Specifically, Dykes sexually abused and molested Plaintiff Jack Doe 3 in 1983 or 1984</p> <p>Plaintiff Jack Doe 4. 43. Specifically, Dykes sexually abused and molested Plaintiff Jack Doe 4 in 1983 or 1984</p> <p>Plaintiff Jack Doe 5. 54. Specifically, Dykes sexually abused and molested Plaintiff Jack Doe 5 during the years 1980 through approximately 1983</p> <p>Plaintiff Jack Doe 6. 65. Specifically, Dykes sexually abused and molested Plaintiff Jack Doe 6 in approximately 1981 or 1982</p> <p>76. During the time all Plaintiffs were sexually abused by Dykes, LDS Defendants had knowledge or should have known of Dykes' dangerousness to children. In or about 1981 or 1982, LDS Defendants discovered that Dykes had sexually abused a minor child who was a LDS member and scout, and LDS Defendants conducted their own investigation into the allegations</p> <p>77.</p>
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It was foreseeable at the time to Defendants—and they knew or should have known—that pedophiles or pedeophilic predators most often engage in serial abuse of minors under their care, and that where a sexual predator is discovered, there are certainly additional victims that have either not been discovered or who remain silent about the abuse.

78.

Defendants' retention of Dykes created a foreseeable risk of harm to the safety of children in the care of the Defendants. Defendants' failure to supervise Dykes and prevent or control his isolation and domination of younger children created a foreseeable risk of harm to the safety of children in the care of Defendants and Defendants therefore knowingly allowed and permitted or encouraged child abuse. Plaintiffs' interest in being free from sexual molestation is an interest of a kind that the law protects against negligent invasion. Defendants' retention of Dykes and failure to supervise Dykes was unreasonable in light of the risk posed to young children by unsupervised instructors, and Defendants' retention of Dykes and failure to supervise Dykes was a cause of the molestation suffered by Plaintiffs,

79.

Defendants unreasonably created a foreseeable risk to the protected interest of Plaintiffs—were negligent—in at least one of the following particulars:

- a. In failing to thoroughly investigate the possibility of abuse to the Plaintiffs and scouts who had significant contact with Dykes, upon learning of Dykes' prior abuse of a LDS member and scout;
- b. In failing to report the abuse to law enforcement;
- c. In failing to provide or pursue mental health services to Plaintiffs;
- d. In failing to thoroughly interrogate Dykes to determine the existence of other victims; and
- e. In failing to remove Dykes from contact with children.

82.

From at least the 1960s if not earlier, LDS Defendants knew that LDS callings and

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		<p>assignments were being used by pedophiles to victimize children and that LDS Defendants hadan institution-wide child abuse problem. Despite this knowledge, LDS Defendants did not implement adequate child sex abuse policies.</p> <p>87. From at least the 1960s if not earlier, Boys Scouts and Cascade Pacific Counsel Defendants knew that assignments were being used by pedophiles to victimize children and that Boys Scouts and Cascade Pacific Counsel Defendants had an institution-wide child abuse problem. Despite this knowledge, Boy Scouts and Cascade Pacific Counsel Defendants did not implement adequate child sex abuse policies.”</p> <p>O’DONNELL & CLARK LLP F 1650 N.W. Naito Parkway, Suite 302 Portland, Oregon 97209 Telephone: (503) 306-0224 FAX: (503) 306-0257 https://messengerandadvocate.files.wordpress.com/2007/10/official-complaint_sexual-abuse-lawsuit-against-mormon-church-boy-scouts.pdf</p> <p>Jack Doe 1-6 v COP and BSA official -complaint_sexual-abuse-lawsuit-against-mormon-church-boy-scouts.pdf</p>
01/01/08	North Carolina	<p>LDS Unnamed Perpetrator "who reported himself in 2008 or 2009 to his Bishop" "who then informed others within the Raleigh Stake about the pedophile's activities". 38. "Upon information and belief, for a period of years before Plaintiff (mother of victim) discovered that the pedophile had battered her children, the Defendants were aware that the pedophile had sexually battered one or more other children within the Raleigh Stake."</p> <p>Jane Doe 192 192 V the COP-Complaint.pdf http://www.cjglawfirm.com/wp-content/uploads/2013/08/Jane-Doe-192-Amended-Complaint.pdf</p>
01/15/08	Colorado	<p>LDS Brett Candelaria for "over two decades, perfected his ruse, finding vulnerable families, latching onto them at church, quickly winning their trust and then, after obtaining</p>

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	<p>easy access to young boys, committing horrific crimes." Candelaria was first accused of sexual assault in the 1980s and then in late 1992 allegations were again brought against him for molestation of three boys ages 9, 10, and 13. He pleaded guilty to four counts of abuse with a minor. In 1997 more allegations of abuse from two boys ages 6 and 8. From 2002 forward occurred Candelaria;s "most serious legal charge after he took in a 14 year old boy and he pleaded guilty. Then in January 2008 to boys ages 13 and 14 told police that they were molested by Candelaria. They told "how candelaria had befriended their family at the Church of Jesus Christ of Latter-day Saints. How he had gained the trust of their family. How he wowed them with his collection of pristine Hot Wheels cars, with his Xbox 360 and his PlayStation....He used the church to gain access to the boys." Detective Estrada described Candelaria as a Monster! Charges were filed against Candelaria on January 18, 2008 but two months later another boy came forward stating that Candelaria had abused him. Then on September 5th, 2008 prosecutors filed 15 separate counts against Candelaria. He was sentenced to two consecutive terms of 10 years to life. In his next trial, Judge Robbins sentenced him to 36 more years to life on top of the previous sentence."</p> <p>CANDELARIA-Bret Candelaria.pdf http://www.denverpost.com/2009/08/15/child-molester-brett-candelaria-the-nightmare-next-door/</p>
<p>01/31/08</p> <p>Utah</p>	<p>Ferris JOSEPH, Plaintiff,v. CORPORATION OF THE PRESIDENT CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole; and Corporation of the Presiding Bishop of the Church of Latter-Day Saints, a Utah corporation sole, Defendants. No. Civ. 06-4143.</p> <p>"Before the United States District Court, D. South Dakota, Southern Division rule on the Defendants motion for Summary Judgment in the following case from which excerpts are provided:</p> <p>ORDER DENYING MOTION FOR SUMMARY JUDGMENT AND CERTIFYING QUESTION</p>

TO THE SOUTH DAKOTA SUPREME COURT PURSUANT TO SDCL 15-24A-1
JOHN E. SIMKO , United States Magistrate Judge.

BACKGROUND

*1 Ferris Joseph sued the defendant church corporations alleging they were negligent regarding their hiring, retention or supervision of a missionary who sexually abused plaintiff while he was a child (Doc. 1). Defendants moved for summary judgment (Doc. 53).

Defendants assert summary judgment is appropriate because:

1. Joseph's claims are barred by the general personal injury statute of limitations SDCL 15-2-14(3) ; the time to bring suit against non-perpetrators is not enlarged by SDCL 26-10-25 .

2. Even if SDCL 26-10-25 does enlarge the time to bring suit against non-perpetrators, SDCL 26-10-25 was not enacted until the time to sue had already expired as to these defendants, so SDCL 26-10-25 cannot resurrect an already dead claim.

3. Defendants are entitled to judgment as a matter of law on the merits of the negligence claim for the reasons urged in 4, 5, and 6 below.

4. The First Amendment and the South Dakota Constitution bar Joseph's negligence claim.

5. Joseph's negligence claim fails because defendants owed him no duty of care.

6. There is no evidence that the alleged abuse was foreseeable.

JURISDICTION

Federal jurisdiction is invoked under 28 U.S.C. § 1332(a)

(1) . The parties consented to have the magistrate judge preside over the case pursuant to 28 U.S.C. § 636(c)(1) . Pursuant to 28 U.S.C. § 636(c)(3) the consent of the parties allows

a magistrate judge to exercise civil jurisdiction to direct entry of judgment of a district court in accordance with the Federal Rules of Civil Procedure and allows the parties to appeal to the appropriate United States court of appeals from the judgment of the magistrate judge in the same manner as an appeal from any other judgment of a district court.

FACTS

The facts are stated in the light most favorable to plaintiff. Ferris Joseph was a victim of childhood sexual abuse in 1968 as a result of conduct by a missionary of the Church, Robert White. Joseph repressed memories of his childhood sexual abuse until October 2004 when he was visiting his sister in Alberta, Canada, and he recovered his memories of the abuse. Robert White was appointed by the Church to be a missionary for a two-year term beginning in 1967. Robert White was given the title of "Elder" and assigned to the Northern Indian Mission, which includes the State of South Dakota and other surrounding States. He was assigned first to the Lake Andes/Wagner area and then transferred in 1968 to Flandreau, South Dakota. While stationed in Flandreau, Robert White traveled to Sioux

Falls and interacted on a number of occasions with the Joseph family. He spent a significant amount of time with the Joseph family and groomed their three young boys, including Ferris then age 12, by taking them out for treats and activities. Robert White took the boys to the missionaries' apartment in Flandreau where he sexually abused Ferris. Robert White's missionary service terminated in July 1968. Plaintiff commenced this litigation on August 17, 2006, within three years of discovery under SDCL 26-10-25 .

*2 SDCL 26-10-25 provides:

Any civil action based on intentional conduct brought by any person for recovery of damages for injury suffered as a result of childhood sexual abuse shall be commenced within three years of the act alleged to have caused the injury or condition, or three years of the time

the victim discovered or reasonably should have discovered that the injury or condition was caused by the act, whichever period expires later.

	<p>*5 IT IS ORDERED:</p> <ol style="list-style-type: none"> 1. That Defendants' Motion for Summary Judgment (Doc. 53) is DENIED IN PART. The single undecided summary judgment issue is certified to the South Dakota Supreme Court. A decision about the applicability of SDCL 26-10-25 to plaintiff's civil action is deferred pending reply from the South Dakota Supreme Court. 2. Pursuant to SDCL 15-24A-1 the following question is certified to the South Dakota Supreme Court: Does SDCL 26-10-25 apply to negligence claims against parties who are not the perpetrator or a complicit principal (the perpetrator or complicit principal being defined as a person whose intentional conduct inflicted the childhood sexual abuse which provides the factual basis for the civil action)? 3. That the Clerk of Court shall forward this certification order under official seal to the South Dakota Supreme Court, pursuant to SDCL 15-24A-5 . 4. Pursuant to SDCL 15-24A-6 the costs before the South Dakota Supreme Court shall be divided equally, one half to be the plaintiff's obligation and one half to be the defendants' obligation. 5. The jury trial scheduled for February 25, 2008, is cancelled pending further order of the court. <p>All Citations Not Reported in F.Supp.2d, 2008 WL 282163 Footnotes</p> <p>1 The complaint alleges the Church fraudulently concealed pertinent information for the purpose of protecting itself from civil liability. This allegation, obviously, is to toll the running</p>
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		<p>of SDCL 15-2-14(3), the three year statute of limitation on lawsuits for personal injury. Defendant did not request summary judgment against this allegation. This issue has not been addressed in the briefs by either side. This issue remains undecided in the event the South Dakota Supreme Court either declines to decide the reach of SDCL 26-10-25 or in the event the South Dakota Supreme Court decides SDCL 26-10-25 applies to perpetrators only.</p> <p>2 The Montana statute refers to "an action." while SDCL 26-10-25 refers to "any civil action." Joseph v. Corporation of the President Church of Jesus..., Not Reported in... © 2017 Thomson Reuters. No claim to original U.S. Government Works. 5 End of Document © 2017 Thomson Reuters. No claim to original U.S. Government Works."</p> <p>https://www.courtlistener.com/docket/4381965/joseph-v-corporation-of-the-president-church-of-jesus-christ-of-latter-day/ Joseph Ferris V COP South Dakota Jan 2008.pdf</p>
03/26/08	Texas	<p>LDS Stanley Benjamin Green, "an official with the Church of Jesus Christ of Latter Day Saints in Athens, Texas, was charged by indictment with one count of aggravated sexual assault of a child and two counts of indecency with a child. The victim was a child whose parents were attendees" of the LDS church. The child was seven years old and was abused by Green until he was ten years old. He was sentenced to 70 years in prison."</p> <p>GREEN-Stanley Benjamin Green v The State of Texas.pdf</p> <p>Court of Appeals of Texas, Tyler. Stanley Benjamin GREEN, Jr., Appellant v. The STATE of Texas, Appellee. Nos. 12-06-00402-CR, 12-06-00403-CR, 12-06-00404-CR. March 26, 2008. Cite as: 2008 WL 787282 (Tex.App.-Tyler Discretionary Review Refused Nov. 5, 2008.</p>
06/01/08	New Zealand	<p>LDS Raphael Caccioppoli admitted to 13 charges of child sexual abuse which included committing indecent act on a boy under the age of 10 and 12. "A source close to the Latter-day Saints told the Sunday Star-Times Caccioppoli had told church social agencies and</p>

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leaders about his offending and was told to "try harder".. "The LDS church excommunicated the Justice Ministry judicial officer (Caccioppoli) following a church court hearing in June last year." "Police become aware of his offending only after a tip-off from one of his associates in September." CACCIOPPOLI-Ralph Caccioppoli 2.pdf

<http://www.stuff.co.nz/national/crime/489301/Church-chose-to-stay-quiet-on-sex-abuse>

"The Church of Jesus Christ of Latter Day Saints was criticised for trying to deal with sexual offending by Raphael Guiseppe Caccioppoli, 37, who was sentenced to five years in jail"

"Judge Robert Wolff blasted the church." CACCIOPPOLI-Ralph Caccioppoli 1.pdf

<http://www.stuff.co.nz/southland-times/news/539179/Actions-of-church-defended-in-abuse-case>

"The Church of Latter-day Saints knew its Sunday School teacher Raphae Caccioppoli had a history of sexual offending against boys but didn't tell police because it did not think it legally had to." CACCIOPPOLI-Ralph Caccioppoli 2 pdf

<http://www.stuff.co.nz/national/crime/489301/Church-chose-to-stay-quiet-on-sex-abuse>

"The court was told the church knew Caccioppoli had sexually offended against boys but did not tell police" CACCIOPPOLI-Ralph Caccioppoli 3.pdf

<http://www.stuff.co.nz/national/crime/537463/Churchs-sex-offender-secrecy-deplored>

"In 1998 he told a Bishop in the North Island about his offending on the 12-year-old boy, one month after the offending took place. The police only became involved after Caccioppoli went to them in August 2007 amid fears allegations of other offending had been made against him." CACCIOPPOLI-Ralph Caccioppoli 4.pdf

<http://www.odt.co.nz/news/national/13755/former-judicial-officer-jailed-5-years-sex-offences>

"North Island Church leaders never let on they knew Caccioppoli had sexually abused boys in the past. They never told her family when they first opened up their home to him and they didn't tell the parents of the Sunday school children he taught." He was finally

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		<p>excommunicated in 2007 after all had become public. CACCIOPPOLI-Ralph Caccioppoli 5.pdf http://www.stuff.co.nz/sunday-star-times/features/feature-archive/571446/Rites-andwrongs-alleged-abuse-in-the-Mormon-church</p> <p>http://www.safe-nz.org.nz/sxdb/caccioppoliraphael.htm</p>
08/23/08	Utah	<p>LDS Kyle Saucier, a Mormon missionary, is charged with abusing a 12 year old boy he had recently baptized. "He was charged with one count of first-degree felony aggravated sexual abuse of a child." Family refused to continue charges-Saucier plans to resume activities in his home Ward. SAUCIER-Kyle Saucier.pdf</p> <p>http://www.truthandgrace.com/mormonpredator.htm</p> <p>Missionary charged with abusing 12-year-old convert By Stephen Hunt The Salt Lake Tribune 02/27/2007 http://www.sltrib.com/news/ci_10283451</p> <p>Sex charge against missionary dropped By Melinda Rogers The Salt Lake Tribune Published August 23, 2008</p>
09/16/08	United Kingdom	<p>LDS Bishop Gerald Tapp was sentenced to three and a half years in jail for distributing and possessing indecent images of children. "Police found more than 24,000 indecent images and 948 movie stills of children on a family computer. He admitted 34 charges of making, distributing and possessing indecent images of children." He was placed on the Sex Offenders' Register. He had movies of children ages 6 months to 12 years.</p> <p>TAPP-Gerald Tapp.docx http://www.newsshopper.co.uk/news/2447199.print/</p>
10/09/08	Oregon	<p>In JACK DOE 1, Jack Doe 2, Jack Doe 3, Jack Doe 4, Jack Doe 5, and Jack Doe 6,</p>

Plaintiffs,v. CORPORATION OF the PRESIDING BISHOP OF the CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS and The Boy Scouts of America, and The Cascade Pacific Council, Boy Scouts of America, Defendants. No. CV. 07-1499-PK.

The Court recommends that Plaintiffs' motion for remand be granted.

“ A negligence case brought against a religious organization after children were sexually abused by an individual at the organization working unsupervised with children was remanded to state court. The claim did not present an inherent federal question as it did not rise to the level of a First Amendment issue simply because it was brought against a religious organization. The plaintiffs' alleged that the organization violated a secular duty of care. To the extent that any such duty intersects with the First Amendment, it did so as a defense raised by the religious organization not as an element of the plaintiffs' claim. U.S.C.A. Const. Amend.

Plaintiff's Jack Does 1-6 brought this action for sexual abuse of a child, negligence and intentional infliction of emotional distress on October 3, 2007, against Defendants Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, Corporation of the President of the Church of Jesus Christ of Latter-day Saints (together, “LDS Church”), the Boy Scouts of America and Cascade Pacific Council, Boy Scouts of America (together, “BSA”). Plaintiffs filed in the Multnomah County Circuit Court. LDS Defendants then removed to the U.S. District Court on October 9, 2007, asserting that federal jurisdiction is proper under 28 U.S.C. § 1331 because First Amendment issues arise on the face of the complaint. The BSA Defendants either joined in or consented to removal. Plaintiffs' motion for remand to state court is currently before the Court. For the reasons set forth below, Plaintiffs' Motion for Remand (14) should be granted.

FACTUAL BACKGROUND

Plaintiffs' claims for sexual abuse of a child, negligence and intentional infliction of emotional distress arise from the alleged actions of Timur Van Dykes (“Dykes”) and

the action or inaction of the LDS Church and the BSA. Plaintiffs allege that the LDS Church knew of Dykes's predatory behavior but allowed him to continue working unsupervised with boys, including Plaintiffs. (1 ¶¶ 1-11.) Plaintiffs specifically allege the LDS Church is liable through respondeat superior for Dykes's actions and for its direct negligence in failing to implement a policy addressing child sexual abuse complaints after it became aware of institution-wide child abuse problems. While Plaintiffs were children participating in LDS Church and BSA activities such as religious services, camping trips, meetings and events, Dykes acted as a Spiritual Leader and Scout Leader, and became closely involved with Plaintiffs. (1 ¶¶ 1-2.) Plaintiffs allege, under a theory of respondeat superior, that Dykes sexually abused and molested them in the course of his employment with the LDS Church and the BSA. Plaintiffs also allege that the LDS Church negligently permitted Dykes to continue working when they knew or should have known about his predatory behavior. Plaintiffs claim that, in the early 1980's, the LDS Church and BSA discovered Dykes had abused a child, but permitted his continued participation in LDS Church and BSA events. The Church and BSA undertook their own investigations of the allegations against Dykes. (1 ¶¶ 69-72.)

*2 While Dykes's conduct gives rise to Plaintiffs' respondeat superior claims, Plaintiffs also allege direct and institution-wide negligence against the LDS Church in their Seventeenth Claim for Relief which alleges institutional failure to address the problem. Plaintiffs assert that the LDS Church acted negligently at an institutional level by failing to "implement adequate child sex abuse policies," despite awareness that the Church had an institution-wide child abuse problem. (First Amended Complaint ¶ 106.)

At oral argument, the parties agreed that the Court should consider the remand motion based on the allegations contained in Plaintiffs' proposed First Amended Complaint, which they have not yet filed. That document adds more detailed factual allegations and modifies some of the claims. The proposed Seventeenth Claim alleges that LDS Defendants knew that pedophiles were using LDS callings and assignments to victimize children and that the LDS Defendants had an institution-wide child abuse problem. Plaintiffs assert that LDS Defendants' "failure to implement adequate child abuse policies created a foreseeable risk of harm to the safety of children in the care of the LDS Defendants." (First Amended

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		<p>Complaint ¶ 107.) Defendants rest their federal question argument on this Seventeenth Claim as it implicates institutional policy of the LDS Church” Copy in my possession.</p> <p>JACK DOE 1-6 v COP BSA OR 2008 No CV 07-1499-PK.pdf entire docket for this case- https://www.courtlistener.com/docket/4366569/does-1-v-corporation-of-the-presiding-bishop-of-the-church-of-jesus-christ/</p>
01/02/09	California	<p>LDS John D. Parkinson "was a Mormon Stake President who used his position of trust as a doctor and religious leader to molest and misdiagnose women and children who attended the Mormon Church. A female member became concerned about his care and collected accounts of his abuse and brought them to the Mormon leadership. He was protected by the Church higher authorities and this woman moved away branded as a troublemaker. This allowed him free reign among the membership and it took years to get his license to practice medicine removed."</p> <p>PARKINSON-John D Parkinson.pdf http://www.oocities.org/wsimister/ldscourt.htm http://www.childpro.org/ldscases.html</p>
02/08/09	Utah	<p>LDS William Butcher sexually abused 12 children from infants to teens. He was booked on multiple counts of forcible sexual abuse and sodomy on children. He plead guilty. He was sentenced to 18 years to life in Utah State Prison.</p> <p>BUTCHER-William Butcher 1.pdf http://www.sltrib.com/news/1403131-155/abuse-butcher-admittedaccording-abused-attempted Provo man who admitted to abusing 12 kids sent to prison By JESSICA MILLER The Salt</p>

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	Lake Tribune FIRST PUBLISHED First Published Jun 24 2014
<p>02/10/09 California</p>	<p>In John AJ Doe v. Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, et al.,(2009, 2010) Orange County Superior Court there was a “major confidential settlement against three parties on the eve of trial, and \$100,000.00 settlement against entities of the Church of Jesus Christ of Latter-Day Saints during appeal, in claim of individual alleging childhood sexual abuse at the hands of an elder in the Mormon Church.”</p> <p>http://www.californiasexualabusefirm.com/professionals/vince-w-finaldi/</p> <p>John AJ Doe v. Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, et al.,(2009, 2010) Orange County Superior Court 2.pdf</p>
<p>02/14/09 Mansfield, England</p>	<p>LDS Raymond Parkin " is a devout member of the Mormon Church and has been for 29 years," but was imprisoned for 18 years for "serious sexual offenses against two young girls." The girls were five and six years old. “Judge Tony Mitchell told him the evidence against him, during his trial last month, was 'overwhelming'. Parkin's barrister Ian Way said the court had been told of 'terrible things' that had taken place but there was another side to his client.”</p> <p>PARKIN- Raymond Parkin.pdf http://www.chad.co.uk/news/Churchgoer-caged-for-sex-offences.4979476.jp</p>
<p>02/24/09 Illinois</p>	<p>LDS David Bromley “A lawsuit was filed February 24, 2009, in the Circuit Court of Cook County against. brother-in-law of Christopher W. Kite, sexually abused Markeisha in Kite's home from 1991 through 1996. In 2002 Markeisha obtained an order of protection against defendants Bromley and Kite.”</p> <p>“The Mormon Church is named as defendant in the suit because Kite sexually abused the</p>

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		<p>minor Markeisha on at least ten occasions in the church facility at 2727 West Lake Street in Wilmette, Illinois, and as an ordained priest of the church, Kite was under direct supervision and control of the church.”</p> <p>BROMLEY-David Bromley.docx http://www.bishopaccountability.org/news2009/01_02/2009_02_24_PrNewswire_SexualAbuse.htm Sexual Abuse Lawsuit Filed by Edmund J. Scanlan Against Mormon Priest & Church of Latter-Day Saints</p>
05/01/09	Arizona	<p>LDS Susan Brock was indicted on “15 counts of sexual contact with a thirteen year old boy and was sentenced to 12 years in prison for the sexual abuse of this child. It was reported that Susan Brock’s husband and Susan M. Brock “met with LDS Stake president Mitch Jones and the parents of a boymore than a year before she was arrested.”</p> <p>BROCK-Susan Brock.pdf http://www.azcentral.com/community/chandler/articles/2011/01/26/20110126susan-brock-lds-church-meeting26.html#ixzz41xBwvnp8</p>
05/05/09	Washington	<p>LDS Daniel Andrews “claimed to be a Mormon Missionary (living under a false name) sexually assaulted several children and experts agree that he has a high propensity to re-offend again and it was their opinion that that he “is likely to commit new acts of predatory sexual violence if not confined in a secure facility.”</p> <p>ANDREWS-Daniel Andrews IN 2009 WL 1212039 WA.pdf Court of Appeals of Washington, Division 2. In re the DETENTION OF Daniel ANDREWS, Petitioner. No. 37515-0-II. May 5, 2009. Cite as: 2009 WL 1212039 (Wash.App. Div. 2)</p>
06/09/09	Fillmore, Utah	<p>LDS Keith Gillins, "A former mayor, LDS bishop and high school teacher in Fillmore has</p>

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	<p>been arrested on charges of having sex with a 17-year-old girl. The student came forward with the allegations. Gillins faces two third-degree felonies of unlawful sexual conduct with a 17-year-old. Gillins is 61 years old.”</p> <p>GILLINS-Keith Gillins.pdf Millard High teacher accused of sex with female student By Sam Penrod Posted Jun 9th, 2009 @ 10:07pm http://www.ksl.com/index.php?nid=148&sid=6762228</p>
<p>08/11/09 California</p>	<p>KATHLEEN B., Plaintiff and Appellant, v. CORPORATION OF the PRESIDENT OF the CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS et al., Defendants and Respondents. No. E045323. (Super.Ct.No. SCVSS111445).</p> <p>“The Superior Court of San Bernardino County. Frank Gafkowski, Jr., Judge ruled on the appeal on this case from which excerpts are provided: (Kathleen B alleges that when she was 15 years old Shubeck age 18 sexually assaulted her and Bishop Hanson told her that she would be punished eternally if she did not marry Shubeck.) Kathleen B appealed the courts decision for Summary Judgement but the Appellate court affirmed the ruling.”</p> <p>“*8 At her deposition, plaintiff testified that she was a member of the LDS Church from the time of birth. She was taught that the Mormon Church was the only true church and that she would be punished for all eternity if she did not obey. She was also taught that members of the priesthood were chosen by God. She was to obey the priesthood because they spoke for God. She first met Shubeck in September 1961, the day he raped her. This was the first time she had seen him. After opening the front door of her house pursuant to a knock, Shubeck pushed his way in and announced that he had a divine revelation from God and that she was to be his wife. He twisted her hand and arm behind her back, told her his name, and thereafter took her into a bedroom and raped her. At that time, she did not know whether or not he was connected with the LDS Church. She believed, however, that he was</p>

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a member of the priesthood because he had said he had a revelation from God. She offered no resistance to the rape because she knew that she was not supposed to disobey members of the priesthood. She was frightened, but knew that if she did not obey, God would punish her. During the incident, Shubeck told her not to tell anyone. Based on her training, beliefs and what he told her, she never told anyone about the rape.

After this incident and before the second rape, plaintiff saw Shubeck every Sunday at church; he was sitting in front of the congregation preparing and blessing sacrament. In January 1962, plaintiff was inside her garage when Shubeck snuck up from behind, grabbed her arm, and pulled it up behind her back; she was taken into the house and raped. She did not call out for help because she was taught not to disobey a member of the priesthood. She did not resist because she believed when members of the priesthood had revelations they spoke for God. After the rape and as Shubeck was leaving she told him to stay away because she was pregnant. She did not know whether or not she was pregnant; she simply said that to scare him away.

As plaintiff returned home from school the next day, Bishop Donald Hanson was sitting in his car in her driveway. He told her and her mother that he had a divine revelation from God that plaintiff was pregnant and that he would marry her to Shubeck the following Monday. Bishop Hanson told her mother not to allow plaintiff out of her room and not to let her use the telephone or talk to anybody until the wedding on Monday. Plaintiff does not remember either she or her mother saying anything. Between the time Bishop Hanson left and the time of the marriage three days later, she stayed in her bedroom. Her mother tied a rope guide between the bathroom doorknob and plaintiff's bedroom doorknob so that plaintiff could not get out. She was told by her mother to knock on the door when she had to go to the bathroom. Her mother brought her some cardboard boxes so that she could pack her belongings. During the weekend, her mother told her that Bishop Hanson had telephoned and said that if plaintiff wanted a dress for the wedding, her mother could take her shopping on Monday during school time. She had no conversations with her mother or stepfather

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		<p>about the married.</p> <p>*9 Plaintiff believes her mother was forced to allow the marriage. Her mother trusted Bishop Hanson totally. The church was her life. Her mother was told by Bishop Hanson that she would be punished eternally if plaintiff did not marry Shubeck. The wedding was during the night time. Bishop Hanson, her mother, stepfather, and William Shubeck's parents were there. Her stepfather, Massimo Ciampanella, signed the wedding certificate as a witness.....</p> <p>By way of declaration, Shubeck acknowledged engaging in sexual relations with plaintiff prior to their marriage; however, he denied sexually assaulting her.....</p> <p>Plaintiff married Shubeck when she was 15 years old and he was 18.”</p> <p>2009 WL 2438419 Court of Appeal, Fourth District, Division 2, California. KATHLEEN B., Plaintiff and Appellant, v. CORPORATION OF the PRESIDENT OF the CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS et al., Defendants and Respondents. No. E045323. (Super.Ct.No. SCVSS111445).</p> <p>Kathleen B v COP 2009 WL 2438419 California.pdf</p>
09/13/09	Wyoming	<p>LDS Wesley Nebeker has 18 felony warrants for criminal sexual activity with minors. He sexually abused 2 children from age four to age 14. Nebeker is on the most wanted list and may "have embedded himself into a tightly-knit Mormon Community."</p> <p>NEBEKER-Wesley.pdf http://archive.county10.com/2012/05/14/10-tv-behind-the-scenes-with-americas-most-wanted-visit-to-lander/</p>
10/30/09	Provo, Utah	<p>LDS Sergey Tyler Millett was accused of sexual abuse of a 14 year old girl. He was found guilty of attempted rape and forcible sodomy. "The LDS bishop of both Millett and the girl</p>

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		<p>also wrote two letters to the court, at least one of which expressed some disconnect between what the girl told her bishop and what she wrote in her statement.: Millett also pleaded guilty" in a separate incident: according to a police affidavit he and some friends tried to convince a 16-year-old girl to strip for them, and when she refused they held her down and removed her clothing."</p> <p>MILLETT-Sergey Tyler Millett.pdf http://www.freerepublic.com/focus/religion/2624037/posts</p>
11/23/09	Kansas	<p>LDS Burrell Mohler Sr, his brother and his four sons were charged with 42 counts of child sexual abuse. "But a church bishop, Paul Tonga, made the idiotic decision to investigate the matter himself. The Star reported that Burrell Jr. was excommunicated from the LDS church in 2007 for personal conduct unrelated to child sexual abuse." "For its part, the Mormon church has said Bishop Tonga should have consulted with church leaders, who would have told him to notify the authorities." In the early 1990s some of the grandchildren reportedly went to their mother about the abuse, according to poice documents. Instead of going to law enforcement, she told the head of her Mormon church. And nothing happened." MOHLER-Burrell Mohler 1.pdf "Investigators seized several dozen videotapes from on Mohler son's house"</p> <p>MOHLER-Burrell Mohler 2.pdf http://www.pitch.com/FastPitch/archives/2009/11/23/star-report-calls-out-for-churches-for-failing-tostop-mohlers http://www.bishop-accountability.org/news2009/11_12/2009_11_20_Hart_42Charges.htm</p>
12/21/09	California	<p>LDS Christine Shreeve Hubbs "faces 67 criminal charges for allegedly having sex with two teen boys." " The boy told police the sex acts with Hubbs began in December 2008, when he was 14. He told police he met with Hubbs multiple times for sex acts and twice went with her to a hotel to have sex with her. The boy said the relationship continued until January 2010. During the investigation, police learned of a second boy, who is now 14, who</p>

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		<p>said he had a sexual relationship with Hubbs from December 2009 through July. Investigators say Hubbs communicated with the teens by text messages and at times used her cell phone to send sexual messages and nude pictures of herself." Hubbs was a married Mormon and had children.</p> <p>HUBBS-Christine Shreeve hubbs.docx. http://www.contracostatimes.com/news/ci_15697569source=rss&nclick_check=1</p>
02/01/10	Ghana	<p>LDS Omale Omale Ojonugwuwa and That Ayono Keeng were jailed 17 years for defilement of a 14 year old girl. Two mormon missionaries, while on their mission abused this girl and Omale was sentenced for 10 years in prison and Keeng was sentenced to seven years in prison."</p> <p>OJONUGWNUWA-Omale Ojonugwuwa, alias Elder Omale.pdf KEENG-That Ayaone Keeng.pdf 2 Mormon missionaries jailed 17 years for defilementCiti FM Online (Adabraka, Accra, Ghana) ^ Aug. 8, 2010 http://209.157.64.200/focus/news/2567357/posts</p>
03/05/10	United Kingdom	<p>LDS Richard Simcock attempted to rape and sexually abuse two young girls. He was sentenced to 10 years in prison.</p> <p>SIMCOCK-Richard Simcock.pdf http://www.lancashiretelegraph.co.uk/news/10342475.Rawtenstall_trainee_priest_jailed_for_sex_abuse/</p>
10/04/10	Salt Lake City, Utah	<p>LDS Bishop Bruce Christensen is alleged to have failed to report that an infant child of 13 months old was being abused by her LDS father after the infant's mother consulted the bishop." The bishop failed to report the abuse. Now she says she gave the Bishop a hypothetical situation. "It's not a prosecutable case now," said Yocum. "The law wouldn't require him to report a hypothetical situation." "The mother changed her story. The police</p>

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	<p>reports were very specific but now she's saying something different." The bishop escaped charges that he failed to report.</p> <p>LDS BISHOP-Christensen allegedly failed to report.pdf No Trial For Bishop Over Silence Salt Lake Tribune 3Oct00 N1 By Stephen Hunt: Salt Lake Tribune http://www.mormonstoday.com/001006/N1Christensen01.shtml</p>
<p>10/21/10 West Jordan, Utah</p>	<p>West Ridge Academy previously known as Utah Boys Ranch or Rehabilitation Ranch which the LDS Church admits to providing “oversight at West Ridge Academy since its inception” has been plagued with allegations of sexual and physical abuse according to www.MormonGulag.com: “Eric Norwood says that Utah Boys Ranch employees held him against his will and abused him during his stay as a teenager. Norwood filed a lawsuit (October 21, 2010) against the West Jordan based facility for troubled teens. The lawsuit alleges child sex abuse, negligence, and physical abuse that nearly led to death of Norwood. Norwood says he is speaking up about the abuse at Rehabilitation Ranch, now known as West Ridge Academy, in order to save others from the alleged pain he has suffered during and after his time there. Norwood discussed the allegations at a press conference. "I was physically and sexually abused, systematically pretty much the entire time I was at the Utah Boys Ranch which is now called West Ridge academy from ages 15 to 18 and I left on my eighteenth birthday when they could no longer hold me," Norwood said. The civil lawsuit was filed in district court in Los Angeles because the statute of limitation had expired in Utah. Norwood is from California.</p> <p>At a fundraising event featuring Mormon Tabernacle Choir star Alex Boye, high-ranking Mormon Church officials not only admitted to providing oversight at the Utah Boys Ranch / West Ridge Academy for the last 25 years, but named and recognized the</p>

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	<p>LDS Family Services Social Worker in charge of West Ridge Academy - the subject of multiple abuse investigations and a facility that just recently settled a sex abuse lawsuit out of court - with an award for the Mormon Church's oversight. Allen Proctor, a long-time licensed clinical social worker at LDS Family Services, was also honored during the evening with a Legacy of Hope Award in recognition of his oversight at West Ridge since its inception. The (Mormon) Church of Jesus Christ of Latter-day Saints Provides Employees and Financial Support for West Ridge Academy</p> <p>“Bishop H. David Burton, the presiding bishop of The Church of Jesus Christ of Latter-day Saints emphasized that the LDS church “has been and continues to be a long-time supporter of the outstanding programs at this academy.”“Much of the furniture at the academy is donated from Deseret Industries and much of the food served at their cafeteria is provided by the Bishop’s Storehouse,” said Burton. References and more information: The Mormon Connection”</p> <p>----- sources: www.MormonGulag.com,</p> <p>Screen prints from MormonGulag contained in-WEST RIDGE ACADEMY and LDS Church Oversight.pdf WEST RIDGE ACADEMY COMPLAINT-Eric Norwood 2.pdf http://www.sltrib.com/home/3531870-155/allegations-of-abuse-at-prospective-charter http://www.ksl.com/?nid=148&sid=18842580#4q7MLVEe5APvmSo8.99</p>
<p>11/01/10</p>	<p>Utah</p> <p>LDS Brandon Scott Cordero allegedly sexually abused a child for two years "Elder Brandon Scott Cordero was released from his mission and sent home immediately when the charges against him came to light," church spokesman Scott Trotter said in February after Cordero’s arrest. The abuse took place prior to his mission call.” CORDERO-Brandon Corder.pdf</p>

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		<p>“Family members said while Cordero has spoken to an LDS bishop about the incident, he did not confess to the rape charges, which they called inaccurate. The issue, they said, is between Cordero, his bishop and the authorities.” CORDERO-Brandon Scott Cordero.pdf</p> <p>http://fox13now.com/2013/02/18/lDS-church-releases-statement-regarding-missionary-charged-with-child-rape/</p> <p>http://www.ksl.com/?nid=148&sid=24125785</p> <p>http://www.sltrib.com/sltrib/news/56185782-78/cordero-child-church-abuse.html.csp</p>
12/03/10	Utah	<p>LDS Brian David Mitchell, the perpetrator who kidnapped Elizabeth Smart “was never prosecuted for molesting his own children, or his three stepdaughters — Debbie Mitchell's children from a prior marriage.”</p> <p>“Brian Mitchell filed for divorce from Debbie Mitchell, his second wife, in 1985. He would later marry Wanda Barzee, his accomplice in the Smart kidnapping.”</p> <p>“Married to Brian David Mitchell for five years in the early 1980s, Debbie Mitchell sought help from LDS Church leaders to try to escape an abusive marriage with the man who would eventually be convicted of the 2002 kidnap and rape of 14-year-old Elizabeth Smart.”</p> <p>“You have closure when you get divorced. But with what he did to my children, because nobody believed us, there was never closure,” said Debbie Mitchell, 60. “When I wanted to leave him, the bishops said, ‘No, you need to work on your marriage.’ I would go to church with black eyes, and they'd ask me what I did to make him hit me.”</p> <p>“Debbie Mitchell has also written a book about her time with Brian Mitchell, titled No One Would Listen. Not yet published, she said it has been used to help educate bishops in The Church of Jesus Christ of Latter-day Saints on how to interact with members who report domestic and sexual violence.”</p>

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“Debbie Mitchell, who volunteers at the Family History Library in Salt Lake City and calls herself a dedicated LDS Church member, wishes church members would apologize for not believing her story back in the 1980s.”

"I haven't had one person in the clergy say, 'I'm really sorry that Brian fooled us. I wish I would have been there for you,' " Debbie Mitchell said. "That would help."

<http://archive.sltrib.com/story.php?ref=/sltrib/news/51883771-78/mitchell-debbie-brian-church.html.csp>

Mitchell's ex-wife: Brian needs to acknowledge he abused us, too

By Melinda Rogers The Salt Lake Tribune Published May 25, 2011 2:32 pm

MITCHELL-Brian David Mitchell.pdf

During Mitchell's trial, “Both Gayler and Heidi Woodridge, a stepdaughter from Mitchell's second marriage to Debbie Woodridge, took the stand as rebuttal witnesses for the prosecution. Each spoke of severe abuses they suffered during the time they lived with Mitchell. Both said Mitchell was very controlling and they did not believe he was mentally ill at the time....”

“Gayler said Mitchell always had to be touching Barzee or herself, as if to show his dominance. Sometimes the touching was inappropriate, she said. But she was also afraid of his wrath and didn't want to do anything to get him angry.....

Mitchell would expose Gayler to pornographic images and make her look at them.”

“Woodridge lived with Mitchell from ages 9 to 12. One day while she was taking a bath, she said she heard movement from behind a nearby linen closet.m”I turned around and (Mitchell) was taking pictures of me while I was taking a bath," she said tearfully.”

“The longest testimony of the day came from Daniel Peterson, a professor of religious studies at BYU and an expert in religious texts. As for Mitchell's use of archaic language,

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	<p>Peterson said every Mormon is taught to use reverent language in prayers and blessings. Mainstream LDS Church members also believe they will be gods or goddesses one day. Ideas of repentance and forgiveness mentioned by Mitchell also come from mainstream LDS culture, the BYU professor testified.”</p> <p>“At times, Peterson's testimony sounded more like a lecture on religious studies than court testimony to determine insanity, going over stories about Nephi and Noah. Paul Mecham was Mitchell's LDS stake president in Salt Lake City when Mitchell was married to Debbie Woodridge in the early to mid-80s.”</p> <p>“Mecham testified that his first impression of Mitchell was a clean-cut, soft-spoken, good-looking man. But Mecham said he saw a very different person when confronted with allegations of "improper behavior."</p> <p>"The first sentence that included the word 'improper,' there was an explosion. This mild-mannered young man stood, shouted and denied any, any, any improper action of any kind," Mecham testified. "He then stormed out, and I have not seen him since."</p> <p>“When Mecham later learned Mitchell had been granted a recommend to enter a Mormon temple, the former stake president said he felt "dismay, almost unbelief." Outside the courtroom, Mecham described Mitchell as a "master manipulator" who likely deceived his church leaders to receive a recommend.”</p> <p>http://www.deseretnews.com/article/700087942/Stepdaughters-provide-emotional-testimony-of-abuse-by-Brian-David-Mitchell.html Stepdaughters provide emotional testimony of abuse by Brian David Mitchell By Pat Reavy @DNewsCrimeTeam Published: Dec. 3, 2010 7:00 a.m.Updated: Dec. 3, 2010 5:33 p.m MITCHELL-Brian David Mitchell 2.pdf</p>
<p>12/12/10</p>	<p>Boise, Idaho</p>
<p>LDS Stephen R. Young may have abused twenty babies who were 21 month of age or</p>	

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	<p>younger over a 30 year period. "While Young did confess to church leaders and was eventually excommunicated, it wasn't until after a fellow Boise police officer who attended Young's church heard of the punishment and spoke to him that Young turned himself in on March 2 — two days after his abrupt retirement from the Police Department, according to Ada County sheriff's arrest reports. That was about two months after church officials say they first talked to Young about his crimes."</p> <p>YOUNG-Stephen R. Young.pdf http://www.mcclatchydc.com/2010/12/12/105162/did-fellow-mormons-cover-up-officers.html#.UatYidiqro8 Did fellow Mormons cover up officer's baby molestations? Idaho Statesman/December 12, 2010 By Patrick Orr</p>
<p>01/24/11 Sacramento, California</p>	<p>LDS Dustin Cassady was arrested by Federal investigators. Cassady was "a youth leader at a local ward of the Church of Jesus Christ of Latter-Day Saints after allegedly finding a stash of child pornography on his computer."</p> <p>"Cassady was charged with possessing pictures on his hard drive of children engaged in sexual acts, and other pictures of children from his own church..."</p> <p>"FBI agents said the suspect took pictures of the shirtless children at the church without their knowledge, and would also befriend children at the church by buying them gifts..."</p> <p>"Cassady's behavior is consistent with someone who preys on children, investigators said."</p> <p>"No local church representatives were available for comment."</p> <p>CASSADY-Dustin Cassady.pdf</p>

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		<p>LDS Youth Leader Accused Of Possessing Child Porn January 24, 2011 11:27 PM http://sacramento.cbslocal.com/2011/01/24/pastor-accused-of-possessing-child-porn/</p>
06/23/11	Collierville, Tennessee	<p>LDS Anthony Webster “ will serve 8 years in prison for molesting 3 girls ages 7, 8, and 9. He was indicted on four counts of aggravated sexual abuse of three children under the age of 13. Webster pled guilty. The "parents of one of the child victims (age 6) notified Collierville Police Department and reported one incident of sexual assault of their child. (WEBSTER-Anthony Webster 3.pdf)." Mormon Bishop Stephen Kennedy, who presides over the congregation at the Church of Jesus Christ of Latter Day Saints... testified under subpoena that Webster, a member of the congregation , said he had committed 10 transgressions of child molestation. Kennedy reported it to superiors in the Momron church through a hotline. He said the church has a system of handling matters like this based on state laws of reporting alleged child sexual abuse to authorities."</p> <p>WEBSTER-Anthony Weber 1.pdf http://www.commercialappeal.com/news/2011/sep/29/case-against-collierville-fitness-employee-advance/</p> <p>http://www.scdag.com/news/item/118-anthony-webster-indicted-on-four-child-sexual-battery-charges</p> <p>http://www.scdag.com/news/item/386-cordova-man-pleads-guilty-to-aggravated-sexual-battery-ofchild-victims</p>
08/24/11	Utah	<p>LDS Bishop Gordon Moon was alleged to have failed to report child abuse and is accused of telling a 16 year old girl not to contact authorities. He told her "she should consider what her abuser was going through and also consider the potential harm her allegations could cause."</p> <p>LDS BISHOP-Moon 2.pdf</p>

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		<p>http://www.sltrib.com/sltrib/news/52443743-78/abuse-moon-report-bishop.html.csp</p> <p>http://www.deseretnews.com/article/705396310/Judge-weighing-whether-Mormon-bishop-shouldstand-trial-for-failure-to-report-abuse.html</p>
09/15/11	Provo, Utah	<p>LDS Bishop Amado Rojas was accused of failing to report allegations of child abuse and agreed to a plea deal "that could end with the misdemeanor's dismissal." He entered into a diversion agreement. The alleged victim and three other girls told Rojas about the alleged abuse and he told the girl to "tell her parents and return for another meeting." In the interim the girl told her teacher who reported the alleged abuse to the authorities. "There was no intent to cover up any sexual abuse" said attorney Esplin.</p> <p>LDS BISHOP-Amado Gress Rojas allegedly failed to report.pdf http://www.sltrib.com/csp/cms/sites/sltrib/pages/printerfriendly.csp?id=53718474</p> <p>http://www.heraldextra.com/news/local/crime-and-courts/lds-bishop-accepts-plea-deal-for-failure-toreport-abuse/article_62d49103-9d8a-528b-a83f-df6eda11ca48.html</p>
09/22/11	Oregon	<p>LDS Steven Powell " at one time was described by his wife as a loving husband and devout member of The Church of Jesus Christ of Latter-day Saints. He served an LDS mission to Argentina, was arrested and charged with possession of child pornography. "</p> <p>POWELL-Steve Powell.pdf http://archive.sltrib.com/printfriendly.php?id=53450298&itype=cmsid http://www.deseretnews.com/article/865555284/Sins-of-the-father-Steven-Powells-behavior-leaves-a-legacy-of-harm.html</p>
10/13/11	Provo, Utah	<p>LDS Broch Clyde DeGraff "pled guilty forcible sexual abuse of two 16 year old girls at a school owned by The DeGraff's but stated its curriculum is based on the values of The Church of Jesus Christ of Latter-day Saints. DeGraff pled guilty to six counts of attempted forcible sexual abuse. He was originally facing 10 charges but some were dismissed in</p>

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		<p>exchange for DeGraff's plea.”</p> <p>DEGRAFF-Broch DeGraff pdfs 1 and 2. http://www.ksl.com/?nid=148&sid=24225756 http://www.deseretnews.com/article/print/865574353/Ex-teacher-admitssexually-abusing-2-students-in-Pleasant-Grove.html</p>
11/23/11	Vancouver, Washington	<p>LDS Ryan Whitaker, "a divorce attorney with an office on Main Street in Vancouver, is facing charges of rape of a child and child molestation. The alleged abuse happened at the Church of Jesus Christ of Latter Day Saints located on Northeast 50th Avenue. Authorities said the victim alerted her parents and a bishop at the church. A witness also told the sheriff's office that Whitaker was seen paying special attention to the girl, the court documents said."</p> <p>WHITAKER-Ryan Whitaker.pdf http://www.kptv.com/story/16113641/vancouver-sunday-school-teacher-accused-of-sexuallyabusing-girl</p>
12/10/11	Utah	<p>LDS Larry E. Harmon had a prior conviction for child sexual abuse in 2005 and was charged again with abuse in 2011. "According to court documents, the abuse occurred ...at an LDS Church building in Orem."</p> <p>HARMON-Larry E. Harmon.pdf http://www.heraldextra.com/news/local/crime-and-courts/elderly-man-charged-with-sex-abuseat-lds-church-christmas/article_b7af91f8-d36d-5b9f-95e2-a7d174cc5ffb.html</p>
02/28/12	Arizona	<p>LDS Unnamed Female is alleged to have sexually abused, "Brian, whose full name is being withheld, was a young teen when he claims a married Valley LDS church woman sexually abused him and showered him with gifts for a period of three years."</p>

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	<p>“When Brian turned 21 that he told his friend about the abuse and then reached out to a church leader there who assured him he would get to the bottom of it. Brian waited for the response but two weeks later he says he was told to forget about it.”</p> <p>“He then reached out to his former bishop in Tempe, Greg Lake who Brian said asked him if he was calling to repent and apologize to the family. It's disgusting," said Brian. "It's a slap in the face."</p> <p>“Randy Austin, an attorney that handles sexual abuse cases for the church said "Brian should have been advised to go to the police.”</p> <p>“The Church was quick to admit Brian's case was not handled the right way but getting a straight answer when it comes to handling other abuse allegations was difficult.”</p> <p>"They are counseled to call a 1-800 number, a help line," said Austin. He explained that they counsel church leaders on how to handle abuse and to encourage victims to go to police. But here in Arizona a mandatory reporting statute requires certain community leaders, such as clergy and priest, to report child abuse to police.”</p> <p>“Church leaders say Brian's case is an anomaly. But CBS 5 Investigates uncovered that might not be the case.”</p> <p>Victim-Brian.pdf http://www.kpho.com/story/16146484/2-alleged-sexual-abusevictims-say-their-church-leaders-failed-to-report-abuse-topolice</p> <p>2 alleged sexual abuse victims say church leaders failed to report abuse February 28, 2012 12:56 PM EST By Tammy Leitner PHOENIX (CBS5)</p> <p>Victim-Brian.pdf</p>
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<p>02/29/12</p>	<p>Provo, Utah</p>	<p>LDS Eneudo Petit, “a bishop in the LDS church, is wanted on sexual abuse of a child by Utah County authorities. He was accused of sexual abuse of two minor girls but fled to Mexico then Venezuela.”</p> <p>PETIT-Eneudo Petit.pdf http://www.abc4.com/content/news/unsolved_cases/story/eneudo-petit-catch-a-criminal-ldsbishop/_z5U5jBLakSCOI_-QH0WOg.csp</p>
<p>04/03/12</p>	<p>Massachusetts</p>	<p>John DOE 1 v. CORPORATION OF THE PRESIDENT OF THE CHURCH OF JESUS CHRIST OF LATTER–DAY SAINTS, & others. 2 No. 11–P–610. The Appeals Court of Massachusetts affirmed Summary Judgement in the following case: April 3, 2012. By the Court (GRASSO, FECTION & SULLIVAN, JJ.).</p> <p>”MEMORANDUM AND ORDER PURSUANT TO RULE 1:28</p> <p>*1 The plaintiff, John Doe, appeals the allowance of summary judgment in favor of the defendants, the Corporation of the President (COP) of the Church of Jesus Christ of Latter–Day Saints (church), former clergyman Stephan Day, and his former assistant, Daniel Rice, and T. Stephen Fotheringham, Robert Norman, and Charles Hobbs. The plaintiff initiated a suit against the defendants for negligence, gross negligence, intentional infliction of emotional distress and civil conspiracy, relating to their alleged liability for the sexual abuse of the minor plaintiff by Kevin Curlew, a member of the Methuen ward of the church. As a result of his actions in the fall or winter of 2004, while acting as a volunteer babysitter during a monthly church group meeting, Curlew was convicted of two counts of assault and battery and indecent assault and battery on a child under fourteen, G.L. c. 265, §§ 13A (a), 13B .As against defendants COP, Day, and Rice, the plaintiff specifically avers that there exist genuine issues of material fact, effectively precluding summary judgment, as to the following contentions raised: (1) these defendants maintained a special duty to the children of the church, or in the alternative, through their actions voluntarily assumed such a duty,</p>

	<p>and thereafter breached that duty,</p> <p>(2) they intended to inflict emotional distress on the plaintiff, and (3) they conspired to avoid their legal obligation to report the incidents to law enforcement. As against defendants Fotheringham, Norman, and Hobbs, volunteer clergyman and volunteer mission presidents, respectively, the plaintiff contends these individuals were grossly negligent in failing to warn the other church members of known dangerous propensities of Curlew. We affirm the grant of summary judgment on all claims. 3</p> <p>Corp., 410 Mass. 706, 716, 575 N.E.2d 734 (1991) .</p> <p>B. Summary Judgment. 1. Negligence. The plaintiff contends defendants COP, Day, and Rice breached their duty to protect him from the criminal acts of Curlew because such acts were “reasonably foreseeable.” As to this, on this record, while we do not condone the actions of Curlew, we fail to discern a genuine issue of material fact upon which a rational jury could find liability on the part of these defendants.*2 While the possibility that criminal conduct will occur is always present in our modern society, liability for the criminal acts of third parties exists where there is a “reasonable expectation[],” that the “defendant [should] anticipate harmful acts of third persons and take appropriate measures to protect the plaintiff from harm.” Luoni v. Berube, 431 Mass. 729, 732, 729 N.E.2d 1108 (2000) . The defendants have produced deposition testimony suggesting that the ward and stake officials responsible for church affairs in the Methuen ward were unaware of any past sexual transgressions with children by Curlew. In particular, it is undisputed that neither Bishop Adams or the defendant Day had any knowledge that Curlew had prior criminal convictions for, or a history of, sexual abuse of children. Nor was Curlew registered as a sex offender in Massachusetts at this time. 4 At best, the plaintiff claims that two non-defendant former missionaries were given warnings expressed by Miklos Jako, an aspiring writer and nonmember of the church, and that these missionaries indicated at the time that they would report this information. However, there is no documentation of such a report, neither former</p>
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missionary could remember making a report, and no official of the Methuen ward or the stake could remember receiving such a report. 5

At its core, plaintiff's argument is that the church officials in Methuen "should have known" more, either because the internal communication of Jako's allegations should have been better relayed, or because the local ward or the stake should have done more to find out about Curlew, based on his status as a probationer ten years earlier. This duty can not arise as a matter of church membership. The Supreme Judicial Court has specifically held that church membership "do[es] not establish ... the type of relationship to the plaintiff from which a fiduciary duty could possibly arise under civil law." *Petrell v. Shaw*, 453 Mass. 377, 382, 902 N.E.2d 401 (2009) . Instead, the plaintiff argues that this duty arises either because of a "special relationship" between the church and its members, or a duty voluntarily assumed by the church. Neither claim has merit. A special duty may find its "source in existing social values and customs". *Mullins v. Pine Manor College*, 389 Mass. 47, 51, 449 N.E.2d 331 (1983) , quoting from *Schofield v. Merrill*, 386 Mass. 244, 247, 435 N.E.2d 339 (1982) . On this record, the plaintiff has failed to provide evidence as to the standard customs or procedures for either (1) reporting allegations of misconduct (learned of during the course of religious conversion) 6 within religious organizations, or (2) screening volunteer babysitters at informal church (or other) functions. 7 In the absence of such evidence, no rational jury could find for the plaintiff on a theory of special duty. See *Kourouvacilis*

v. General Motors Corp., 410 Mass. At 716, 575 N.E.2d 734 . For similar reasons, the claim of assumed duty is legally insufficient. 8 The babysitting was an informal arrangement whereby the Relief Society, with the knowledge of the church elders, solicited volunteers from the ward membership. The fact that the ward had, arguably, "undertaken to render a service is not sufficient to impose a duty." *Mullins*, supra at 53–54 & n. 10, 449 N.E.2d 331 . Furthermore, where the undertaking is gratuitous, the duty is only to refrain from gross negligence. *Id.* at 53 n. 10, 449 N.E.2d 331 .

*3 In the absence of some evidence that the members of the ward relied on the ward to

screen babysitters at that time, or as noted above, that screening of volunteers was so widespread that reliance could otherwise be inferred, 9 we must conclude that this claim fails as a matter of law. 10

2. Intentional infliction of emotional distress. No further abuse occurred after the initial complaint made by the plaintiff to the church. Therefore the sole ground for the claim of intentional infliction of emotional distress against COP, Day, and Rice is the fact that Doe saw Curlew at church on one occasion after he reported the abuse. The plaintiff posits that a “rational person” should have known that allowing Curlew to access the church premises, albeit under arranged supervision, following the accusations against him was “clearly outrageous.” See *Agis v. Howard Johnson Co.*, 371 Mass. 140, 144–145, 355 N.E.2d 315 (1976) . Essential to the plaintiff's claim is the underlying logic that the decision to allow Curlew onto the church grounds involves a type of secular action that the court may determine to be tortious. The First Amendment to the United States Constitution, however, prohibits courts from doing just that, and “places beyond [the court's] jurisdiction disputes involving church doctrine, canon law, polity, discipline, and ministerial relationships.” *Petrell*, supra at 381–382, 902 N.E.2d 401, quoting from *Williams v. Episcopal Diocese of Mass.*, 436 Mass. 574, 579, 766 N.E.2d 820 (2002) . See *Maffei v. Roman Catholic Archbishop of Boston*, 449 Mass. 235, 243, 867 N.E.2d 300 (2007) (describing religious controversies that are “off limits to our courts”). The decision to allow Curlew access to the church grounds and the reasons therefore inherently involves an assessment of Curlew's relationship with the church, and involve the secular review of ecclesiastical discipline and church doctrine. As such, we are prohibited from assigning liability to such actions. Even if we were not so prohibited, the undisputed facts do not sufficiently make out a claim for intentional infliction of emotional distress. See *Jones v. Maloney*,

While it is undisputed that Curlew returned to the church after the plaintiff made the defendants aware of the inappropriate touching, the plaintiff offers no evidence that defendants COP, Day, or Rice intended this single visual encounter between the

plaintiff and Curlew to occur, or that they should have known it likely to occur, or that it could be viewed as extreme and outrageous. While this court neither questions nor seeks to minimize the traumatizing effect of the incident on the plaintiff, our analysis must be confined to the undisputed facts in the record in the context of the elements of this cause of action. We must conclude that the defendants' actions do not constitute intentional infliction of emotional distress as matter of law. *Sena v. Commonwealth*, 417 Mass. 250, 264, 629 N.E.2d 986 (1994) , quoting from *Agis*, supra at 145, 355 N.E.2d 315 (only conduct that transcends all “bounds of decency and ... [and is] utterly intolerable in a civilized community” will rise to the level of extreme and outrageous conduct). *4 3. Civil conspiracy. The crux of the plaintiff's claim of civil conspiracy against COP is that the defendants waited sixteen days before reporting the incident to civil authorities and in the interim proceeded to seek legal and medical consultations. While this conduct may or may not have conformed to legal requirements for mandated reporters, G.L. c. 119, § 51A , any inference that this course of action was part of an unlawful collusion to avoid law enforcement is speculation and contrary to the right, recognized by the judge below, of an individual to consult a lawyer prior to speaking with police, without such action used as evidence of a conspiracy. See *Kurker v. Hill*, 44 Mass.App.Ct. 184, 189, 689 N.E.2d 833 (1998) .

4. Actions against Norman, Hobbs, and Fortheringham for gross negligence. A claim of gross negligence requires “an act or omission respecting legal duty of an aggravated character as distinguished from a mere failure to exercise ordinary care.” *Zavras v. Capeway Rovers Motorcycle Club, Inc.*, 44 Mass.App.Ct. 17, 20 n. 4, 687 N.E.2d 1263 (1997) , quoting from *Altman v. Aronson*, 231 Mass. 588, 591–592, 121 N.E. 505 (1919) (it “is substantially and appreciably higher in magnitude than ordinary negligence”). Upon this record, it is undisputed that at no time during their terms as volunteer clergymen or mission presidents did any of these three defendants learn that Curlew had a history of sexual assault. First and foremost, Norman served as president of the Manchester, New Hampshire mission from July, 1992, to July, 1995, ending his tenure four months prior to Curlew formally joining the church. Norman further testified without contradiction that he did not interview nor become familiar with Curlew in any capacity. With regard to the

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circumstances surrounding Curlew's baptism into the church, the record contains no evidence that either Fotheringham 11 or Hobbs 12 had actual knowledge of Curlew's past sexual misconduct as a result of the baptism process.

Conclusion. For the reasons expressed above, we must affirm the allowance of summary judgment in favor of the defendants.

Judgment affirmed.

All Citations

81 Mass.App.Ct. 1126, 964 N.E.2d 370 (Table), 2012 WL 1080445

Footnotes

1 By his mother and next friend, Mother Doe. We use the pseudonyms supplied by the parties.

2 Stephen Day, Daniel Rice, Charles Hobbs, Robert Norman, and T. Stephen Fotheringham.

3 As we affirm the decision below on the asserted grounds, we decline to address whether the named church defendants are entitled to protection under the Volunteer Protection Act of 1997, 42 U.S.C. § 14501 et seq. (2006).

4 Curlew had been convicted of a sexual offense in Maine, but that conviction had been vacated.

5 Bishop Adams (who is not a defendant) did know that Curlew had been on probation in 1995 for an altercation with his sister, and that his baptism had been

delayed for this reason, but Adams did not pass this information on to anyone else. It is undisputed that Day, who was the bishop responsible for the Methuen ward at the time the sexual assault took place, was unaware of the fact that Curlew had been on probation ten years earlier.

6 We express no opinion as to whether the free exercise of religion would permit such an inquiry. See Petrell, supra at

7 In Mullins, supra, unlike here, there was expert testimony and evidence that the college community had adopted standards that reflected a community consensus regarding safeguarding student welfare. There is no evidence in this record that, in 1995 when Jako spoke to the two missionaries, there was a consensus as to how that information would be reported or used within a church community. Nor is there evidence tending to show that in 2004, when these events occurred, there was a community consensus that volunteer babysitters in churches or other religious organizations would have to be screened.

8 In addition, the ward had also adopted a “two adult” policy, which the plaintiff claims that the defendants violated. However, the record reflects only that Curlew, not the defendants, violated the rule by following the plaintiff into the bathroom.

9 While the plaintiff’s mother offered deposition testimony that she assumed that the ward performed criminal offender record information (CORI) checks on volunteers, such a check would not have revealed any sexually based offense.

10 We thereby hold that defendants Hobbs, Norman, and Fotheringham did not act with “gross negligence,” as alleged by the plaintiff. See part four, infra.

11 While there is a baptismal certificate which suggests, as contended by the plaintiff, that Fotheringham must have interviewed Curlew prior to baptism, if such an interview occurred, and if so what was discussed, remains a matter of conjecture on

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	<p>this record.</p> <p>12 While the plaintiff asserts that this fact is indeed disputed since a missionary recorded in a personal journal that “President Hobbs will be interviewing [Curlew],” Hobbs testified that he did “not recall ever meeting [Curlew] or even being aware of his baptism. I did not interview him prior to his baptism.” To the extent this fact is thereby “disputed,” we find that it nevertheless does not rise to the level of a genuine dispute of material fact sufficient to state a claim for gross negligence.”</p> <p>End of Document © 2017 Thomson Reuters. No claim to original U.S. Government Works. Doe v. Corporation Of President of Church Of Jesus..., 81 Mass.App.Ct. 1126... 964 N.E.2d 370 © 2017 Thomson Reuters. No claim to original U.S. Government Works. 2</p>
<p>04/17/12</p> <p>Utah</p>	<p>LDS Keldon “KC” Severn Cook was charged with child abuse of a 14 year old boy whom he met at EFY, “a religious conference for LDS youth, according to charging documents. Police allege that Cook held a “position of trust” while acting in his role of youth counselor, and for two years, the teen and Cook stayed in touch. Documents say Cook called the teen one of his EFY little bros.”</p> <p>Cook, police say, is 12 years older than the teen” EFY counselor arrested for sex with teen Updated: Friday, April 17, 2015 Larry D. Curtis http://www.kutv.com/news/features/top-stories/stories/EFY-counselor-arrested-for-sex-with-teen-116630.shtml#.VTHBs3D3arV</p> <p>"Keldon S. Cook, 29, pleaded guilty in October to four third-degree felonies — one count of attempted sexual exploitation of a minor and three counts of unlawful conduct with a 16- or 17-year-old —admitting in court documents that he had sexual contact with a then-16-year-old boy that he met years earlier at an Especially For Youth overnight program at Brigham Young University."</p>

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	<p>Cook was sentenced to 20 years in prison.</p> <p>"The sexual contact occurred between March 2014 and March 2015, according to court records Prison ordered for former Mormon youth program counselor who sexually abused teen."</p> <p>COOK-Keldon "KC" Severn Cook.docx</p> <p>By jessica miller The Salt Lake Tribune Published: November 30, 2015 03:34PM Updated: March 4, 2016 06:15PM http://www.sltrib.com/home/3245820-155/prison-ordered-for-former-mormon-youth</p>
06/07/12	<p>Idaho</p> <p>DOE V. CORP. OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS No. 1:09-cv-00351-BLW (D.)</p> <p>“UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO Four discovery motions are pending before the Court. Plaintiff (Tom Doe) filed two motions to compel production of documents - one aimed at the Boy Scout Defendants (Dkt. 160) and the other at the LDS Church Defendants (Dkt. 163). Defendants responded with motions for protective orders that address largely the same issues. (Dkts. 166, 170). The Court heard oral argument on June 4, 2012 FACTS: Plaintiff Tom Doe alleges that his scout leader sexually abused him from 1967 through 1970, beginning when plaintiff was around 13 years old. He says the Boy Scouts of America and the LDS Church jointly ran his scout troop, and that both organizations "knew that the Scouting program itself posed a danger to adolescent boys because the Scouting program had shown a concrete, longstanding, consistent, and widespread problem with sexual abuse by Scout leaders and adult volunteers." Second Am. Compl., Dkt. 110, ¶ 24. Doe</p>

asserts various claims against the Boy Scouts and the Church, including fraud by omission.

The Requests for Production from the Boy Scouts of America are ruled as follows:

1. the Court will limit the time period to 1950 through 1972

(seventeen years before the first alleged abuse and two years after the last) for requests seeking documents that could show defendants'

alleged knowledge regarding child sex abuse within scouting. The Court will typically use a more restrictive time period - 1962 to 1972 -for requests seeking documents that could show what the defendants did with this knowledge

2.The Boy Scouts Defendants are ordered to produce responsive documents for the time period 1950 to 1972, subject to a protective order. The parties are ordered to meet and confer to work out the precise terms of the protective order, but, at a minimum, the protective order should provide that the following names be redacted before the documents are produced: (1) the alleged victim; (2) the alleged perpetrator; and (3) the people who reported the alleged abuse.

3.Request No. 24 asks for:

All complaints or petitions that have been filed against Defendant BSA in any state or federal court from 1910-1972, which allege sexual misconduct by an employee, agent, and/or adult volunteer of Defendant BSA perpetrated against a minor involved in Scouting. The Boy Scout Defendants are ordered to produce all responsive documents, although the time frame will be limited to 1950 to 1972.

4.Request No. 25 asks for:

All deposition transcripts and videos of deposition testimony given by Paul Ernst and successive BSA Directors of Registration related to lawsuits alleging sexual abuse. The Boy Scout Defendants are ordered to produce responsive documents, though the scope will be limited. Responsive documents should include only those where the named

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	<p>individuals testified regarding abuse that occurred during 1950 to 1972. Further, the Boy Scouts are ordered to produce documents within their custody and control, even if the documents are not in their actual possession. See generally Fed. R. Civ. P. 34 (a)(1) (party may serve document request asking for documents within responding party's "possession, custody, or control, . . .").</p> <p>Request No. 3 - Reporting and Investigation Policies Request No. 3 asks for All documents pertaining to how reports of sexual abuse perpetrated by adult volunteers against Boy Scouts should be reported, investigated, and/or otherwise addressed by Defendant BSA, local councils, and/or Boy Scouts troops during the time period 1910-1972. The Boy Scout Defendants offered to produce responsive documents for the time period 1962 to 1970. The Court will order the Boy Scout Defendants to produce responsive documents for a slightly broader period - from 1962 to 1972.</p> <p>Request No. 5 - Sex Abuse Prevention Documents Request No. 5 asks for All documents pertaining to sexual abuse prevention and/or the risk of sexual abuse of Boy Scouts by adult volunteers, which were distributed to adult volunteers, parents or guardians of Boy Scouts, and/or Boy Scouts themselves during the years 1910-1972. The Boy Scout Defendants are ordered to produce responsive documents for the time period 1962 through 1972.</p> <p>Request No. 23 - Meeting Minutes. Request No. 23 asks for: All minutes of all meetings of the National Office, Boy Scouts of America, and Management Executive Staff from 1910-1972, which pertains to the sexual abuse of Boy Scouts." The Boy Scout Defendants are ordered to produce responsive documents, but the time frame will be limited to 1950 to 1972.</p> <p>Request No. 28 - Information Related to IV Files This requests asks for: "All versions of BSA's internal memorandum regarding the</p>
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procedures for creating an IV File." The Boy Scout Defendants are ordered to produce responsive documents, but the time frame will be limited to 1950 to 1972.

Request No. 33 - Warnings to Scouts, Parents, Volunteers

This request asks for: All documents distributed to adult volunteers, parents or guardians of Boy Scouts, or Boy Scouts themselves in Troop 101 during the time period 1962-1972 that specifically warn about and/or address the subject of adult volunteers who sexually abuse Boy Scouts. The Boy Scout Defendants agreed to produce responsive documents for the time period 1967 to 1972. These defendants are ordered to produce documents responsive to the broader time frame set out in the request - 1962 to 1972.

REQUESTS FOR PRODUCTION FROM THE CHURCH ARE RULED AS FOLLOWS:

1.:Request No. 18 asks for:All documents concerning any allegation of child abuse against any stake president, bishop, home teacher, youth group leader, Sunday school teacher, or person in any other calling or assignment, occurring during the period 1950 to 1972.In their briefing, the parties began referring to these documents as "historical documents." Additionally, at this point, plaintiff has narrowed the request to historical documents for LDS churches within the State of Idaho. The Church indicated that historical documents typically include benign records, such as Sunday meeting programs. Church counsel also indicated that searching through microfiche records to produce these documents would be exceedingly difficult. The Court denies this request because plaintiff has not shown how the larger category of documents sought (records for the whole state)is relevant. The Church is, however, ordered to follow through on its offer to produce historical documents for plaintiff's Nampa ward and stake dating back to 1950

2.Request No. 19 asks for:

All documents concerning any settlements, releases, waivers, closure, or any other resolutions of any allegations of inappropriate conduct with children, against any of the

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persons mentioned in Request No.18 above, whether such resolution of allegations was made with or without litigation. Plaintiff says he will settle for a generic chart (with no identifying, confidential information) detailing settlement of child sex abuse claims, where the abuse occurred between 1950 and 1972. The Church is ordered to produce a generic chart detailing settlement of sex abuse claims, where the abuse occurred between 1950 and 1972 and either (1) occurred in a scouting context, or (2) was perpetrated by a person who, at the time of the abuse, had some affiliation with the scouting program even if the abuse itself did not occur as part of a scouting activity.

This request asks for:

All petitions or complaints from lawsuits filed against the LDS Church or any LDS Church related entities that contain allegations of sexual child abuse occurring during the time period 1950-1972. The Church is ordered to produce complaints (regardless of when filed) where the a minor plaintiff alleges sexual abuse between 1950 and 1972 that either (1) occurred in a scouting context, or (2) was perpetrated by a person who, at the time of the abuse, had some affiliation with the scouting program even if the abuse itself did not occur as part of a scouting activity. Request No. 23 - IV Files

3. Request No. 23 asks for "[a]ll documents concerning the Boy Scouts of America's Red Files, Confidential Files, or Ineligible Volunteer Files." The Church says it did not find out about the IV files until "well after" the 1950 to 1972 time period. Plaintiff, however, wants any documents - created at any time - that show how the Boy Scouts and the Church shared knowledge of child sex abuse problems within their organizations. Plaintiff's motion on this request is denied. If plaintiff is trying to prove the LDS church had a duty to warn him about the dangers of pedophiles in scouting, the church's knowledge of the IV files in the years leading up to and during his scouting activities is relevant. But if the LDS found out about these files "well after" that time frame, this does not speak to the church's then-current knowledge of pedophiles using scouts to access and molest young boys.

4. Request No. 25 - Depositions

Request No. 25 asks for:

All deposition transcripts and videos of deposition testimony given by any agent, official, representative, or leader of the LDS Church related to lawsuits alleging sexual abuse.

This request again raises the issue of whether sex abuse cases outside the scouting context are relevant, as the Church has offered to produce deposition transcripts of church "leaders and agents related to claims of abuse in scouting during the 1950-72 time period."

The Court will therefore deny plaintiff's motion, although the Court will order the Church to follow through on its offer to produce documents and will further broaden the scope of responsive documents to include claims where a minor plaintiff alleged sex abuse that either (1) occurred in a scouting context, or (2) was perpetrated by a person who, at the time of the abuse, had some affiliation with the scouting program even if the abuse itself did not occur as part of a scouting activity.

ORDER

IT IS ORDERED:

1. Plaintiff's Motion to Compel Production of Documents by the Boy Scouts of America (Dkt. 160) is GRANTED in part, and DENIED in part, as explained above.
2. The Boy Scout's Motion for a Protective Order (Dkt. 166) is DENIED, as the Boy Scouts sought an order denying any discovery of the perversion files. Nonetheless, as explained in the body of this decision, the Court is ordering the Boy Scouts to produce perversion files subject to a protective order. The parties are ordered to meet and confer in an effort to draft a mutually acceptable proposed order. If necessary, the Court's law clerk, Marci Smith (208-334-9019), is available to assist in this effort.
3. Plaintiff's Motion to Compel Production of Documents from the LDS Church (Dkt. 163) is GRANTED in part and DENIED in part, as explained above.
4. The LDS Church Defendants' Motion for a Protective Order (Dkt. 170) is GRANTED in part, and DENIED in part, consistent with the rulings made above. Further, to the extent plaintiff originally sought to compel production of church membership and disciplinary records, the motion is DEEMED MOOT.
5. The parties are further ordered to meet and confer as to the timing of any document productions ordered herein. The Court's law clerk is available to assist in informally

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		<p>resolving disputes regarding the timing of these productions. Defendants should be aware, however, that the Court will err in favor of compelling a speedy production.”</p> <p>DOE V CORP. OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS IDAHO JUN 7 2013.PDF Honorable B. Lynn Winmill https://casetext.com/case/doe-v-corp-of-the-presiding-bishop-of-the-church-of-jesus-christ-of-latter-day-saints-1 DOE V.CORP. OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS Idaho Jun 7 2013.pdf</p>
07/23/12	Salt Lake City, Utah	<p>Shawn Thomas Whiting “a former Boy Scout leader and hospital employee will go to prison for collecting and making child pornography to a one to-15-year prison term on four second-degree felony counts of sexual exploitation of a minor. Whiting pleaded guilty to the charges in April 2012.” Whiting worked for Intermountain Health Care as a registrar at LDS Hospital and Alta View Hospital and had previously served as a Boy Scout leader.”</p> <p>WHITING-Shawn Thomas Whiting.pdf http://www.ksl.com/?nid=148&sid=21194241</p>
08/14/12	New Mexico	<p>LDS Patrick "Robbie" Oliphant, “a Mormon missionary, turned himself in for sexually abusing a female child according to police report but he had told his Mission President, Stephen Hess. He sexually abused a five-year-old girl that he was babysitting for. The mother of the child reported to the Carlsbad police. Oliphant "is facing charge on six counts of criminal sexual penetration of a minor and three counts of criminal sexual contact of a minor.”</p> <p>OLIPHANT-Patrick Oliphant.pdf http://www.currentargus.com/ci_23467396/carlsbad-police-mormonmissionary-turns-himself-sexual-abuse</p>

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08/31/12	Idaho	<p>Tom DOE, Plaintiff, v. PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS; President of the Church of Jesus Christ of Latter-Day Saints; Boy Scouts of America; Ore-Ida Council of the Boy Scouts of America, Defendants. No. 1:09-cv-00351-BLW excerpts from the MEMORANDUM DECISION AND ORDER by B. LYNN WINMILL , Chief Judge In United States District Court, D. Idaho. follows:</p> <p>“INTRODUCTION</p> <p>*1 Plaintiff Tom Doe was a member of Boy Scout Troop 101 in Nampa, Idaho, which was sponsored by the LDS Church. He alleges that he was repeatedly sexually abused by his Scoutmaster and Quorum Advisor Larron Arnold. He claims that both organizations knew about the danger of abuse. But instead of disclosing this danger to Doe, they promoted scouting as a safe, trustworthy, and fun organization for boys. According to Doe, they also represented that Arnold was a trusted youth leader worthy of his Scoutmaster role despite knowing that he had previously molested another boy. In 2008, Doe filed a complaint naming as defendants two governing entities of the LDS church (“Church Defendants”) and two governing entities of the Boy Scouts of America (“Boy Scout Defendants”). Doe asserts several claims against Defendants, including constructive fraud. Both the Boy Scout and Church Defendants seek summary judgment on Doe's constructive fraud claims. The Church Defendants also ask the Court to reconsider a previous decision relating to choice of law. The Court heard oral argument on August 27, 2012, and took the matter under advisement.</p> <p>Having considered the briefs and the record, as well as oral argument, the Court will deny both the Boy Scouts and the Church Defendants' motions for partial summary judgment (Dkts. 197 & 198). The Court will also deny the motion to strike (Dkt.209).</p> <p>BACKGROUND</p> <p>1. Factual Background Plaintiff Tom Doe was born in 1953. Between 1965 and 1971, Doe was an active member of Boy Scout Troop 101, a troop sponsored by the Nampa, Idaho, 2nd Ward of the Church of Jesus Christ of Latter-Day Saints. Church Defs' SUF ¶¶ 2-3, Dkt. 197-2. According to troop rosters, Doe joined Troop 101 in 1964. Scout Defs' SUF ¶ 5,</p>

Dkt. 198–

1. The Boy Scouts invited Doe to join Scouts by making its program available to Doe through the sponsoring organization, the LDS Church. PI's SDF ¶ 30. Larren Arnold became Scoutmaster of Troop 101 in 1964, the same year Doe joined. Arnold was also Doe's Quorum Advisor. Id. ¶ 5. As Scoutmaster and Quorum Advisor, Arnold led spiritual, educational, and Boy Scout-related activities for the youth of the Nampa 2nd Ward and Boy Scout Troop 101. Id. At ¶ 4. Doe's experience with the Aaronic Priesthood in the LDS Church taught him to trust, obey, and respect his Scoutmaster. Id. ¶ 31. His experience with the Boys Scouts, which encouraged and fostered close, friendly, trusting relationships between Scouts and Scoutmasters, reinforced his trust in Arnold. Id. ¶ 33. Doe's recollection is that Arnold was a close friend to both him and his family, as he was Scoutmaster for Doe's two brothers. Id. Arnold allegedly gained the trust of Doe through time spent together, discussions, and mentorship. But Doe's father does not remember meeting Arnold, much less remember him as a close family friend. Id. It is undisputed, however, that Arnold led Troop 101, including Doe, on overnight camping trips throughout Idaho. In addition, Doe accompanied Arnold, alone, on several day trips into Oregon to fish and search for potential camp sites for the troop. Id. ¶ 29. During at least five of these trips associated with scouting in both Oregon and Idaho, Arnold sexually abused Doe. Id. ¶ 29. The abuse in Idaho occurred during the overnight camping trips with Troop 101. The abuse in Oregon occurred when Doe accompanied Arnold on day-trips into Oregon. Id. ¶ 29. According to Doe, his experience mirrors examples of other Scout experiences set forth in the Ineligible Volunteer Files maintained by the Scouts:

“Scouts entrusting themselves to a Scout leader's guidance and protection while on camping trips, hiking trips, sleep overs, or other events, only to be sexually abused by the Scout leader.” PI's SDF ¶ 36.

*2 Doe claims that the Boy Scouts of America “has always had a known problem with adult volunteers abusing Scouts.” PI's Resp. at 10, Dkt. 203. In the early 1900s, the Boy Scouts of America began keeping “Ineligible Volunteer Files” on

individuals banned from volunteering in scouting. Id. ¶ 23. The “Perversion” category contains the most files and comprises any type of sexual misconduct, including child abuse. Id. ¶ 24. Before Doe became a Scout, the Boy Scouts of America had compiled “thousands of incidents of child abuse” within scouting involving its adult volunteers. Id. And by the time Doe joined scouting, Boy Scouts of America was creating approximately 40 to 60 Perversion Files each year. Id. Indeed, Doe claims that both the Boy Scout and the Church defendants had specific notice that Arnold was a child molester and danger to children. Richard White, a member of the Nampa 2nd Ward, testified that he told Bishop Leon Hales that his son, also a Scout in Troop 101, had been molested by Arnold, his Scoutmaster. Id. Bishop Hales purportedly responded that he would “take care of it.” And a week later, Bishop Hale told White that he “had taken care of it.” Id. Hales was a member of the Ore–Ida Council, the local Council for the Boy Scouts of America, when this conversation allegedly took place in the fall of 1964. Id. ¶ 45.

Because of the abuse by Arnold, Doe has suffered physical and emotional damages. Id. ¶ 52. His physician diagnosed him with post-traumatic stress disorder as a result of the abuse. Id. Doe says that he also suffers from other behavioral issues related to the sexual abuse, such as avoidance, dissociation amnesia, compartmentalization, and denial. Id. Additionally, he claims, he suffers from a number of other physical ailments from the abuse, including hypertension , high blood pressure , acid reflux , and sexual dysfunction. Id

4. Conclusion

In conclusion, the Court will deny both the Church and the Scout Defendants' motions for partial summary judgment on Doe's fraud claims. The Court does not know whether the claims will bear out at trial, but Doe has presented enough evidence to present the issue of fraud to a jury

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	<p>ORDER IT IS ORDERED THAT: 1. LDS Church Defendants' motion for partial summary judgment (Dkt.197) is DENIED. 2. The Boy Scout Defendants' motion for partial summary judgment (Dkt.198) is DENIED. 3. The LDS Church Defendants' Sealed Motion to Strike (Dkt.209) is DENIED. All Citations Not Reported in F.Supp.2d, 2012 WL 3782454 Doe v. Presiding Bishop of The Church of Jesus Christ of..., Not Reported in... © 2017 Thomson Reuters. No claim to original U.S. Government Works. 1 2012 WL 3782454 Only the Westlaw citation is currently available.” TOM DOE V COP No 1-09-cv-00351-blw Orders on 4 motions.pdf</p>
<p>09/13/12 United Kingdom</p>	<p>LDS Daniel Cupryna, “Assistant stake clerk and Stake Technology Specialist in Middlesbrough Ward, Billingham Stake, UK was charged with having 38,500 child abuse images. Officers seized a computer, hard drives and three phones and found a total of 38,566 indecent still and moving images of children, showing girls aged 8 to 10”. Cupryna downloaded the images and videos from April 2004 until September 2012 when the police raided his home. He admitted to 20 charges-16 counts of making and one of possessing indecent photographs of children, and three counts of possessing prohibited images of children.” CUPRYNA-Daniel Cupryna.docx https://theukdatabase.com/2014/09/11/daniel-cupryna-middlesbrough/</p>

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11/09/12	Holland	<p>LDS Mattias Heinrichs sexually abused a 14 year old girl while on his mission of the LDS Church. Heinrichs pleaded guilty. He was called a "wolf in sheep's clothing" by one mother. Heinrichs was jailed for two years.</p> <p>HEINRICHS-Matthias Heinrichs.pdf http://www.thetelegraphandargus.co.uk/news/10036964.Missionary_at_Mormon_church_jailed_for_grooming_teenager/</p>
11/12/12	Victoria, Australia	<p>LDS Unnamed Woman perpetrator abused a teenage girl. "The accused, a Mormon, was teaching Sunday school when she met the victim, aged 11 at the time. The perpetrator pleaded guilty of indecent acts with a child under 16, sexual penetration of a child. The victim told a doctor, who reported the offending to police."</p> <p>UNNAMED LDS WOMAN PERPETRATOR in AU.pdf http://www.theage.com.au/victoria/female-teacher-pleads-guilty-to-sexcharge-20121123-29yts.html#ixzz2D26m4KiY</p>
12/04/12	Australia	<p>LDS teacher Predator Unnamed was "A devout Mormon Sunday school teacher who sexually abused a teenage girl in her care has today been jailed for a least a year."</p> <p>The judge said the woman began abusing the girl when she was not coping with all the difficulties in her own life.</p> <p>The woman had been a respected church member, teacher, daughter, wife and mother, which made her fall from grace so much harder to understand, the judge said. She was teaching Sunday school for the Mormon Church when she first met the victim, who had been 11 years old at that time.</p> <p>In 2009 when the girl was 15 and after her parents had separated, she went to live with the woman and her husband and their three sons. The secondary school teacher would visit the victim three to five times a week as she slept in the lounge room, kissing and touching her.</p>

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		<p>The woman, 39, pleaded guilty to five charges including sexual penetration of a child under her care and committing an indecent act with a child under 16.</p> <p>The woman was jailed for a total of three years and one month with a one year non-parole period and placed on the sex offenders register for life.”</p> <p>LDS teacher Predator Unnamed.pdf http://www.theage.com.au/victoria/mormon-teacher-jailed-over-abuse-of-girl-20121204-2as8d.html</p>
12/17/12	Utah	<p>LDS Derrick Starley was sentenced for “the inappropriate contact with a 16 year old while he was serving a mission for the Church of Jesus Christ of Latter-day Saints in Chubbuck.”. He pleaded guilty “JaNiece Prices, assistant chief deputy prosecutor for Bannock County did just that. She said that based on the present investigation report and psycho-sexual evaluation, Starley did not appear to be a substantial risk to re-offend, but that he did need treatment for an addiction to pornography.”</p> <p>STARLEY-Derrick Starley.docx Utah man sentenced for crime committed on LDS mission in Chubbuck By Jimmy Hancock jhancock@journalnet.com Posted Dec 17, 2013 http://www.idahostatejournal.com/members/utah-man-sentenced-for-crime-committed-on-lds-mission-in/article_a7ff4c2a-6713-11e3-87d6-001a4bcf887a.html?mode=jqm</p>
02/14/13	Colorado	<p>LDS Brian Robbins, a Scoutmaster arrested for having child pornography and was booked on two counts of exploitation of a child.</p> <p>ROBBINS-Brian Robbins.pdf http://www.westword.com/news/brian-robbins-mormon-scout-master-busted-for-child-pornography-5900090</p>

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03/04/13	Utah	<p>LDS Timothy Bothell is sentenced for sexual abuse of 2 girls ages 11 and 13. “When Bothell was arrested the LDS Church dismissed him from his position in the church stake high council. Bothell pled guilty to one count of attempted aggravated sexual abuse of a child and one count of lewdness involving a child.”</p> <p>BOTHELL-Timothy Bothell.pdf http://www.standard.net/Police/2013/03/02/Ex-IDS-worker-sentenced-to-jail-instead-of-prison-for-child-sex-abuse</p>
04/01/13	Phoenix, Arizona	<p>LDS Russel Dean Millsaps, “A retired Mesa police sergeant arrested on suspicion of child sex crimes, pleaded not guilty at his arraignment Monday.... 66-year-old Russell Dean Millsaps was taken into custody March 14 after a search warrant was served at his home. He was booked into jail on suspicion of child molestation and sexual exploitation of a minor. Investigators reportedly found sexually graphic images of young children on his cell phone....3TV also learned that Millsaps was a leader at an LDS church not far from his home in central Mesa.” The children were ages 4 and 7. (Retired Mesa Police Sgt. pleads not guilty in child sex crimes case by Tami Hoey azfamily.com Posted on April 1, 2013 http://www.azfamily.com/news/Retired-Mesa-Police-Sgt-pleads-not-guilty-to-sexual-exploitation-of-a-minor-200922351.html MILLSAPS-Russel Dean Millsaps 1.docx)</p> <p>“Millsaps was sentenced to 323 years in prison following his conviction on child exploitation charges stemming from a probe by U.S. Immigration and Customs Enforcement’s (ICE) Homeland Security Investigations (HSI) and the Mesa Police Department. multiple counts of child molestation, crimes against children, and sexual exploitation of a minor. The probe targeting Millsaps began in 2013 after HSI special agents in New Orleans alerted local investigators about a Mesa man who responded to an internet advertisement soliciting images of children being sexually exploited. Further investigation resulted in the execution of a search warrant at Millsaps’ Mesa residence, where authorities seized hundreds of</p>

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		<p>images and videos depicting the sexual abuse of children that he was sending over the internet.</p> <p>On March 14, 2013, Millsaps was arrested and held without bond. Over the course of the investigation, authorities identified multiple minor victims.”</p> <p>RETIRED MESA POLICE SERGEANT SENTENCED TO 323 YEARS FOR CHILD MOLESTATION BY: ADI NEWS SERVICES JULY 28, 2016</p> <p>MILLSAPS-Russel Dean Millsaps 2.docx</p> <p>HTTPS://ARIZONADAILYINDEPENDENT.COM/2016/07/28/RETIRED-MESA-POLICE-SERGEANT-SENTENCED-TO-323-YEARS-FOR-CHILD-MOLESTATION/</p>
04/11/13	Salt Lake City, Utah	<p>LDS Cesar Duran, “a member of the LDS bishopric in Orem Utah, was booked on suspicion of two counts of sexually abusing a child. The child was a 13 year old girl and the abuse happened in the church building when the family helped to clean the building.”</p> <p>DURAN-Cesar Duran.pdf</p> <p>http://www.palmbeachpost.com/ap/ap/crime/local-lds-church-leader-accused-of-child-sexabuse/nXJ45/</p> <p>http://www.kutv.com/news/features/local/stories/vid_3557.shtml</p>
05/14/13	Panama, Chiriqui Province	<p>LDS Unnamed BISHOP “was charged before the Public Ministry with sexual abuse and pedophilia against a child under seven years of age.</p> <p>A leader of the Church of the Latter Day known as the "Mormons" in the province of Chiriqui, was charged with the prosecution of sexual abuse and pedophilia against a child under seven years of age.”</p> <p>"This man, using his performance as a bishop, took advantage of the confidence of parents and their religious principles, and sexually abused the minor, so we have decided to file this complaint for investigation," said jurist.</p>

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	<p>"This man, using his tenure as bishop, took advantage of the trust of parents and religious principles, and sexually abused the minor, so we have decided to file this complaint for investigation," the jurist"</p> <p>"The lawyer explained that inside the room where the religious was located were some videos with pornography, however, the investigations have already begun by the Fifth Circuit Office of Chiriquí. The lawyer explained that in the room where he lived the religious were found some videos with pornography, however, investigations have begun by the Fifth Circuit Prosecutor of Chiriqui."</p> <p>"This means tried to contact the authorities of the Mormon Church, but before multiple efforts no answer was obtained, only it was known by a member of the chapel that the bishop has been separated from the position, while the investigations last. This means that the bishop has been removed from the office for the duration of the investigations."</p> <p>LDS BISHOP-unnamed.pdf http://www.diaadia.com.pa/impacto/acusado-de-abuso-sexual-202115</p>
<p>05/29/13</p> <p>San Diego, California</p>	<p>LDS Tony Burleson "was booked on four counts of lewd and lascivious acts with children." San Diego County sheriff's deputies had been looking for Burleson since Friday when they were contacted by an alleged victim claiming abuse decades ago. Detectives interviewed the person and then found three more victims in this case but would not go into specifics in order to protect the victims' identities."</p> <p>"When asked if there were any recent victims, San Diego County Sheriff's Department Lt. James Bolwerk said, "We believe right before this was found out, there may have been something going on." Prosecutors say Burleson allegedly abused three children over the course of the past eight months,"</p>

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	<p>“Burleson has been charged with two counts of oral copulation on a 17-year-old, which allegedly happened six to eight weeks ago. Prosecutors say Burleson told the minor he/she could make money off the sex acts.”</p> <p>“He has also been charged with lewd and lascivious acts with children 14 and 15 years old”.</p> <p>BURLESON-Tony Burleson.docx http://www.nbcsandiego.com/news/local/Tony-Cappy-Burleson-Arrest-Firearms-Instructor-Santee-El-Cajon-209390101.html#ixzz4hFiMTiLu Follow us: @nbcsandiego on Twitter NBCSanDiego on Facebook</p>
06/26/13	<p>Boise, Idaho</p> <p>“John Does I-IV sued the Boy Scouts of America and the Church of Jesus Christ of Latter-day Saints, in Federal Court. Four former Scouts say they were molested by Scout leaders three of which were LDS.</p> <p>“John Doe I stated that in 1982 he was sodomized and subjected to "physical, sexual and emotional abuse," by his LDS scout leader James Schmidt.”</p> <p>“Doe I claims that both BSA and LDS Church were notified as early as 1979 that Schmidt was a pedophile and had been abusing Scouts.”</p> <p>“Caldwell police arrested Schmidt in 1983 after interviewing 16 Scouts and their parents who documented an undisclosed number of cases involving abuse of minors. Schmidt was ultimately ordered by the court to complete treatment at Johns Hopkins Hospital in Baltimore, for "severe pedophilia," according to the complaint.”</p> <p>Doe II claims Schmidt began abusing him in 1985, when he was 12 years old.</p> <p>Doe III claims he was abused for a week by Scout LDS scout volunteer Dennis Empey, during a camping trip in 1981. Doe was 14 at the time. "Defendant BSA placed Empey on its Ineligible Volunteer Files (IV Files) for molesting Scouts in 1988," the complaint states.</p> <p>"Letters in Empey's IV File document that one of the victims - a member of the LDS Church</p>

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	<p>- told his father in 1987 that Empey had abused him in 1981 at an LDS Chapel in Idaho Falls. No one from BSA reported this incident to the police."</p> <p>"Empey was convicted of molesting children in Provo, Utah in 1991, according to the complaint. That year he moved back to Idaho and was hired by the Teton Council of BSA to do graphic design work, the complaint states."</p> <p>"In association with another case in Idaho in 2005, a man filed an affidavit stating that Empey had molested him in 1983 at the Island Park Scout Camp," the complaint states."</p> <p>Doe IV, alleges that he was molested in 1972 by Scoutmaster Lawrence Libey whose religious affiliation is unknown. The abuse involved fondling, oral sex, and sodomy and Libey forcing Doe IV to have sex with another boy, Doe IV says in the complaint. He claims the abuse occurred "hundreds of times and lasted for approximately 6 years."</p> <p>The BSA Files, according to the complaint, state that: "Between 1920 and 1935, at least 1,000 child molesters, between 50 to 60 per year, were discovered and subsequently excluded from scouting."</p> <p>"Now, 1,365 IV Perversion files still exist that were created between 1960 and 1985, with 25 to 96 IV Perversion files created per year during that time frame. However, the number of IV Perversion files still existing significantly under represent the actual number of adult volunteers that molested scouts because defendant BSA has destroyed many IV Files for a variety of reasons, and because many children do not report their abuse."</p> <p>"Seven Scout leaders in Idaho alone were accused of molestation between 1962 and 1977, and three more accusations arose between 1978 and 1983, according to the complaint" "The plaintiffs claim the BSA and the LDS Church were well aware of the problem. The LDS Church, through individual wards, sponsors many Scout troops in Idaho, and many Scout leaders and volunteers are members of the church, according to the complaint."</p>
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	<p>"Scouting was the official program for boys in the LDS Church, and many boys growing up in the LDS Church were required or strongly encouraged to join scouting,"</p> <p>http://www.courthousenews.com/2013/06/26/58849.htm Boy Scouts, Mormon Church Accused of Abuse By PHILIP A. JANQUART</p> <p>John Doe I-IV v BSA and the Church of Jesus Christ of Latter-day saints Courthousenews.pdf</p>
<p>07/22/13 Washington</p>	<p>N.K., an adult proceeding under a pseudonym v the LDS Church in the Court of Appeals of the State of Washington.</p> <p>“Appellant NK1 was molested in 1977 by a volunteer scout leader with a church-sponsored Boy Scout troop in Shelton, Washington, when The NK was 12 years old. Thirty-two years later, NK brought negligence claims against the church, the Boy Scouts of America (BSA), and the local boy scouting council, for failing to protect him. These claims were dismissed on summary judgment on the ground that the defendants owed no duty to protect NK from a danger of which they were unaware. We reverse as to the church and remand for trial. The church had a protective relationship with NK. From this relationship, a duty arose to take reasonable precautions to protect children in the church's care from foreseeable hazards, a category that may include the risk of child sex abuse by scout leaders. This duty does not depend on the church having prior knowledge that its volunteer scout leader was a molester. In any case, there is evidence that church officials did become aware of the volunteer's dangerous propensities several months before he left town. We also reverse orders that limited NK's discovery from the church in time and scope. As to the scouting defendants, we affirm. There is no evidence that they had a special relationship either with NK or with the adult volunteer who molested him.</p>

FACTS

According to NK, Hall began sexually molesting him in the early summer of 1977, about a week after they met. The first two incidents occurred at NK's home. NK testified that the only reason he ever let Hall into his house when his parents were not there "was because he was one of our Scout leaders." The third incident occurred during a troop sleepover at Hall's apartment. Other incidents occurred during scouting campouts, in the church scout cabin after scout meetings, in Hall's car in the church parking lot, or at Hall's workplace. In all, Hall molested NK 20 to 30 times, approximately on a weekly basis.

Hall also molested at least two of NK's fellow scouts during scouting events and sleepovers. One scout who was not molested stopped participating in Troop 155 because Hall made his family feel uncomfortable. On a Sunday at the end of the summer, Worthy learned from her six-year-old son that Hall had molested him. Worthy reported the abuse to the bishop the same day. The bishop told her not to call the police and that he would "take care of it." The bishop tried to contact Hall. Hall gathered his things from Worthy's home and left town the same night. The bishop called church members in Juneau and made other efforts to contact Hall, but Hall could not be located and he never returned. The bishop held a meeting with the parents of the scouts and asked them to discuss Hall with their sons. Questioned by his parents and then by the bishop, NK denied that Hall had molested him. He did not tell friends or siblings about it either.

NK filed this complaint in November 2009 against BSA, a congressionally chartered national organization, and Pacific Harbors Council of Boy Scouts of America, one of numerous local councils chartered across the country by BSA. The complaint also named two church defendants: Corporation of the President of The Church of Jesus Christ of Latter-Day Saints and Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-Day Saints. The two church defendants, who filed a joint answer and are jointly represented, are corporations established to carry out the temporal affairs of the LOS

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	<p>church, a world-wide religious organization with over thirteen million members.</p> <p>NK alleged that each defendant owed him a duty to protect him from the criminal acts of Hall. He claimed that they failed in their duty in various ways: by failing to check into Hall's background, by allowing him to supervise the children in isolated settings without another adult present, and by failing to train scoutmasters or warn scouts and their families about the danger of sexual abuse in scouting. In August 2011, the court granted dismissal to all defendants on summary judgment for absence of duty. NK assigns error to the orders of dismissal and also to certain orders imposing limits on discovery from the church.</p> <p>....The defendants contend none of them owed NK a duty of protection because they did not possess prior specific knowledge that Hall posed a threat to boys.</p> <p>The court ruled that the BSA had no duty of care to the Plaintiff because the alleged perpetrator was never registered with the scouts but held a duty of care to the Church and reversed the Summary Judgement and remanded to trial.</p> <p>C.J.C. v. Corporation of Catholic Bishop of Yakima, 138 Wn.2d 699, 985 P.2d 262 (1999) is referred to at length. C.J.C. court recognized, as an issue of first impression, that a church's duties to its youth are the same as a school's if the molestation occurs during church activities, when the children are in the "custody and care" of the church: The children of a congregation may be delivered into the custody and care of a church and its workers, whether it be on the premises for services and Sunday school, or off the premises at church-sponsored activities or youth camps. As in other agency relationships, a church chooses its officials, directs their activities, and may restrict and control their conduct. In many respects, the activities of a church, and the corresponding duties legitimately imposed upon it, are similar to those of a school. As a matter of public policy, the protection of children is a high priority. In general, therefore, we find churches (and other religious organizations) subject to the same duties of reasonable care as would be imposed on any person or entity in selecting and supervising their workers, or protecting vulnerable</p>
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		<p>persons within their custody, so as to prevent reasonably foreseeable harm.”</p> <p>RHODES AKA HALL-Dusty Rhodes asa Dusty Hall NK v the LDS Church 67645-8.pdf</p>
09/19/13	Pawtucket, Rhode Island	<p>LDS Julio Morais, 51, “guilty of four counts of first-degree child molestation for sexual assaults that began in 2002 when the child was 7 1/2 years old and continued until she was 12.</p> <p>The victim, whose mother married and had a child with Morais, reported the assaults in 2010 to her religious education instructor at the Church of Jesus Christ of Latter Day Saints. The instructor notified officials at the church’s headquarters in Salt Lake City, Utah, who then contacted Pawtucket police.”</p> <p>MORAIS-Julio Morais.pdf HTTP://WWW.PROVIDENCEJOURNAL.COM/BREAKING-NEWS/CONTENT/20130919-PAWTUCKET-MAN-FOUND-GUILTY-OF-MOLESTING-HIS-STEPDAUGHTER.ECE</p> <p>PAWTUCKET MAN FOUND GUILTY OF MOLESTING HIS STEPDAUGHTER Published: September 19, 2013</p>
09/30/13	Colorado	<p>United States District Court, D. Colorado A.R., by her next friend, Patricia A. Pacetti, Plaintiff, v. The Corporation of the President of the Church of Jesus Christ of Latter–Day Saints, a Utah corporation sole, also known as Mormon Church, and David Scott Frank, Defendants. Civil Action No. 12–cv–02197–RM–KLM</p> <p> </p> <p>“Filed September 30, 2013 ORDER Kristen L. Mix , United States Magistrate Judge:</p> <p>*1 This matter is before the Court on Defendant Corporation of the President of The Church of Jesus Christ of Latter-day Saints' Daubert Motion to Exclude Paul Isenstadt as an Expert</p>

Witness [Docket No. 36; Filed May 15, 2013] (the “Motion”). On June 5, 2013, Plaintiff filed a Response [41] in opposition to the Motion. On June 21, 2013, Defendant Corporation of the President of The Church of Jesus Christ of Latter-day Saints (“LDS”) filed a Reply [44]. The Court has reviewed the Motion, the Response, the Reply, the exhibits, the entire case file, and the applicable law, and is fully advised in the premises. For the reasons set forth below, the Motion [36] is GRANTED in part and DENIED in part.

I. Factual Summary of the Case

In the fall of 2009, at age fifteen, Plaintiff “A.R.” met Bryan Frank at school. A.R. Depo. [36–1] at 67:8–9. Bryan lived with his divorced father, Defendant David Scott Frank (“Frank”). Id. at 86:5–87:9. Defendant “Frank and Bryan were members of the Colorado Springs [Eighth] Ward of the LDS Church.” Motion [36] at 1. Bryan soon invited A.R. to attend Sunday LDS worship services. A.R. Depo. [36–1] at 93:6–9. She first attended Sunday services on January 3, 2010, where she met Defendant Frank in person for the first time. Id. At 93:9–12. A.R. returned to the LDS church on subsequent Sundays, but she cannot remember how many times. Id. at 96:9–13. At that time, Defendant Frank was forty years old and taught Sunday school to thirteen- to fifteen-year-old students at the LDS Church, including A.R.

Response [41] ¶ 2. A.R. and Defendant Frank began to communicate frequently outside of LDS church functions. A.R. Depo. [36–1] at 136:5–24. A.R. testified in her deposition that they “texted” and called each other “thousands and thousands” of times between January 3, 2010, and June 30, 2010. Id. at 140:6–16. Most of these calls and texts occurred between 9:00 p.m. and 3:00 a.m. Id. At 140:19–22. Defendant Frank also sent A.R. emails and pictures of himself, gave her underwear as a gift, and would occasionally hug her in class. Response [41] ¶ 3. One night in late March or April 2010 at about 1:00 a.m., A.R. called Defendant Frank, invited him over to her house, and met him in Defendant Frank's car on the road in front of A.R.'s house. See Police Report [36– 2] at 1–2; A.R. Depo. [36–1] at 149:9–150:25. Although A.R. alleges that they only kissed at this first meeting, they subsequently met twice more in the same manner and engaged in sexual intercourse. See

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Police Report [36–2]at 2; A.R. Depo. [36–1] at 155:24–156:24, 160:7–161:9. The two continued to exchange late night phone calls and text messages during this period. Id. at 159:1–7.

In July 2010, A.R. learned through Facebook that Defendant Frank was engaged to marry a woman. See Police Report [36–2] at 2. She then told her mother about the encounters with Defendant Frank, and her mother called the police. A.R. Depo. [36–1] at 164:22–25, 165:6–7. Defendant Frank was arrested, and he pleaded guilty to a charge of sexual assault of a 15–year–old with more than a 10–year age difference, a class 1 misdemeanor.

Motion[36] at 2; see Colo.Rev.Stat. § 18–3–402(1)(e) (“Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if: (e) At the time of the commission of the act, the victim is at least fifteen years of age ... and the actor is at least ten years older than the victim and is not the spouse of the victim.”). The parties agree that with the exception of “occasional hugging,” no sexual contact occurred between A.R. and Defendant Frank during either Sunday worship services or the Sunday school class taught by Defendant Frank. See Motion [36] at 2–3; A.R. Depo. [36–1] at 107:22–108:2; 121:23–122:22; 123:16–19. *2 Here, A.R. brings suit against Defendant Frank for battery, negligent infliction of emotional distress, and outrageous conduct. Comp. [4] ¶¶ 23–30, 49–53. She sues Defendant LDS for negligent hiring, negligent supervision, breach of fiduciary duty, and outrageous conduct. Id. ¶¶ 32, 37–38, 40, 44, 46–53. Plaintiff offers the expert testimony of Paul Isenstadt (“Isenstadt”) to support her claims. Briefly, Mr. Isenstadt opines: “in the determination of having [Defendant] Frank teach a class of students alone ... church personnel should have reviewed his history and background,” Isenstadt Report [36–4] at 3; “[t]he role of background checks in working in this capacity has become increasingly mandatory in all settings in which an individual may be acting in a [p]osition of [t]rust,” id.; certain steps should have been taken to allow others to monitor Mr. Frank’s classes, id. at 3–4; “a large majority of sexual offenses involve individuals who engage in a cycle of behavior over a period of time,” id. at 4; Defendant Frank “groomed” 1Plaintiff A.R.,

id.; “[i]dentified sex offenders ... tend to be very engaging and ingratiating in ‘setting up’ their victims,” id. at 5; Defendant Frank has a STATIC–99R 2 score of two, id. at 6; Defendant Frank’s “tattoos alone, given church teachings[,] should have generated some concern” about his background, id.; “[t]here does not appear to be any mentoring that occurred in regard to [Defendant] Frank with this class of adolescents.” Id. At 8. Mr. Isenstadt also expresses “concern” about other topics. For example, among other things, Mr. Isenstadt expresses “concern” regarding his belief that Defendant LDS did not interview Defendant Frank or review his background and his interest in teaching. Id. At 7. In the present Motion, Defendant LDS asserts multiple grounds for excluding Mr. Isenstadt’s testimony pursuant to Fed.R.Evid. 702 . First, Defendant LDS argues that Mr. Isenstadt is unqualified to serve as an expert “on standards of care for selecting and retaining teachers,” or on “the standard of care for churches.” Motion [36] at 5. Second, Defendant LDS argues that Mr. Isenstadt’s opinions are unreliable, as they make assumptions that are contrary to the facts. Id. at 8. Third, Defendant LDS argues that Mr. Isenstadt’s opinions will not assist the trier of fact, as they are “merely observations which are within a lay jury’s ability.” Id. At 5. Defendant LDS addresses the allegedly objectionable opinions in Mr. Isenstadt’s report one-by-one, noting where and how it believes each fails to meet the requirements of Fed.R.Evid. 702 and the standards prescribed in Daubert. 3

The Court summarizes these objections as follows:

1. Defendant LDS objects to Mr. Isenstadt’s opinion that Defendant Frank assumed “a Position of Trust in teaching a class of adolescent students” on the grounds of lack of expertise. Motion [36] at 6 (citing Isenstadt Report [36–4] at 3).
2. Defendant LDS objects to Mr. Isenstadt’s assertion that “the role of background checks ... has become increasingly mandatory in all settings in which an individual may be acting in a Position of Trust” on the grounds of lack of expertise and failure to specify how his “experience leads to the conclusion reached.” Id. (citing Isenstadt Report [36–4] at 3; Fed.R.Evid. 702 advisory committee’s note)
3. Defendant LDS objects to Mr. Isenstadt’s opinions regarding classroom safety, including

concerns about class monitoring, on the grounds of lack of expertise and relevance. Id. at 7–8 (citing Isenstadt Report [36– 4] at 3–4).

4. Defendant LDS objects to Mr. Isenstadt's opinions regarding “grooming” cycles on the ground of relevance. Id. at 8–12 (citing Isenstadt Report [36–4] at 4–5). 4

5. Defendant LDS objects to Mr. Isenstadt's opinions regarding issues of recidivism and application of STATIC–99R on the grounds of relevance. Id. (citing Isenstadt Report [36–4] at 6).*3

6. Defendant LDS objects to Mr. Isenstadt's “concern” about Defendant LDS's alleged failure to report Defendant Frank's misconduct to the proper authorities on the grounds of lack of expertise, relevance, and the “uncontradicted testimony that [Defendant LDS] learned about the misconduct after [A.R.'s] mother had already notified the police and the criminal investigation had already commenced.” Id. at 14 (citing Isenstadt Report [36–4] at 7; Depo. Of Patricia Pacetti [36–7] at 95:7–96:1; Depo. of Todd Miller [36–8] at 70:20–25, 76:9–17).

7. Defendant LDS objects to Mr. Isenstadt's “concern” about why Defendant Frank was not interviewed, why his record was not annotated for a history of abuse, and why Defendant LDS was not more concerned about his tattoos, on the grounds of lack of the necessary qualification “to opine on the standard of care for ‘calling’ teachers,” relevance, and reliability. Id. at 14–15 (citing Isenstadt Report [36–4] at 7). Plaintiff objects to the Motion and contends that Mr. Isenstadt is qualified to testify as an expert in these matters pursuant to Fed.R.Evid. 702 .

Response [41]

¶ 9. Plaintiff counters Defendant LDS's arguments by asserting that Defendant LDS failed to perform either a Daubert analysis or an analysis pursuant to Fed.R.Evid. 702 , and that Defendant LDS's “blanket objection” to the “portions of Mr. Isenstadt's report that are unfavorable to [Defendants'] case” is insufficient to support excluding Mr. Isenstadt as an expert witness. Id. ¶ 14. Plaintiff argues that Mr. Isenstadt has not been endorsed, as Defendant LDS alleges, as an expert on church practices, but as “an

expert in practices for evaluating employees/volunteers and in evaluating sexual offenders.”
Id.

¶ 18. Plaintiff asserts that Mr. Isenstadt's fifty years of experience in these fields establish his expertise and his ability to testify as an expert witness on these matters. Id. ¶ 24. Plaintiff also alleges that “Mr. Isenstadt's opinions are based on sufficient facts and data,” id. ¶ 34, and are “instructive to the jury on issues of [Defendant] LDS's organizational practices for evaluating employees/volunteers, [Defendant Frank]'s behavior as [a] sexual offender, and [Defendant] LDS's safety practices to prevent offender behavior.” Id.

¶ 29. Plaintiff further alleges that Mr. Isenstadt applied “reliable principles in arriving at his opinions,” satisfying the factors prescribed in Daubert. Id. ¶ 39. In the event that the Court considers precluding any part of Mr. Isenstadt's testimony, Plaintiff also “moves the Court for a Daubert hearing to qualify Mr. Isenstadt as an expert witness in this matter.” Id.

¶ 13.*4 In its Reply, Defendant LDS argues that “[t]his is a negligence case [, and that if Mr.] Isenstadt cannot testify to the relevant standard of care, he cannot be of assistance to the jury.” Reply [44] at 3. Defendant LDS again challenges Mr. Isenstadt's qualifications, alleging he is not an expert on background checks, classroom safety measures, or the applicable standard of care for churches. Id. at 3–5. Defendant LDS also makes a variety of arguments about the relevance and reliability of Mr. Isenstadt's specific opinions on Defendant Frank's “grooming” behaviors and Defendant LDS's alleged “failure to report.” Id. at 5–8.

To Read the Court's Analysis in this Motion see FRANK-David Scott Frank-AR v COP.pdf

III. Conclusion

For the reasons set forth above,

IT IS HEREBY ORDERED that the Motion [36] is GRANTED in part and DENIED in part. The Motion is GRANTED to the extent that it seeks to exclude all of Mr. Isenstadt's expert opinions except for the two portions of his expert report indicated above.

*11 IT IS FURTHER ORDERED that portions of Mr. Isenstadt's Report [36–4] are

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		<p>STRICKEN as indicated above.” IT IS FURTHER ORDERED that Plaintiff's request for a Daubert Hearing is DENIED. All Citations Not Reported in F.Supp.2d, 2013 WL 5463518” A.R. by Pacetti v. Corporation of President of Church of..., Not Reported in... © 2017 Thomson Reuters. No claim to original U.S. Government Works. 3 End of Document © 2017 Thomson Reuters. No claim to original U.S. Government Works.</p> <p>2013 WL 5463518 Only the Westlaw citation is currently available. FRANK-David Scott Frank-AR v COP.pdf</p>
10/03/13	Gig Harbor, Washington	<p>LDS Elwood Anderson, “A Gig Harbor man described as an upstanding member of the community and his church has been deemed Washington state’s top downloader of child pornography, authorities said.”</p> <p>“Upwards of 9,000-10,000 images,” were found according to Lt. Ron Mead. And “these are hardcore graphic images of underage children,” said Mead.</p> <p>A neighbor told KIRO 7 Eyewitness News that Anderson, who goes by Woody, is married, the father of four girls, and according to Tony, one of the nicest people you will ever meet.” “We knew him to be a very upstanding citizen, member of the community, and member of his church community with the Mormon Church,” said Tony. State's top downloader of child porn busted, police say by: Richard Thompson Updated: October 3, 2013 http://www.kiro7.com/news/states-top-downloader-child-porn-busted-police-say/246074567?nmredir=true</p>
10/10/13	Texas	<p>In the Corporation of the President of the Church of Jesus Christ of Latter-day Saints, The Church of Jesus Christ of Latter–Day Saints,and The Corporation of The Presiding Bishop of The Church of Jesus Christ of Latter–Day Saints, Appellants,</p>

versus John DOE, Appellee. No. 13–13–00463–CV.

“The Church of Jesus Christ of Latter-day Saints filed a petition seeking permission to appeal an interlocutory order. See Tex.R.App. P. 28.3(a) (requiring a party seeking to pursue a permissive appeal of an interlocutory order to petition the court of appeals for permission to appeal). This petition was before Chief Justice VALDEZ and Justices RODRIGUEZ and GARZA.

Excerpts from the memorandum opinion follows:

I. BACKGROUND

In his original petition, Doe asserted that Eustacio Munioz sexually assaulted him on numerous occasions from 2002, when he was fourteen years old, through 2009, when he was twenty-one. Doe alleged that Munioz committed an intentional tort and that the Church was vicariously liability for the acts of Munioz, who Doe claimed was the Church's employee or agent at that time. Doe alleged that the Church was directly liable for, among other things, negligently hiring, training, retaining, and supervising Munioz when they knew or should have known of his dangerous propensities. Doe also claimed in his first amended petition that Munioz coerced and threatened him with reports of criminal prosecution if he reported the assaults or otherwise made a claim. The Church filed a traditional motion for summary judgment. 1 In its motion, the Church contended that Doe's claims were time-barred by the applicable statute of limitations. Doe filed his response, asserting that there were fact issues and that the continuing tort doctrine and duress tolled limitations. After the trial court heard the motion and received additional briefing regarding the tolling doctrines, the trial court generally denied the Church's motion for summary judgment. Upon the Church's request that the trial court allow it to file a petition for permissive appeal, the trial court signed an amended order. The order again denied the Church's motion without providing a basis for the trial court's ruling. It set out the statutory language of section 51.014(d) and rule 168 and noted the following controlling question of law: “Are the Church Defendants entitled to summary judgment on their statute of limitations defense?” The Church timely filed its petition for permissive appeal in this Court. See TEX.R.APP. P. 28.3 .”

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		<p>The Court denied the Church's petition for permissive appeal.</p> <p>MUNIOZ-Eustacio Munioz COP v John DOE Appellee No 13-13-00463-CV 2.pdf</p>
11/08/13	Ogden, Utah	<p>LDS Orin Ervin Searle “was charged with sexually abusing a child but been deemed incompetent to stand trial. The abuse appeared to be repeated incidents of aggravated sexual abuse with the same victim.</p> <p>A victim claims that his predatory behavior has gone on from the late 50's to early 60's at least. She states that several family members knew that he was a child abuser and did nothing to stop him. She declared that “His church the LDS 44th Ward Mount Ogden Stake knew and did nothing.”</p> <p>SEARLE-Orin Ervin Searle.docx</p> <p>Ogden man, 87, charged with child sex abuse found incompetent Andreas Rivera, Standard-Examiner staff Nov 8 2013 http://www.standard.net/stories/2013/1/07/man-charged-child-sex-abuse-found-incompetent-trial</p>
01/10/14	Mesa, Arizona	<p>LDS Bishop Michael Wayne Coleman has been accused of sexually exploitation of a minor. Investigators found explicit sexual conversations with underage boys on Coleman's computer. This man was the Bishop of the Lehi 2nd Ward Mesa. COLEMAN-Michael</p> <p>Wayne Coleman LDS Bishop.pdf http://www.myfoxphoenix.com/story/24535211/2014/01/23/mormon-bishop-arrested-in-mesa-forluring-teen-boy#ixzz2rKfwBnsD</p>
01/28/14	Utah	<p>Kareena MacGREGOR, Plaintiff and Appellant, v. Douglas WALKER, individually and in his official capacity as Bishop of the Willow Canyon 4th Ward, Sandy Utah East</p>

Stake of the Church of Jesus Christ of Latter–Day Saints; Corporation of the President of the Church of Jesus Christ of Latter–Day Saints, A Utah Corporation sole et al.; Defendants And Appellees. No. 20120452.

“Background: Parishioner, who was victim of sexual abuse, filed a personal injury suit against church pastor and church, alleging that pastor owed her a duty of care based on her status as a member of his congregation and that pastor negligently failed to report the abuse. The Third District, Salt Lake, Glen K. Iwasaki , J., granted summary judgment in favor of pastor and church, and parishioner appealed.” The Supreme Court, Parrish , J., held that church's creation of professionally staffed help line did not give rise to duty to aid abuse victims. Excerpts are provided as follows:

Supreme Court of Utah.

Opinion

Justice PARRISH , opinion of the Court:

¶ 1 We are asked to decide whether a church's creation of a help line for the benefit of its clergy gives rise to a duty to parishioners who counsel with clergy. Specifically, we are asked to determine whether, pursuant to section 323 of the Restatement (Second) of Torts, the Church of Jesus Christ of Latter-day Saints (LDS Church or Church) and its clergy voluntarily assumed a duty to aid abuse victims by virtue of its “Help Line.” This professionally staffed Help Line provides Church clergy who become aware of an abusive situation with information about legal duties and counseling options. We conclude that the Church's creation of the Help Line did not give rise to such a duty because, regardless of whether the Church voluntarily undertook to render a service to abuse victims by virtue of the Help Line, a clergy member's failure to use the Help Line does not increase a victim's risk of harm. Moreover, public policy disfavors the imposition of a duty where it would discourage organizations from providing services that may ultimately benefit victims of abuse.

FACTUAL AND PROCEDURAL BACKGROUND

I. THE CHURCH'S HELP LINE

¶ 2 In 1995, the Church established the Help Line, a 1-800 number that bishops and other Church clergy can call when they become aware of possible abuse. The Help Line is available 24 hours a day, 365 days a year and is staffed by legal and counseling professionals who “provide guidance to the bishop on how to protect the [victim] from further abuse, and how to deal with the complex emotional, psychological, and legal issues that must be addressed in order to protect the victim.” In some cases, attorneys are also available to “advise bishops on legal issues to ensure compliance with reporting statutes.”

¶ 3 The Help Line is available only to Church ecclesiastical leaders. Help Line employees neither learn the names of potential victims, nor do they communicate with the victims. In cases where Church leaders use the Help Line, they still have the discretion to proceed as they believe appropriate under the circumstances.

II. MACGREGOR'S ALLEGATIONS AGAINST THE CHURCH DEFENDANTS

A. MacGregor's Relationship with Her Teenage Neighbor and Interactions with Clergy

¶ 4 Beginning at the age of twelve and continuing until age fifteen, Kareena *708 MacGregor engaged in regular sexual touching with her neighbor Matthew, who was four years older than she. MacGregor's parents, Matthew's parents, and the police each became aware of MacGregor and Matthew's relationship. When MacGregor was either fourteen or fifteen, she also met and became sexually involved with Gregory, who was seventeen at the time. 1

¶ 5 During this time frame, MacGregor alleges that she met and counseled with her and Matthew's LDS bishop, Douglas Walker, on two separate occasions. 2 MacGregor allegedly told Walker that she wanted the relationship with Matthew to stop and that she wanted to repent. According to MacGregor, Walker told her to pray, read her scriptures, and stop seeing Matthew. MacGregor never informed Walker of her relationship with Gregory. Walker was aware of the Help Line and had used it on other occasions, but he did not call the Help Line “about any issue relating to [MacGregor].”

B. MacGregor's Personal Injury Suit Against the Church Defendants

¶ 6 In April 2008, MacGregor filed a personal injury suit against Walker, the Church (collectively the Church Defendants), and several other defendants. 3 MacGregor initially premised her claim against the Church Defendants on the theory that Walker owed her a duty of care based on her status as a member of his congregation and that Walker negligently failed to report the abuse as required by Utah Code section 62A-4a-403(3)(a) (Reporting Statute). She also alleged that the Church was vicariously liable for Walker's negligent conduct under the doctrine of respondeat superior.

¶ 7 The Church Defendants moved for summary judgment, asserting that they owed no duty to MacGregor. Specifically, they argued that the Reporting Statute imposes criminal penalties only and does not give rise to a duty that would support a negligence claim. The Church Defendants also argued that there is no "special relationship" between a church and its members that would impose on it a duty to protect its members against the criminal acts of third parties. In response, MacGregor disclaimed any suggestion that the Church's duty arose by virtue of the Reporting Statute or a special relationship between the Church and its members. Instead, she argued that, by creating the Help Line, the Church voluntarily undertook a duty to help MacGregor and all other Church members who are victims of child abuse. She further alleged that Walker breached that duty by failing to call the Help Line regarding her case.

¶ 8 Because MacGregor did not raise this voluntary undertaking theory in her complaint, the district court found the claim was not properly pled. But it nevertheless chose to address the claim "in an effort to decide the matter on its merits rather than a technicality." After considering supplemental briefing regarding the Help Line, the district court granted summary judgment in favor of the Church Defendants. In granting summary judgment, the district court did not rely on the voluntary undertaking theory; instead it reasoned that the Church Defendants were immune from suit under the First Amendment of the U.S. Constitution.

¶ 9 MacGregor appeals the dismissal of her claims against the Church Defendants. She contends that the Church voluntarily assumed a duty by virtue of the Help Line and that the district court erred in concluding that the Church was immune from suit under the First

Amendment. We do not reach the issue of First Amendment immunity because we find that even if the Church Defendants voluntarily undertook to render a service to *709 MacGregor by virtue of the Help Line, the existence of the Help Line did not increase MacGregor's risk of harm. We have jurisdiction pursuant to Utah Code section 78A-3-102(3)

CONCLUSION

¶ 31 We affirm the district court's entry of summary judgment in favor of the Church Defendants. The Church's creation of the Help Line did not give rise to a duty to MacGregor because, regardless of whether the Church undertook to render a service to MacGregor by virtue of the Help Line, the existence of the Help Line did not increase her risk of harm. The risk MacGregor faced was the same as that she would have faced had the Church never created the Help Line. And the imposition of a duty based solely on the creation of the Help Line would be contrary to public policy because it would discourage organizations from providing such services.

Justice PARRISH authored the opinion of the Court, in which Chief Justice DURRANT, Associate Chief Justice NEHRING , Justice DURHAM , and Justice LEE joined.

All Citations

322 P.3d 706, 753 Utah Adv. Rep. 14, 2014 UT 2

Footnotes

1 In September 2002, at the age of fifteen, MacGregor gave birth to Gregory's baby in her home. MacGregor alleged that she did not know she was pregnant until after giving birth. The baby died after MacGregor put him in a window well.

See State ex rel. K.M. for a more thorough recitation of the facts surrounding MacGregor's pregnancy and the baby's death. 2007 UT 93, 173 P.3d 1279.

2 In their motion for summary judgment, Walker and the Church denied that Walker had any knowledge of the abuse, but they assumed knowledge solely for summary judgment purposes.

3 MacGregor also named Gregory, Matthew, Matthew's parents and brother, Deseret Memorial Inc., and Holbrook Funeral Chapel Inc. as defendants in the suit.

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	<p>4 In addition to establishing a duty, a plaintiff must also establish “(2) that the defendant breached that duty, (3) that the breach of duty was the proximate cause of the plaintiff injury, and (4) that the plaintiff in fact suffered injuries or damages.” Torrie v. Weber Cnty., 2013 UT 48, ¶ 9, 309 P.3d 216 (internal quotation marks omitted). 5 A court may look to general policy considerations when determining the existence of a duty. AMS Salt Indus., Inc. v. Magnesium Corp. of Am., 942 P.2d 315, 321 (Utah 1997). As Dean Prosser famously noted, “Duty is not sacrosanct in itself, but is only an expression of the sum total of those considerations of policy which lead the law to say that the plaintiff is entitled to protection.” W. PAGE KEETON ET AL, PROSSER AND KEETON ON THE LAW OF TORTS § 53(5th ed.1984). End of Document © 2017 Thomson Reuters. No claim to original U.S. Government Works. MacGregor v. Walker, 322 P.3d 706 (2014) 753 Utah Adv. Rep. 14, 2014 UT 2 © 2017 Thomson Reuters. No claim to original U.S. Government Works. 1 322 P.3d 706</p> <p>http://cases.justia.com/utah/supreme-court/20120452.pdf?ts=1396150914</p> <p>MacGregor v COP UTAH Jan 2014 No 20120452.pdf</p>
03/25/14	<p>Layton, Utah</p> <p>LDS Timothy Morgan Butler “was arrested on “March 25, 2014, after a 10-year-old girl accused him of touching her inappropriately, court records say. He told officers he sexually abused another child under the age of 10 around the same time as the first child, according to court records. Butler pleaded guilty to three counts of attempted aggravated sexual abuse of a child.</p> <p>Butler told a judge he found God when serving jail time 20 years ago (he was ordered to serve a year sentence in the Davis County Jail 20 years ago for a drug possession charge) when he read the Book of Mormon. Timothy Morgan Butler explained as he spoke at a</p>

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		<p>scheduled sentencing hearing before Judge Glen Dawson on Tuesday, Sept. 6, in 2nd District Court. Butler said he was a member of the LDS Church at that time.”</p> <p>BUTLER-Timothy Morgan Butler.pdf Layton man accused of child sex abuse tells Judge how he found God LORETTA PARK, Standard-Examiner TUESDAY, SEPTEMBER 06, 2016 http://www.standard.net/Courts/2016/09/06/Layton-man-accused-of-child-sex-abuse-tells-judge-how-he-found-God</p>
05/12/14	Provo, Utah	<p>LDS Keith Robert Vallejo, a Mormon Bishop was found "guilty of nearly a dozen sex abuse-related crimes...4th District Court jury found Vallejo guilty of ten counts of second-degree felony forcible sexual abuse and one count of object rape, a first-degree felony.....The second victim reported to police that Vallejo also groped her while she was sleeping on a couch at the Vallejo home in 2014, when she was 17 years old.A family member reported the abuse to police in January 2015, according to court records. A lawyer with the firm that represents the Church of Jesus Christ of Latter-Day Saints also reported the allegations during that time."</p> <p>VALLEJO-Keith Robert Vallejo.pdf http://www.sltrib.com/news/5111197-155/no-one-is-really-saying-hes?page=2</p>
05/22/14	Colorado	<p>Ashley Lindeman, Plaintiff,v.The Corporation of the President of the Church of Jesus Christ of Latter–Day Saints, a Utah Corporation Sole a/k/a the Mormon Church; and David Scott Frank, Defendants.Civil Case No. 12–cv–02197–RM–KLM</p> <p>“LDS Defendant Frank, is 40 years old and is alleged to have sexually abused a child of 15 years. Frank was the 15 year-old-girl's Sunday School Teacher. On April 18, 2011, Defendant Frank pled guilty to sexual assault with a 10–year age difference, a class 1 misdemeanor. An action against the Church was brought by the Plaintiff.”</p> <p> Signed May 22, 2014</p>

	<p>“Synopsis Background: Parishioner brought action against church and Sunday School teacher, alleging various tort claims, including battery and negligence, relating to sexual encounters between parishioner and teacher when parishioner was 15 years old. Parties cross-moved for summary judgment.</p> <p>Holdings: The District Court, Raymond P. Moore , J., held that: [1] genuine issue of material fact existed as to whether parishioner's claims against teacher were in essence claims for seduction; [2] under Colorado law, harm of being sexually assaulted by teacher was not foreseeable; [3] teacher's conduct of engaging in sexual encounter was not foreseeable; [4] teacher and church did not have fiduciary relationship as to parishioner; and [5] church exposing parishioner to teacher was not outrageous conduct. Motions granted in part and denied in part.</p> <p>ORDER ON MOTIONS FOR SUMMARY JUDGMENT</p> <p>RAYMOND P. MOORE, United States District Judge</p> <p>THIS MATTER is before the Court on the following motions: (1) Defendant the *1200 Corporation of the President of the Church of Jesus Christ of Latter–Day Saints' (“Defendant Church”) Motion for Summary Judgment (ECF No. 47); (2) Plaintiff Ashley Lindeman's (“Plaintiff”) Motion for Summary Judgment on Plaintiff's Claims of Negligent Hiring and Supervision against Defendant Church (ECF No. 49); (3) Plaintiff's Motion for Summary Judgment on Plaintiff's Claim of Battery against</p>
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Defendant David Scott Frank (“Defendant Frank”) (ECF No. 50); and
 (4) Defendant Frank’s Motion for Summary Judgment on Plaintiff’s First, Second, Fifth, and Sixth Claims for Relief (ECF No. 51) (collectively, “Motions”).
 On May 1, 2014, the Court heard oral argument and subsequently received Defendant Church’s Supplement Brief (ECF No. 76). This case was originally filed in the District Court for the County of El Paso, Colorado and removed to this Court based on diversity jurisdiction under 28 U.S.C. § 1332 . Upon consideration of the Motions and related filings, the Court file, the applicable rules and law, and the argument of counsel, the Court:

- (1) grants Defendant Church’s Motion for Summary Judgment;
- (2) denies Plaintiff’s Motion for Summary Judgment against Defendant Church;
- (3)denies Plaintiff’s Motion for Summary Judgment against Defendant Frank; and
- (4) denies in part and grants in part Defendant Frank’s Motion for Summary Judgment.

II. OVERVIEW
 Plaintiff met Defendant Frank through his son (“Son”), one of Plaintiff’s classmates. Plaintiff began attending the Franks’ church, Defendant Church, including the Sunday School class which Defendant Frank taught. Over time, and after many communications, Defendant Frank and Plaintiff had sexual intercourse twice. At the time, Defendant Frank was 40 and Plaintiff was 15. Defendant Frank subsequently pled guilty to sexual assault with a 10– year age difference. The issue before the Court is whether either Defendant is liable to Plaintiff civilly for the sexual encounters. Defendants unequivocally admit that what occurred should not have, and Defendant Frank’s actions cannot be condoned, but argue, independently, each is not liable in whole or in part. The Court agrees, in part.*1201

III. FACTUAL BACKGROUND
 Defendant Church’s “Calling” of Defendant Frank to be a Sunday School teacher.

Defendant Church “calls” on virtually all adult members who attend church regularly to perform unpaid, volunteer service within their local “ward” (congregation). (ECF No. 54–5, ¶ 4.) The ecclesiastical leader of a local church ward is the bishop and he has two counselors with whom he consults regarding most decisions, including which members to call to volunteer positions in the ward. (ECF No. 54–5, ¶ 5.) A name may be suggested to the bishop as to whom to call. (ECF No. 54–7, page 7. 2) The bishop prays for inspiration and, after deciding whom to call, he conducts an ecclesiastical interview to determine that person’s moral worthiness and willingness to serve. (ECF No. 54–5, ¶ 6.) If the member affirms his/her worthiness and accepts the calling, the bishop or one of the counselors announces the assignment to the congregation in an open meeting and asks if there are any objections. If there is an objection, the bishop meets with the objector to determine the reason for his/her objection. A single objection may thwart the calling. Defendant Church seeks to mitigate the risk of abuse and other misconduct by drawing upon the collective knowledge of the congregation. (ECF No. 54– 5, ¶ 7.)

Defendant Church teaches abuse cannot be tolerated in any form. (ECF No. 54–5, ¶ 3.) It keeps a membership record where an “annotation” is placed for any member who has engaged in conduct endangering children or youth. When a member’s record is annotated, he or she is not allowed to serve with children or youth. (ECF Nos. 48–5, page 40; 48–7.)

Defendant Church has a 24/7 “Help Line” for bishops to call whenever they become aware of child abuse, which a professional therapist answers to discuss options for assisting the victim. An attorney may join on the call. (ECF No. 54–5, ¶ 8.)

The calling of a Sunday School teacher is limited to teaching a class on religious doctrine for about 40 minutes each Sunday in a group setting. (ECF No. 54–5, ¶ 4.) Defendant Church has a “two-deep” policy for certain settings where two adults must be

present, including Sunday classrooms with “children” age 11 or under. 3 (ECF Nos. 54–5, ¶ 9; 48–5, page 48.)

Defendant Church does not apply the two-deep policy to teenage Sunday School classes because there are several teenagers in the classroom, the doors are not locked, the church is full of people, other adults are frequently in and out of the classroom, and the class is short. (ECF No. 54–5, ¶10.) Across all of its churches, Defendant Church holds thousands of Sunday School classes each Sunday and is aware of only one instance of sexual misconduct on church property involving a Sunday School teacher and a member of his class. (ECF No. 54–5, ¶ 11.) That incident involved a brief grope in the hallway outside the classroom. (ECF No. 54–5, ¶ 11.)

In 2008, Bishop Todd Miller was the ecclesiastical leader of the Eighth Ward of Defendant Church in which Defendant Frank and Son were members. (ECF No. 47–2, pages 12 & 21.) In December 2009, Bishop Miller designated Defendant Frank as a Sunday School teacher, after prayerfully considering the needs of the ward *1202 and the member. (ECF No. 47–2, pages 15, 21 & 22.) No one in the congregation objected to his approval as a Sunday School teacher. (ECF No. 47–12, page 3.) Bishop Miller first met Defendant Frank in 2003, when Bishop Miller was a member and not a bishop. (ECF No. 47–2, pages 20–22.) As a Sunday School teacher, Defendant Frank's duties were limited to preparing for and teaching Sunday School class. (ECF No. 47–1, pages 126–127.) At the time of his calling, Defendant Frank's membership record bore no annotation for abuse. (ECF No. 48–5, page 53.) Bishop Miller had no knowledge of any criminal history involving Defendant Frank but was aware that around the time of the end of Defendant Frank's first marriage, he had taken his children across state lines. (ECF No. 48–5, pages 29, 35–37.) Bishop Miller viewed this as a dispute between husband and wife; a misunderstanding. (ECF No. 48–5, pages 37–38.) Defendant Church does not conduct background checks, and none was conducted of Defendant Frank. (ECF No. 47–12, page 4; ECF No. 48–5, pages 29.) If a criminal background check had been conducted of Defendant Frank it would have revealed the

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	<p>following: 4</p> <ol style="list-style-type: none">1. March 26, 2002: Defendant Frank was arrested for misdemeanor violation of a restraining order (ECF 47-4);2. April 25, 2002: In a domestic relations matter, a permanent protective order was entered by consent with no admission of the allegations (ECF No. 47-5);3. January 13, 2003: After initially being arrested on March 19, 2002, Defendant Frank was found guilty of four counts of violation of custody (class 5 felony), fined, and sentenced to 60 days work release and three years' probation. On January 6, 2006, Defendant Frank was discharged from supervision and his sentence terminated after satisfying all court orders and probation terms and conditions. (ECF Nos. 47-4, 47-6, 47-7.) This is the matter to which the parties refer to as "kidnapping," which arose from Defendant Frank moving with his children to Tennessee (ECF No. 54-2, page 6);4. June 5, 2003: Defendant Frank pled guilty to violating a restraining order, resulting in a fine, suspended jail sentence, and probation. On April 15, 2005, he was discharged from further supervision and his probation sentence terminated after satisfying all court orders and conditions of probation (ECF Nos.47-8 & 47-9);5. August 11, 2005: Defendant Frank was arrested for violating a restraining *1203 order for calling his exwife 38 minutes after the time permitted by the order. (ECF No. 47-10.) The arrest was made pursuant to a domestic violence complaint;6. August 24, 2005: Defendant Frank was arrested for violating a restraining order for calling his ex-wife eight minutes prior to the time permitted by the order. (ECF No. 47-11.) The arrest was made pursuant to a domestic violence complaint; and7. December 12, 2008: Defendant Frank was arrested for misdemeanor violation of a restraining order. 5 He had called his daughter on her birthday. (ECF No. 54-2, page 8.) If Bishop Miller had knowledge of the information stated in the Colorado Database concerning Defendant Frank, he probably would not have extended a calling. (ECF Nos. 48-5, pages 39-40; 48-11.) The information shown to Bishop Miller and eliciting the negative response was, however, a summary which contained no explanation. (ECF No. 48-11.)
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Plaintiff's Interactions with Defendant Frank. In about the fall of 2009, Plaintiff met Son at school and she was attracted to him. (ECF No. 54–6, pages 85 & 89.) Plaintiff and Son had frequent communications by telephone and text message on a cell phone shared by the Franks. (ECF No. 54–6, pages 86–87.) At some point in time, Defendant Frank responded to a communication Plaintiff sent to Son on the shared cell phone. (ECF No. 47–1, pages 133–135.) Whether there was a single communication or more is disputed, but such dispute is immaterial under the facts and circumstances of this case. (Compare ECF No. 47–1, pages 133–135 with ECF No. 55–2, page 1.)

On January 3, 2010, because Plaintiff was interested in learning about the Mormon Church, she attended the Eighth Ward at Son's invitation. (ECF No. 47–1, pages 88, 93, 133.) There, Plaintiff met Defendant Frank in person for the first time. (ECF No. 47–1, pages 91 & 135.)

Between worship and Sunday School class, sometimes there were communications between Plaintiff and Defendant Frank, but Plaintiff was not sure there was any romantic or sexual content. (ECF No. 47–1, page 108.) In the Sunday School class Defendant Frank taught, there were anywhere between five and 12 students, boys and girls, in Plaintiff's age group. (ECF No. 47–1, pages 120–121.) There was no co-teacher. There are two doors to the room, which were closed during class and, at that time, had a peephole that allowed people to look into the room but no window. (ECF *1204 Nos. 47–1, page 123; 48– 5, page 46; 48–6.)

During class, Defendant Frank had no physical contact with Plaintiff or the other students but did text her while teaching. (ECF Nos. 47–1, page 126; 52–3, pages 171–172.) Plaintiff was never alone with Defendant Frank during the class. (ECF No. 48–10, page 124.) The frequency in which the class had visitors is disputed but, in this case, such dispute is not material. (ECF No. 47–1, page 123; 47–12, page 2.) After Sunday School Class, Plaintiff attended the Young Women's Class. (ECF No. 47–1, pages 97, 109.) During the Young Women's Class, Defendant Frank would text her to skip class and hang out with him, but she did not. (ECF No. 47–1, page 118.) Sometimes, after the Young Women's

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Class, she would help Defendant Frank put up chairs in the Sunday School room. (ECF No. 47-1, pages 109-110.) They were alone during that time and sometimes he would hug her, but there were no wandering hands. (ECF No. 47-1, pages 109-110, 123-124.)

At some point in time, and somewhere other than at the Eighth Ward, Defendant Frank gave Plaintiff a gift of "Tinker Bell" panties. (ECF No. 55-2, page 2.) 6

In late April 2010, around 1:00 a.m., Defendant Frank came over to Plaintiff's house. By then, Plaintiff and Defendant Frank were sexually interested in each other. (ECF No. 47-1, pages 147-149.) Plaintiff went out to Defendant Frank's car, willingly and without coercion, and, with her consent, they kissed but did not have sexual relations. (ECF No. 47-1, pages 149 & 152.)

In late May 2010, Plaintiff met Defendant Frank in his car outside her house again and they had "consensual" 7 sexual relations. (ECF No. 47-1, pages 133, 156-158.)

This was the first time Plaintiff had sexual intercourse. (ECF No. 47-1, page 133.) Defendant Frank stopped going to church or teaching Sunday School class thereafter. (ECF No. 55-2, page 1.)

On June 25, 2010, a Friday evening, Plaintiff met Defendant Frank in his car outside her house for a third time where *1205 she again had consensual sex. (ECF No. 47-1, pages 160-161.) At the time of the sexual encounters, Plaintiff was 15 and Defendant Frank was 40.
(ECF No. 49-3, page 5.)

Defendant Frank led Plaintiff to believe he wanted to have a long-term relationship with her. (ECF No. 47-1, page 132.) He said he wanted to marry Plaintiff and "stuff like that," which Plaintiff believed was said to manipulate her into having sexual interactions. (ECF No. 47-1, page 132.) She thought about marrying him when she turned 18. (ECF No. 47-1, pages

132–133.)

On or about July 16, 2010, Plaintiff saw on Facebook that Defendant Frank had another woman in his life. Once Plaintiff realized she was not going to get married to Defendant Frank, she felt hurt, betrayed, manipulated and angry. (ECF Nos. 47–1, page 164; 49–2, pages 61, 63–64.) She called and told her mother, who reported the matter to the police. (ECF No. 47–1, pages 164–165.) At first, Plaintiff told her mother that she had been raped because she felt like she had—that Defendant Frank had forced her mind to thinking it was okay. (ECF No. 47–1, page 165.)

In October 2010, after criminal charges were filed against Defendant Frank, Bishop Miller became aware of the relationship and removed Defendant Frank as a SundaySchool teacher. 8 (ECF No. 48–5, page 17; ECF No. 11,

¶ 22.) On April 18, 2011, Defendant Frank pled guilty to sexual assault with a 10–year age difference, a class 1 misdemeanor. (ECF No. 49–3, pages 2–3.) Defendant Frank had no prior arrests or convictions for sexual misconduct. (ECF Nos. 47–4 to 47–11; 48–11.) Plaintiff's suit seeks to recover damages for physical and psychological injury, "impairment," and medical, psychological treatment and therapy bills and related expenses for treatment. (ECF No. 11, page 7.)

V. CONCLUSION

For the reasons stated,

- (1) Defendant Church's motion for summary judgment on all claims is granted and it is dismissed from this case entirely;
 - (2) Plaintiff's motion for summary judgment on the claims for negligent hiring and supervision is denied;
 - (3) Plaintiff's motion for summary judgment on the claim for battery is denied;
- and

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	<p>(4) Defendant Frank's motion for summary judgment, through his joinder in Defendant Church's motion for summary judgment, is granted as to the claim for breach of fiduciary duty but denied as to all other claims. It is therefore,</p> <p>ORDERED that Defendant Church's Motion for Summary Judgment (ECF No. 47) is GRANTED and all claims against Defendant Church are hereby DISMISSED with prejudice;</p> <p>FURTHER ORDERED that Plaintiff's Motion for Summary Judgment on her Claims for Negligent Hiring and Negligent Supervision against Defendant Church (ECF No. 49) is DENIED;</p> <p>FURTHER ORDERED that Plaintiff's Motion for Summary Judgment on her Claim for Battery against Defendant Frank (ECF No. 50) is DENIED; and</p> <p>FURTHER ORDERED that Defendant Frank's Motion for Summary Judgment on Plaintiff's First, Second, Fifth and Sixth Claims for Relief (ECF No. 51) is GRANTED as to the Fifth Claim for Breach of Fiduciary Duty and this claim is DISMISSED with prejudice but DENIED as to the remaining claims against Defendant Frank.</p> <p>All Citations 43 F.Supp.3d 1197</p> <p>Footnotes</p> <p>1 Plaintiff raised an issue as to the timeliness of two Responses. The Court finds they were timely.</p> <p>2 As used in this Order, the page references are to the actual page of the brief, report, or deposition transcript, as the case may be, as opposed to the page as shown on the header of the ECF document.</p> <p>3 Defendant Church refers to parishioners ages 12 to 18 as "young men and women," not "children." (ECF No. 48–5, page 48.)</p> <p>4 Defendant Church contends that any information disclosed would have been limited to seven years which preceded the date of the report generated from the background check. The evidence submitted by the parties, however, show that background checks can—and do—generate information more than seven years old. (ECF Nos. 47–4; 48–11; 54–2,</p>
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	<p>pages 5–8; 54–8, page 12.) Indeed, Defendant Church's Brief submitted such information for the Court's consideration. (ECF No. 47, page 6.) Nonetheless, as Plaintiff did not dispute Defendant Church's contention, the Court will assume, for the purposes of the Motions, that the information learned would have been as set forth above.</p> <p>5 Defendant Church cited to Ex. D as support, but this exhibit contains only 1 of 7 possible pages of a CBI report. (ECF No. 47–4).”</p> <p>Lindeman v. The Corporation of the President of the..., 43 F.Supp.3d 1197... © 2017 Thomson Reuters. No claim to original U.S. Government Works. 1 43 F.Supp.3d 1197 United States District Court, D. Colorado.</p> <p>LINDENMAN v COP UTAH Jan 2014 No 20120452.pdf</p>
06/04/14	<p>Idaho</p> <p>JOHN DOE I, JOHN DOE II, JOHN DOE III, JOHN DOE IV, JOHN DOE V, JOHN DOE VI, JOHN DOE VII, AND JOHN ELLIOTT, PLAINTIFF, V. BSA and COP DEFENDANTS</p> <p>LDS Perpetrator unnamed The Idaho Supreme Court ruled and granted a certification motion in part, by certifying two questions regarding:</p> <p><i>1. What statute of limitations applies to a constructive-fraud claim where plaintiff alleges that a breach of duty resulted in sex abuse?</i></p> <p><i>2. When does a claim for constructive fraud related to childhood sex abuse accrue?</i></p> <p>"The sixteen plaintiffs in this case joined Boy Scout troops when they were children. Some of the troops were sponsored by the LDS Church. The plaintiffs allege that they were sexually abused by their scout leaders and, further, that the LDS Church and the Boy Scouts organization were well aware of the dangers of sex abuse in scouting but failed to</p>

	<p>disclose that danger. Plaintiffs further allege that not only did defendants remain silent about the dangers of pedophilic scoutmasters, but they also affirmatively represented to the boys that each scout leader was a "great guy," a "wonderful man," or a "friend to whom you can always turn for advice." See Second Am. Compl., Dkt. 47, ¶ 119 (quoting various editions of the Boy Scout Handbook). All plaintiffs have sued the Boy Scouts organization and eight of the sixteen are suing the LDS Church as well."</p> <p>It is ORDERED that:</p> <p>(1) The Motion to Certify Controlling Issues to the Idaho Supreme Court is (Dkt. 38) GRANTED in part and DENIED in part.</p> <p>(2) The following questions are certified to the Idaho Supreme Court: a. What statute of limitations applies to a constructive-fraud claim where plaintiff alleges that a breach of duty resulted in sex abuse?</p> <p>b. When does a claim for constructive fraud related to childhood sex abuse accrue?</p> <p>(3) Pursuant to Idaho Appellate Rule 12.3(b), the Clerk of the Court shall file a certified copy of this Order with the Idaho Supreme Court."</p> <p>Case 1:13-cv-00275-BLW Document 69 Filed 06/04/14</p> <p>LDS PERPETRATORS UNNAMED USCOURTS-idd-1_13-cv-00275-1.pdf</p>
<p>08/31/14 Provo, Utah</p>	<p>LDS Donald Nelson Bills, a Bishop in the LDS church "55, pleaded guilty Thursday to forcible sodomy, a first-degree felony; object rape, a first-degree felony; forcible sexual abuse, a second-degree felony; obstructing justice, a second-degree felony; and tampering with a witness, a third-degree felony. In exchange for the plea, 10 additional charges were</p>

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	<p>dismissed.”</p> <p>The child was 17 years old. “Bills would talk to the girl often about his personal life, including his experiences in The Church of Jesus Christ of Latter-day Saints, his service in an LDS Church bishopric, and his absent sex life with his wife, according to the charges.”</p> <p>“Bills used his position in an LDS bishopric to convince the girl that their behavior was not inappropriate, according to the charges. He also told her that if their relationship was ever discovered, she should say they had only kissed and that she had initiated it.”</p> <p>Former Provo High teacher pleads guilty to having sex with student July 3, 2015 http://www.ksl.com/index.php?sid=35337866&nid=481 BILLS-Donald Nelson Bills 1.docx</p> <p>“father insisted Bills knew "exactly what he was doing" as he coaxed the teenager into a relationship and then used manipulation and threats to hide it. "I will never forgive Donald Bills," the father said. "My family and I, we are hurting and nobody that has never gone through this will ever understand."</p> <p>http://www.deseretnews.com/article/865635773/Popular-Provo-teacher-imprisoned-for-heinous-sexual-grooming-of-student.html Popular Provo teacher imprisoned for 'heinous' sexual grooming of student By McKenzie Romero, Deseret News</p> <p>BILLS-Donald Nelson Bills 2.docx</p>
<p>09/23/14 Salt Lake, Utah</p>	<p>LDS Michael Alan Jordan “was charged in 3rd District Court with four counts of aggravated sexual abuse of a child, four counts of sodomy of a child and four counts of forcible sodomy, all first-degree felonies. He was also charged with sexual exploitation of a minor and sex abuse of a child, second-degree felonies; and witness tampering and four</p>

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	<p>counts of dealing in harmful materials to a minor, third-degree felonies. The alleged abuse involved three victims, according to court records.”</p> <p>WVC police looking for potential sex abuse victims February 10th, 2015 @ 6:35pm) http://www.ksl.com/?sid=33426324&sc=backtomobile JORDAN-Michael Alan Jordan 1.docx</p> <p>"Michael Alan Jordan, 34, was booked into the Salt Lake County Jail on Sept. 23, 2014 on allegations that he sexually abused multiple young boys in recent years. Jordan was a leader in the Boy Scouts of America organization from 2010-14 and an active member in the Church of Jesus Christ of Latter-day Saints in areas of West Valley City and Taylorsville."</p> <p>Police asking public's help identifying victims of suspected sex offender, former Boy Scout leader FEBRUARY 10, 2015, BY TIFFANY DEMASTERS, http://fox13now.com/2015/02/10/wvc-police-seeks-publics-help-identifying-victims-of-suspected-sex-offender/ JORDAN-Michael Alan Jordan 2.docx</p>
<p>11/07/14 Washington Terrace, Utah</p>	<p>LDS Adam Wolfe whose legal name David Michael Blackner is “a registered sex offender who used an alias without permission while holding leadership positions and working with minors in his LDS ward, police say.”</p> <p>“51-year-old Adam Wolfe, who formerly went by the legal name of David Michael Blackner, is charged with two counts of violating his sex offender registry, both third-degree felonies.”</p> <p>"While in that (ward), he was involved in several programs where he had access to minors," Findlay said. "Because this person had access to children, there's some concern there may be victims out there that haven't been identified."</p> <p>WOLFE aka BLACKNER-Adam Wolfe AKA David Michael Blackner.docx</p> <p>http://www.standard.net/Police/2014/11/07/Police-Washington-Terrace-sex-offender-used-alias-in-Mormon-ward.html</p>

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		Police: Sex offender used alias in LDS ward, worked with teens FRIDAY , NOVEMBER 07, 2014 - 6:51 PM. By Ben Lockhart
02/21/15	Oakland, Iowa	<p>LDS James Raborn, “An Oakland man, who holds a key position with a local ward of the Church of the Latter Day Saints, has been charged with six counts of sex-related crimes.”</p> <p>“James Raborn, 26, has been charged with two felony counts of sexual exploitation by a counselor or therapist, two misdemeanor counts of counts of sexual exploitation by a counselor or therapist as well as single misdemeanor counts of dissemination or exhibition of obscene materials to minors and purchase or possession of a depiction of a minor in a sex act.”</p> <p>“The charges stem from alleged sexual relationships with two 16-year-old females. Raborn was the Ward's Young Men's President.”</p> <p>RABORN-James Raborn.pdf</p> <p>http://www.nonpareilonline.com/news/local/local-lds-leader-accused-of-sex-crimes/article_93d41e24-4adc-53d9-8a63-2f5e7db12128.html?mode=jqm Local LDS leader accused of sex crimes Derek Sullivan dsullivan@nonpareilonline.com Posted 5 months ago</p>
04/15/15	Utah	<p>LDS Scott Gollager a convicted child sex abuser, allegedly “had molested two 11-year-old girls during their May and June 2012 recreational visits to the Morgan County residence. May 2012, Gollager was charged with four counts of aggravated sexual abuse. Gollager is now facing prosecution in two Utah counties simultaneously. In Morgan County, he faces four counts of aggravated sexual abuse of a child. In Salt Lake County, he faces one count of sodomy on a child and 10 counts of sexual exploitation of a minor, relating to child porn that was allegedly found on a computer "and digital media," at the condo, three images in</p>

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which Gollaher himself appeared, according to a probable-cause statement.”

“A FBI forensic specialist located "hundreds" of images of child porn on a Gollaher's computer.”

“In 1996 Gollaher was convicted of child sexual abuse of a 10-year-old girl and was sentenced to four years in prison. Shortly after, he was excommunicated from the LDS Church following a church court in Holladay, an event that distresses him to this day. He's concerned that publicity about his excommunication could hurt his defense in his upcoming trial in Mormon-dominated Morgan County.”

“Gollaher got close to parents of children he was later accused of molesting by exploiting Mormon cultural commonalities. In early 1998, according to a Salt Lake County Sheriff's police report, Gollaher's first wife gave the police lists of names that were written by her husband while in the Salt Lake County jail.”

“The four pages Gollaher had compiled included names of more than 100 pre-teen girls, who had, during his teenage and adult years, lived in the south end of the valley. A series of 10 separate initials ran along the top edge of the paper, x's marked against the names below some or all of the initials.”

“In the late 1970s, he went on a LDS mission to Alberta, Canada. Gollaher married and had two children (he and his first wife divorced in 1998).”

<http://www.cityweekly.net/utah/no-apologies/Content?oid=2773528&showFullText=true>

No Apologies Victim of the state or child predator, Scott Gollaher's judgment day is looming
By Stephen Dark @stephendark April 15, 2015
GOLLAHER-Scott Gollaher.docx

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04/21/15	Phoenix, Arizona	<p>LDS Kenne Worthen, “A married Mormon elementary school teacher had a sexual relationship with one of his 12-year-old students - and was only stopped when her classmates told other teachers, police have revealed.”</p> <p>“Kenne Worthen, 27, allegedly started flirting with the sixth grader at Longview Elementary School in Phoenix last August and the relationship turned sexual in January, Fox10 reported.” Worthen, “is also an International Pathway Adjunct Professor at Brigham Young University-Idaho, where he teaches life skills and English to international students, according to his LinkedIn page.”</p> <p>'Mr. Worthen was employed by the university as an online adjunct instructor,' a university spokesperson told DailyMail.com. 'However, his employment was terminated as soon as the university was made aware of his arrest.’</p> <p>“He has also previously held after-school teacher roles in Idaho and volunteered as a Boy Scouts supervisor, according to his LinkedIn page. The profile also suggests he is a follower of the Church of Latter-Day Saints. His wife, Danielle, also lists herself as a Mormon online. They have a two-year-old daughter together.”</p> <p>WORTHEN-Kenne Worthen.docx</p> <p>http://www.dailymail.co.uk/news/article-3048752/Married-Mormon-sixth-grade-teacher-27-relationship-student-12-messaging-iPod-app-stopped-classmates-told-staff.html</p>
06/11/15	Buffalo Grove, Illinois	<p>LDS Harry O. Jones, 44 “A Buffalo Grove youth group leader was sentenced to 30 months of probation after pleading guilty Wednesday to possession of child pornography...Authorities used search warrants at Jones' home and Lake Forest office to seize an "extensive amount" of images and videos identified as child pornography, officials said. It also was determined Jones distributed several images containing child pornography, depicting children under the age of 13, according to police. Jones was an active member and leader of several youth organizations, including a suburban Mormon Church youth</p>

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		<p>group and a Boy Scouts group, authorities said.” Buffalo Grove youth group leader admits to child porn charge</p> <p>JONES-Harry O Jones.docx http://www.dailyherald.com/article/20150610/news/150619925/</p>
08/04/15	Australia	<p>LDS Darran Scott was “charged with more than 50 counts of child sexual abuse. According to reports 15 boys were victimized and ranged in age from 11 to 15 years. One victim committed suicide December 2015. Scott's predatory behavior and “the alleged offending occurred between 1990 and 2015, while Mr Scott was a high-ranking member of the Church of Jesus Christ of Latter-day Saints.”</p> <p>SCOTT-Darran Scott.pdf Australian film director Darran Scott faces 50 child sex and gun charges Cameron Houston, Chris Vedelago http://www.smh.com.au/national/australian-film-director-darran-scott-faces-50-child-sex-and-gun-charges-20160803-gqjjuds.html</p>
08/27/15	Idaho	<p>In John DOE I, John Doe II, John Doe III, John Doe IV, John Doe V, John Doe VI, John Doe VII, John Elliott, Plaintiffs–Appellants, v. BOY SCOUTS OF AMERICA, Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter–Day Saints, Corporation of the President of the Church of Jesus Christ of Latter–Day Saints, Defendants–Respondents. No. 42189. August 27, 2015 The Supreme Court of Idaho, Boise, ruled on two certified questions and excerpts follow:</p> <p>“Synopsis Background: Former boy scouts brought action against Boy Scouts of America and church for constructive fraud, alleging that they knew they were in danger of being sexually abused by adult volunteers and failed to disclose danger. Boy scouts and church moved to certify questions. The United States District Court for the District of Idaho, B. Lynn Winmill , C.J.,</p>

2014 WL 2515734 , certified questions. Holdings: The Supreme Court, Burdick , J., held that:

[1] three-year statute of limitations governing fraud claims applied to constructive fraud claims, and

[2] statute accrued under the discovery rule when the plaintiff knew or reasonably should have known of facts constituting the fraud.

Opinion

BURDICK , Justice.

*104 This case comes to the Idaho Supreme Court as a certified question from the United States District Court for the District of Idaho.

I. FACTUAL AND PROCEDURAL BACKGROUND

The underlying case arose out of the claims of several men who joined Boy Scout troops when they were children and were allegedly sexually abused by their scout leaders. The Church of Jesus Christ of Latter Day Saints (LDS Church) sponsored some of the troops at issue in this case. On June 24, 2013, Does I–IV

1 filed a complaint—which was later amended—against Boy Scouts of America and the LDS Church (collectively, Respondents), alleging constructive fraud.

2 The complaint alleged that Respondents knew that boys in Scouting were in danger of being sexually abused by adult volunteers and that Respondents failed to disclose that danger. The complaint further alleged that Respondents not only remained silent about the dangers of pedophilic scoutmasters, but also affirmatively represented to the boys that each scout leader was a “great guy,” a “wonderful man,” or a “friend to whom you can always turn for advice.” Respondents subsequently moved to certify questions to the Idaho Supreme Court, challenging the constructive fraud claims on several grounds. The United States District Court certified two narrow questions to this Court, which accepted certification on July 25, 2014, and designated the Does as Appellants and the Boy Scouts and the LDS Church as Respondents.

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	<p>IV. CONCLUSION Based on the foregoing, we hold that Idaho's fraud statute of limitations, Idaho Code section 5-218(4) , applies to constructive fraud claims and that the discovery rule under that statute applies in determining when a constructive fraud cause of action accrues.</p> <p>Chief Justice J. JONES and Justices EISMANN ,HORTON and WALTERS , J., Pro tem concur.”</p> <p>All Citations Doe v. Boy Scouts of America, 159 Idaho 103 (2015) 356 P.3d 1049 © 2017 Thomson Reuters. No claim to original U.S. Government Works. 1 159 Idaho 103, 356 P.3d 1049</p> <p>John Doe 1-V11 & John Elliot v BAS and COP 159 Idaho 103 August 2015.pdf</p>
<p>12/22/15</p> <p>Utah</p>	<p>LDS Daniel T. Taggart is waiting to be sentenced for sexually abusing a teenage girl at a sleepover has been sent back to jail.</p> <p>“Daniel Taggart, 51, was taken into custody following a hearing Tuesday after a judge revoked his bail for violating a protective order issued in the case. He was booked into Utah County Jail where he will remain until sentencing on Jan. 15. Police say Taggart provided alcohol for his teenage daughter and her friend at a sleepover last year, playing games with the girls and offering shot glasses and sex toys as prizes.”</p> <p>“After Taggart's daughter had apparently fallen asleep, the teenager told police Taggart turned on a pornographic video and sexually assaulted her, according to charging documents Taggart pleaded guilty in October to reduced charges of attempted sexual abuse of a child and three counts of attempted forcible sexual abuse.”</p>

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	<p>Bail revoked for Ancestry.com founder in teen sex abuse case By McKenzie Romero , Deseret News Published: Tuesday, Dec. 22 2015 5:25 p.m. MST http://www.deseretnews.com/article/print/865644259/Bail-revoked-for-Ancestrycom-founder-in-teen-sex-abuse-case.html</p> <p>“Taggart graduated from Brigham Young University bachelor with a BA of arts in International Relations with an emphasis on Middle East and Hebrew Taggart has been a successful entrepreneur in Utah. He cofounded Ancestry.com in 1997, but is no longer with the company. He is currently the CEO of CubbyCode Inc. and Kringles Toys and Gifts, according to his profile on LinkedIn. He co-founded LDSAudio.com in September of 2003 and was CEO for a year. In 1990, he co-founded and ran Infobases, Inc. for six years.”</p> <p>TAGGART-Daniel D. Taggart.docx https://www.ksl.com/?sid=33946352&nid=148 Utah entrepreneur charged with sexually abusing teen at sleepover By Pat Reavy Posted Mar 23rd, 2015 @ 5:59pm</p>
<p>01/26/16 Louisiana</p>	<p>LDS Frank Selas “was a PE teacher, soccer coach, and a member of the Southern California Mormon Church and Bonita Optimist Group and has a 4 decade history of child sexual abuse. was arrested in San Diego County on charges he sexually abused young children during a free camping trip nearly four decades ago.”</p> <p>“For the last 30 years, he has been living in the San Diego area under another last name, officials revealed Tuesday.”</p> <p>“In a statement, the Rapides Parish Sheriff’s Office in Louisiana said 76-year-old Selas remained a fugitive for 37 years before his arrest Monday at his home in Bonita, California, on two counts of obscene behavior with a juvenile.”</p> <p>“In the late 1970s, Selas hosted the "Mr. Wonder" show on KNOE-TV in north Louisiana. In</p>

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	<p>1979, the sheriff's office received complaints from parents who accused Selas of abusing their children during a camping trip near Valentine Lake at Kisatchie National Forest in Louisiana. The three-day retreat was promoted by Selas through Ouachita Parish, associated with his TV personality. He promoted the trips for children ages 5-11, according to a flier provided by the sheriff's office."</p> <p>"Selas, then 39, allegedly fled the country and flew from Dallas to Rio de Janeiro, Brazil, before investigators could arrest him."</p> <p>The Boy Scouts of America sent NBC 7 this statement regarding Selas: "This individual was removed from Scouting several years ago and precluded from any further participation in our program. The A Boy Scouts source told NBC 7 San Diego Selas worked with the Boy Scouts until 2012, when he was removed. safety of our youth members is of paramount importance to the BSA and we seek to prevent child abuse through a comprehensive program of education on the subject, the chartered organization leader selection process, criminal background and other checks, policies and procedures to serve as barriers to abuse and the prompt mandatory reporting of any allegation or suspicion of abuse."</p> <p>Former TV Personality 'Mr. Wonder' Arrested After Nearly 4 Decades on Child Sex Abuse Charges: Officials Frank Selas, known by his television name, "Mr. Wonder," is accused of criminal sexual conduct with juveniles By Samantha Tatro and Candice Nguyen</p> <p>SELAS-Frank Selas.docx http://www.nbcsandiego.com/news/local/Mr-Wonder-Arrested-in-San-Diego-for-37-Year-Old-Criminal-Sexual-Conduct-Cold-Case-366624481.html</p>
<p>03/17/16</p>	<p>San Antonio, Texas</p> <p>LDS Jared Anderson was arrested for abusing "ten or more teens and was charged on two counts of sexual performance with a child and one count of indecency with a child after</p>

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		<p>several teen boys from his church reported abuse to church officials.”</p> <p>The boys were ages 15-17. “The Church of Jesus Christ of Latter-day Saints issued a statement” regarding this abuse. “When we learned of the situation, local leaders reported it immediately to law enforcement.”</p> <p>ANDERSON-Jared Anderson.pdf COPS: English teacher hosted sex parties with teen boys MARCH 17, 2016 BY VICTOR SKINNER http://eagnews.org/cops-english-teacher-hosted-sex-parties-with-teen-boys/</p>
05/31/16	Utah	<p>Plaintiffs RJ and MM filed a lawsuit against the Church of Jesus Christ of latter-day Saints:</p> <p>“Plaintiff RJ</p> <p>“In approximately August of 1978, Plaintiff RJ, who was approximately 10 years old, was baptized a member of the LDS Church in order to become involved in the LPP. Then, the LDS Defendants removed RJ from his home in Sawmill, Arizona, within the boundaries of the Navajo Nation, and placed him with the Lovell family in Oak City, Utah, in approximately August of 1978 for the start of what is believed to be RJ's fourth grade year in school. During RJ's placement in the Lovell home, RJ was sexually molested on various occasions (to include sexual penetration) by a step brother who was about 4 years older. RJ also suffered physical, emotional and cultural abuse by his foster mother to include, but not limited to, forcibly having his mouth washed out with soap whenever he spoke Navajo to the other placement children in the home.</p> <p>RJ disclosed the sexual abuse he suffered in 4thgrade and in 5th grade to agents of LDS Defendants, including but not limited to his LPP case worker, James (Jaymes) Helmstetler, who was believed to be an employee of LDS Social Services. RJ disclosed the abuse to Mr. Helmstetler within the Navajo Nation, on at least two different occasions</p>

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	<p>following his 4th and 5th grade years. The locations of these disclosures included the LDS Chapel (Window Rock Ward or Branch) in St. Michael's, Arizona and at his home in Sawmill, Arizona.</p> <p>Plaintiff MM</p> <p>Plaintiff MM is an adult female residing who is an enrolled member of the Navajo Nation and resides within the boundaries of the Navajo Nation. At all relevant times, MM was a minor residing within the Navajo Nation. In approximately 1976, when Plaintiff MM was approximately 11 years old, she was baptized a member of the LDS Church in order to participate in the LPP. Then, the LDS Defendants removed MM from her home in Sawmill, Arizona, within the boundaries of the Navajo Nation, and placed her with the Munger family in Gunnison, Utah, in approximately August of 1976 for the start of what is believed to be MM's fifth grade year in school. During MM's placement in the Munger home, she was raped (sexual intercourse) by Gary Westlund, a friend of her step brother. This pedophile was believed to be approximately 40 years old at the time. Prior to this rape, Westlund was a frequent visitor and present in the Munger home; his presence and familiarity towards MM was known not only to the foster brother but also to MM's foster parents.</p> <p>MM returned to the Navajo Nation the summer following her 5th grade year. For her 6th grade year, MM was not returned to the Munger family; however, she continued in the LPP. From 6th grade through 10th grade, she participated in the LPP without incident. For her 11th and 12th grades (believed to be 1981-1983), MM was again removed from her home within the Navajo Nation by the LDS Defendants and placed with the Edwards family in Centerfield, Utah. During her placement with the Edwards family, MM was sexually abused by her foster father.....</p> <p>Additionally, MM became aware that her younger brother and younger sister, who were also placed with this same family, were being sexually abused.”</p> <p>NON-Monetary changes were listed in the Complaint to include: POLICY CHANGES</p>
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	<p>42. That the LDS Defendants change their current corporate policies regarding reporting of suspected child sexual abuse. Upon information and belief, the current policy as set forth in 2010 Handbook 2: Administering the Church, Section 13.6.18, which provides that "[i]f a leader becomes aware of physical, sexual or emotional abuse of someone during a Church activity, he or she should contact the bishop immediately."</p> <p>Instructions for bishops are provided in Handbook 1:17.3.2, which provides in pertinent part, "[i]n the United States and Canada, the Church has established a help line to assist stake presidents and bishops in cases of abuse ... When calling the help line, leaders will be able to consult with professional counselors and legal specialists who can help answer questions and formulate steps to take ... Leaders can obtain information about local reporting requirements through the help line. Where reporting is required by law, the leader encourages the member to secure qualified legal advice. To avoid implicating the Church in legal matters to which it is not a party, Church leaders should avoid testifying in civil or criminal cases or other proceedings involving abuse." Handbook 1, State Presidents and Bishops 2010, Section 17.3.2."</p> <p>NAVAJO CASE RJ AND MM NAVAJO-AMMENDED-COMPLAINT.PDF http://noakerlaw.com/wp-content/uploads/2016/03/Complaint-for-Personal-Injury-RJ-MM-v-LDS-.pdf</p>
<p>05/31/16</p> <p>Gallup, New Mexico</p>	<p>A Navajo woman identified as B.N. says she was sexually molested and raped multiple times while in foster care and by health care providers in Utah, from 1965 to 1972. She was among thousands of American Indians who participated in the church's Indian Student Placement Program.</p> <p>http://abcnews.go.com/Health/wireStory/mormon-church-hit-lawsuit-children-abused-39516438</p> <p>Mormon Church Hit With Second Lawsuit Saying Children Abused By FELICIA FONSECA, ASSOCIATED PRESS May 31, 2016, 9:26 PM ET</p>

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“Native Americans who were part of a little-known Mormon program from 1947 to the mid-1990s share much of the same story. Year after year, missionaries or other members of the Church of Jesus-Christ of Latter-day Saints approached these families and invited their children into Mormon foster homes. As part of the Mormon Indian Student Placement Program, Native American children would live with Mormon families during the school year, an experience designed to “provide educational, spiritual, social, and cultural opportunities in non-Indian community life,” according to the Church. Typically, the Mormon foster families were white and financially stable. Native American children who weren’t already Mormon were baptized. And some of them now claim they were sexually abused.

“They knew there were things going on. They just turned around and closed their eyes to it,” said BN, a former participant of the program who has filed a sexual-abuse lawsuit against the LDS Church, and who remains anonymous in court documents, in an interview. So far, three sexual-abuse lawsuits involving four past participants have been filed in Navajo Nation District Court. No criminal charges have been brought against the defendants, who are also anonymous in all pleadings. The alleged victims include a brother and sister who were both in the program. The brother, referred to in court documents as RJ, claims in the lawsuit that he was not only sexually abused, but physically and emotionally abused, and forcibly had “his mouth washed out with soap whenever he spoke Navajo to the other placement children in the home,” according to court documents. A fourth lawsuit is pending, according to their lawyer.”

<https://www.theatlantic.com/politics/archive/2016/10/why-some-native-americans-are-suing-the-mormon-church/504944/>

Lily Fowler, Atlantic Magazine, October 23, 2016

“According to the 1968 version of the Lamanite Handbook of the Church of Jesus Christ of Latter-day Saints, in September of 1946, the acting President of the Church, George Albert Smith, appointed Spencer W. Kimball to head the General Lamanite Committee with the charge “to see that the gospel was carried to all the children of Lehi (which includes the Lamanites) all over the world.” Kimball's commitment to the Native Americans (commonly referred to as Lamanites by the Defendants) is explained in a January 7, 2016 article in

Indian Country Today:

Kimball's commitment to the Native Americans stemmed from the Mormon belief that America's indigenous people actually fled from Israel in the year 600 B.C. After settling in an unspecified location in the Americas, the people split up into two groups: the Nephites, a righteous and civilized people; and the Lamanites, an "idle, savage and bloodthirsty" people who, after hardening their hearts, were cursed by God with a "skin of blackness" and thus became "loathsome."

Read more at

<http://indiancountrytodaymedianetwork.com/2016/01107/assimilation-tool-or-blessing-inside-mormon-indian-student-placement-program-J62959>

"The LDS Church's desire to convert Native American or "Lamanite" children and assimilate them into their culture reflects teachings in the Book of Mormon, a book of canonized scripture unique to the Mormon religion. According to this canonized Mormon scripture, because the Lamanites had hardened their hearts against the Lord, they were cursed with a "skin of blackness" to distinguish them from the righteous Nephites.

And he had caused the cursing to come upon them, yea, even a sore cursing, because of their iniquity. For behold, they had hardened their hearts against him, that they had become like unto a flint; wherefore, as they were white, and exceedingly fair and delightsome, that they might not be enticing unto my people the Lord God did cause a skin of blackness to come upon them. (2 Nephi 5:21, Book of Mormon)."

"At the time the Plaintiffs were taken from the Navajo Nation and placed into Mormon foster homes, the LDS Church taught that the Native Americans, including the Plaintiffs, were Lamanites as described in the Book of Mormon and summarized above. The leaders of the LDS Church felt driven to instruct the Lamanites within the Navajo Nation concerning their true ancestry and convert them back to the one true faith. Therefore, converting the Navajo Nation children and immersing them into white Mormon culture was not only rooted in Mormon scripture but believed to be divinely directed as the way to redeem and restore the

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	<p>"Lamanites" to their prophetic destiny. An example of this belief is a quote b.y long time Mormon Prophet, Spencer W. Kimball, who suggested that Latter-day Saint Native Americans was gradually turning lighter, essentially breaking the dark skin curse:I saw a striking contrast in the progress of the Indian people today... The day of the Lamanites is nigh. For years they have been growing delightful, and they are now becoming white and delightful, as they were promised. In this picture of the twenty Lamanite missionaries, fifteen of the twenty were as light as Anglos, five were darker but equally delightful. The children in the home placement program in Utah are often lighter than their brothers and sisters in the hogans on the reservation. At one meeting a father and mother and their sixteen-year-old daughter we represent, the little member girl-sixteen-sitting between the dark father and mother, and it was evident she was several shades lighter than her parents-on the same reservation, in the same hogan, subject to the same sun and wind and weather.... These young members of the Church are changing to whiteness and to delightfulness. Conference Report, October 1960; Improvement Era, December 1960, pp. 922-23."</p> <p>NAVAJO CASE RJ and MM Navajo-amended-complaint.pdf</p>
<p>06/06/16</p> <p>Arizona</p>	<p>LK, Plaintiff VS THE CORPORATION OF THE PRESIDENT OF THE CHURCH OF JESUS CHRIST LATTER-DAY SAINTS, a Utah corporation; LDS FAMILY SERVICES, a Utah corporation, Defendants</p> <p>Excerpts from a case brought against the Church of Jesus Christ and LDS Family Services follow:</p> <p>"4. Plaintiff LK is an adult male who is an enrolled member of the Navajo Nation, and resided within the boundaries of the Navajo Nation at the inception of the events set forth in this complaint. Plaintiff was a minor at the time of the sexual abuse alleged herein. During the relevant time period, Plaintiff was a resident of the Navajo Nation where he was taken from the Navajo Nation by the Defendants and placed with foster families in Utah. There, Plaintiff was sexually abused. The name used by Plaintiff in this Complaint is not the real</p>

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	<p>name of Plaintiff, but is a fictitious name used to protect the privacy of Plaintiff, a victim of childhood sexual abuse.</p> <p>13. In approximately August of 1976, Plaintiff LK, who was approximately 9 years old, was baptized a member of the LDS Church in order to become involved in the LPP. He participated in the program during his 5th and 6th grade year without incident.</p> <p>14. In approximately August of 1978, the LDS Defendants removed LK from his home within the boundaries of the Navajo Nation, and placed him with the R-Family in Roy, Utah, for the start of what is believed to be LK's seventh grade year in school. During LK's placement in the R-Home, LK was sexually molested on various occasions by his foster father, R-Foster father. LK also suffered physical, emotional and cultural abuse by his foster mother and foster father.</p> <p>15. LK disclosed the sexual abuse he suffered in 7th grade to agents of LDS Defendants, including but not limited to his LPP case worker, Brother Skadlock, who was believed to be an employee of LDS Social Services. It is believed that this disclosure occurred during the Christmas break. Despite this disclosure, LK was told he had to remain in the R-Home until the school year ended.”</p> <p>LK-Filed-Complaint.pdf http://noakerlaw.com/wp-content/uploads/2016/06/LK-filed-Complaint.pdf</p>
<p>10/28/16</p> <p>Las Vegas, Nevada</p>	<p>LDS Martin Gillen, a repeat child sexual abuser, “faces five felony counts that could send him to prison for life without the possibility of parole: first-degree kidnapping, child abuse, neglect or endangerment with substantial bodily harm, sexual abuse or exploitation, lewdness with a child under 14 (the child was 10-years-old), use of a minor in the production of pornography, and burglary.....The family thought of Gillen as “a friend. They met Gillen through The Church of Jesus Christ of Latter-day Saints, through which he served as a home teacher.”</p>

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“Outside of court, the girl’s father struggled with how his “unbelievable amount of trust” and friendship had been violated. Prosecutors said that after Gillen was fired from a sales managing job last year, his former employers found child pornography on the laptop he had been loaned.”

Gillen “was welcomed into people’s homes under the guise of being a devoutly religious man,” Chief Deputy District Attorney Dena Rinetti wrote in court papers. “He befriends parents and then victimizes their children. Rinetti called him “an extreme danger to the community.”

It wasn’t the first time Gillen faced sexual allegations involving a child. In 2002, Gillen was convicted of sexual assault with a 6-year-old and sentenced to eight years behind bars in Colorado. Sometime after being released from prison, Gillen moved to Southern Nevada. <http://www.reviewjournal.com/crime/sex-crimes/former-mormon-home-teacher-held-520k-bail-childlewdness-case>

Former Mormon home teacher held on \$520K bail in child lewdness case By DAVID FERRARA LAS VEGAS REVIEW-JOURNAL

GILLEN-Martin Gillen.pdf

“Eric Hawkins, director of media relations for the church, wrote in an email that “the accused perpetrator was never employed by the Church in any way and the Church has no home school program.”

The church’s website provides the following description of home teaching: “As part of their responsibility to watch over the members of the Church, home teachers visit their assigned families at least once each month to teach and strengthen them. Home teachers establish a relationship of trust with these families so that the families can call upon them in times of need.”

“In 2002, Gillen was convicted of sexual assault with a child and sentenced to eight years

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	<p>behind bars.”</p> <p>“The Church places an annotation on the membership record of any member who has previously abused children,” according to a page on the church’s website titled “How the Church Approaches Abuse.”</p> <p>“This record follows them to any congregation where they move, anywhere in the world. When a bishop sees the annotation, he calls the Church and is given clear direction that an individual who has abused children should not be given a position with children.</p> <p>“If those convicted of child abuse pay the legal price for their crimes and undergo the rigorous repentance process, they can be forgiven and may regain their membership.” Hawkins said he did not know whether Gillen had an annotation on his church record.”</p> <p>GILLEN-Martin Gillen 2.pdf https://www.reviewjournal.com/crime/sex-crimes/mormon-official-says-henderson-man-charged-in-lewdness-case-was-never-employed-by-church/</p> <p>Mormon official says Henderson man charged in lewdness case ‘was never employed’ by church By DAVID FERRARA LAS VEGAS REVIEW-JOURNAL October 28, 2016 -</p>
11/16/16	<p>Utah</p> <p>The Corporation of the President of the Church of Jesus Christ of Latter–Day Saints, a Utah Corporation; and LDS Family Services, a Utah Non–Profit Corporation, Plaintiffs, v.RJ, MM, BN, and LK, individuals, Defendants. Case No. 2:16–cv–00453–RJS–BCW 2016 WL 6783217</p> <p>In a motion to the court the Church of Jesus Christ “brought action seeking a declaration that a tribal court lacked jurisdiction to adjudicate claims of sexual abuse brought by then-child participants in a church placement program. Church moved for a preliminary injunction and participants moved to dismiss for failure to state a claim.</p> <p>[Holding:] The District Court, Robert J. Shelby , J., held that church failed to clearly show that the tribal court clearly lacked jurisdiction over the claims. Church's motion denied and</p>

	<p>participant's motion granted.</p> <p>*1 This case relates to lawsuits presently pending before the Navajo Nation District Court. In those cases, Defendants RJ, MM, BN, and LK (Doe Defendants) allege that they suffered abuse years ago after Plaintiffs, the Corporation of the President of the Church of Jesus Christ of Latter–Day Saints and LDS Family Services, placed them off-reservation with LDS families as part of the Indian Student Placement Program (ISPP). In their Amended Complaint, Plaintiffs here seek a declaration that the Navajo Nation District Court lacks jurisdiction to Corporation of President of the Church of Jesus Christ of..., --- F.Supp.3d ---- (2016)</p> <p>© 2017 Thomson Reuters. No claim to original U.S. Government Works. 3</p> <p>adjudicate the underlying cases, and request an injunction prohibiting Doe Defendants from proceeding with their cases in Tribal Court. Plaintiffs argue that the Tribal Court clearly lacks jurisdiction over Doe Defendants' claims, and that this court should so find now, without requiring Plaintiffs to exhaust their Tribal Court remedies by presenting their jurisdictional arguments to the Tribal Court in the first instance.</p> <p>Two motions are before the court: (1) Plaintiffs' Motion for Preliminary Injunction and (2) Defendants' Motion to Dismiss. For the reasons detailed below, the court grants Doe Defendants' Motion to Dismiss, concluding that Plaintiffs must exhaust their Tribal Court remedies before seeking relief from this court. Because the court grants the Motion to Dismiss, it denies as moot Plaintiffs' ".....</p> <p>“CONCLUSION</p> <p>*9 Plaintiffs have failed at this stage in the proceeding to meet their substantial burden of showing that Tribal Court jurisdiction is clearly foreclosed. While it appears that jurisdiction over certain claims—including those for direct liability for the sexual assaults—may be foreclosed, it is not clear that Tribal Court jurisdiction is clearly lacking for all of Doe Defendants' claims. Because Plaintiffs request an injunction that would prevent Doe Defendants from proceeding in Tribal Court on any of their claims, it was Plaintiffs' burden to show that all routes to jurisdiction were clearly foreclosed. The court GRANTS Doe</p>
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	<p>Defendants' Motion to Dismiss. (Dkt. 20.) Plaintiffs must first exhaust their remedies in the Tribal Court before seeking redress in this court. The case is dismissed without prejudice. The court DENIES as moot Plaintiffs' Motion for Preliminary Injunction. (Dkt. 19.) The Clerk of Court is directed to close the case. SO ORDERED this 16th day of November, 2016.”</p> <p>COP AND LDS SocialServices v RJ MM BN AND LD-Navajo November 2016.pdf</p>
<p>01/26/17 Arizona</p>	<p>Victim IR filed a lawsuit against The Church of Jesus Christ of Latter-day Saints alleging sexual abuse while in a church-run program called the Lamanite Placement Program or the Indian Placement Program for Navajo children. Native American children who were baptized into the LDS Church were placed in foster homes of LDS members in order to become “white and delightsome” (BOM). An estimated 50,000 children went through the program. 'The following lawsuit was filed in Navajo Nation District Court in New Mexico and accuses the LDS Church of not doing anything about the sexual and physical abuse of children in this church’s Program.</p> <p>“The lawsuit claims that in 1968, the girl was sexually abused while participating in the program, which took children out of their homes on the reservation, baptized them into the Mormon faith and placed them in foster homes in Utah. She alleges the abuse lasted for two years and she went to her caseworker and asked to be placed in another home. The lawsuit claims the caseworker did nothing about her request.”</p> <p>http://fox13now.com/2017/01/26/another-lawsuit-filed-against-lds-church-alleging-sex-abuse-innavajo-program/</p> <p>VICTIM IR-Fox news report.pdf</p> <p>In IR v The Corporation THE CORPORATION OF THE PRESIDENT OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation; LDS FAMILY SERVICES, a Utah corporation:</p> <p>“In approximately August of 1968, Plaintiff IR, who was approximately fifteen (15) years old,</p>

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was baptized a member of the LOS Church in order to become involved in the LPP. Then, the LDS Defendants removed IR from her home in Ft. Defiance, Arizona, within the boundaries of the Navajo Nation, and placed her with the V family in Spanish Fork, Utah, for the start of what is believed to be IR's eighth (8th) grade year in school. During IR's placement in the V home, IR was sexually molested on various occasions (sexual penetration) by Mr. V starting during her ninth 9th grade year." The abuse continued until her 11th grade year."

" As a direct result of the wrongful conduct alleged herein, IR has suffered, and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing Plaintiffs daily activities and obtaining the full enjoyment of life; has sustained and continues to sustain loss of earnings and earning capacity; and/or has incurred and continues to incur expenses for medical and psychological treatment, therapy, and counseling."

VICTIM IR-COMPLAINT.pdf

<http://noakerlaw.com/wp-content/uploads/2017/01/IR-Complaint.pdf>

"The lawsuit states that in 1971, the girl left the program and went back to the Navajo reservation . "Inexplicably, after IR returned with her family to the Navajo Nation, her LDS case worker traveled there to try and persuade her to return to the very home where she was being sexually abused," her attorney, Craig Vernon, said in a prepared statement. Her attorneys said IR refused."

IR is the fifth person to file a lawsuit against the LDS Church alleging sexual abuse while in the Indian Placement Program.

The church discontinued the program in the 1990s and has said it has made changes to its

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		<p>abuse reporting policies — including a system of tracking abusers. An LDS Church spokesman declined to comment on the lawsuit.</p> <p>Lawyers for the alleged sex abuse victims have been pushing to depose LDS Church President Thomas S. Monson as a part of their lawsuit. The LDS Church has fought those efforts.</p> <p>Another lawsuit filed against LDS Church alleging sex abuse in Navajo program BY BEN WINSLOW, UPDATED AT 12:07PM, JANUARY 26, 2017</p> <p>http://fox13now.com/2017/01/26/another-lawsuit-filed-against-lds-church-alleging-sex-abuse-innavajo-program/ VICTIM IR Fox news report.pdf</p>
03/01/17	St. George, Utah	<p>LDS Kim Charles Nelson, 70 pled guilty “to two counts of unlawful sexual activity with a minor — who was 16 and 17 years old at the time.” Nelson and the boy were in the same LDS ward. Nelson was found guilty and was sentenced to five years in prison plus restitution. Deputy County Attorney Zachary Weiland said Nelson disclosed details of the abuse he was inflicting on the victim to LDS ecclesiastical leaders, and the issue went through the LDS disciplinary council.</p> <p>"They did nothing," Weiland said. "And nothing was done for the victim." The victim has since tried to commit suicide multiple times, Weiland said.</p> <p>NELSON-Kim Charles Nelson.pdf http://www.thespectrum.com/story/news/local/2017/05/10/prison-lds-mentor-who-sexuallyabused-minor/101525242/</p>
03/22/17	Ireland	<p>LDS Joseph Shanks “an Irish Mormon Missionary who tried to have sex with three children he thought he had lured over the internet, was nabbed in a sting operation by UK police. The 63-year-old married father turned up to rape the victims he thought were aged nine, six and three. Shanks, lives in the Church ...missionary home in Chorley Lancashire and was</p>

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		<p>jailed for seven years on Monday after admitting ten sex charges. He was “carrying a USB stick with thousands of vile abuse images of children.”</p> <p>SHANKS-Joseph Shanks.docx</p> <p>Irish Mormon missionary who tried to lure kids for sex is nabbed in sting operation Pervert Joseph Shanks claimed he was doing “charity work” and would be rewarded by God BY BEN CUSACK PAUL HOOPER</p> <p>http://www.irishmirror.ie/news/irish-news/irish-mormon-missionary-who-tried-10076289</p>
05/01/17	Boise, Idaho	<p>LDS Douglas R. Bowen was accused of sexual abuse in the 1970's. Bowen arrested in 1997 for attempted sexual abuse of a Scout, Deseret News AP story 12/16/97. Registered sex offender – Utah. Convicted of Attempted Aggravated Sexual Abuse of a Child in September, 1997.</p> <p>http://www.idahoboyscoutabuse.com/perpetrators/douglas-bowen/</p> <p>Perpetrator: Bowen, Douglas R. - Mormon Place: Boise Troop & Location: Boise LDS Boy Scout Troop Years in BSA: No IV File Late 70's Early 80's Timeline for Douglas Ray Bowen: DOB: 4/1950 (SSN Issued in California) Late 1970's May have abused several Scouts, including two brothers, in Boise. 1982 LDS Bishop called brothers into his office and asked if they had been molested by Bowen, which at least one brother denied. Bowen was allegedly kicked out of LDS ward in Boise and rumored to have moved to Oregon and was possibly working for the Ore-Ida Council. 1974 Authored Creative Campfires, which was published by Thorne Printing Co., Inc. in</p>

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	<p>Nampa, Idaho. The book is “Dedicated to the hundreds of Scouts of the Cache Valley, Redwood Area, and Ore-Ida Councils who provided the inspiration for this book by coming to summer camp and responding so enthusiastically to the campfire programs.” Book is currently recommended on various Troop websites and is available in Scout Shops and Scout-related sites on the web.</p> <p>March 1987 Had a P.O. Box in Price, Utah.</p> <p>1987-1990 Lived in Buena Park, California and Los Angeles, California. (No court records in Orange County or Los Angeles County.)</p> <p>1990 – Present St. George, Utah.</p> <p>Fall 1997 Arrested and Convicted of Attempted Aggravated Sexual Abuse of a Child, Iron County, Utah. The victim was a Scout and the abuse occurred on or about March 7, 1997 on a scouting excursion. Spent six months in the Iron County Jail and then placed on two years of probation. Released from probation in 1999. Was a registered sex offender, but no longer registered.</p> <p>Current Mormon. Married and lives in St. George, Utah. Has three to four children, ages 21 to 30 years old. Has at least one grandson who was born in July 2011.</p> <p>The above is verbatim from: http://www.idahoboyscoutabuse.com/perpetrators/douglas-bowen/ BOWEN-Douglas Bowen 2.pdf</p> <p>The following case was filed on May 1, 2017 and it alleges that two plaintiffs (John doe XXI and John DOE XXII) were abused by BOWEN. JOHN DOE XX, JOHN DOE XXI, JOHN DOE XXII, SHANE JULIAN, and RILEY GILROY, Plaintiffs, v. BOY SCOUTS OF AMERICA, a congressionally chartered corporation authorized to do business in Idaho; CORPORATION OF THE PRESIDING</p>
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BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a foreign corporation sole registered to do business in Idaho; and CORPORATION OF THE PRESIDENT OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS AND SUCCESSORS, a foreign corporation registered to do business in Idaho, Defendants.

“ALLEGATIONS SPECIFIC TO JOHN DOE XXI
17.

Plaintiff John Doe XXI realleges and incorporates by reference paragraphs 1–16.
18.

John Doe XXI was born in 1963.

At all times relevant to this Complaint, John Doe XXI was a child involved in Scouting, in Scout Troop 20, by the LDS Defendants Boise Fifth Ward. John Doe XXI was under the care, custody, protection, and/or responsibility of each Defendant during the time he was involved in Scouting.

20.

One of leaders of Scout Troop 20 was Doug Bowen. In or around approximately 1974 or 1975, Bowen sexually abused John Doe XXI during a Scout camping event, by kissing and fondling him, engaging in masturbation, and engaging in other acts of sexual and emotional abuse.

21.

As a Scout leader for Troop 20, Bowen abused at least two other Scouts, in addition to John Doe XXII, and attempted to abuse at least one other Scout, in the troop.

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At all times relevant to this Complaint, John Doe XXI was a child involved in Scouting, in Scout Troop 20, by the LDS Defendants Boise Fifth Ward. John Doe XXI was under the care, custody, protection, and/or responsibility of each Defendant during the time he was involved in Scouting.

20.

One of leaders of Scout Troop 20 was Doug Bowen. In or around approximately 1974 or 1975, Bowen sexually abused John Doe XXI during a Scout camping event, by kissing and fondling him, engaging in masturbation, and engaging in other acts of sexual and emotional abuse.

21.

As a Scout leader for Troop 20, Bowen abused at least two other Scouts, in addition to John Doe XXII, and attempted to abuse at least one other Scout, in the troop.

ALLEGATIONS SPECIFIC TO JOHN DOE XXII

22.

Plaintiff John Doe XXII re-alleges and incorporates by reference paragraphs 1-21.

23.

John Doe XXII was born in 1963.

24.

At all times relevant to this Complaint, John Doe XXII was a child involved in Scouting, in Scout Troop 20, by the LDS Defendants Boise Fifth Ward. John Doe XXII was under the care, custody, protection, and/or responsibility of each Defendant during the time he was involved in Scouting.

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	<p>Case 1:17-cv-00184-CWD Document 1 Filed 05/01/17 Page 7 of 24</p> <p>Page 8 COMPLAINT 25.</p> <p>One of leaders of Scout Troop 20 was Doug Bowen. In or around approximately 1974 or 1975, Bowen sexually abused John Doe XXII during a Scout camping event, by kissing and fondling him multiple times, and engaging in other acts of sexual and emotional abuse. 26.</p> <p>As a Scout leader for Troop 20, Bowen abused at least two other Scouts, in addition to John Doe XXI, and attempted to abuse at least one other Scout, in the troop.</p> <p>62.</p> <p>Within the past three years Plaintiffs discovered and continue to discover that, throughout the time they were involved in the Scouting program and until at least 2010, Defendants perpetrated a fraud related to the dangers of Scout leaders sexually abusing children in the Scouting program. Prior to each Plaintiff's discovery of Defendants' fraud, each Plaintiff did not know and could not know that Defendants' misrepresentations, or lack thereof, regarding the trustworthiness of Scout leaders and the safety of the Scouting program were false, and that Defendants knew the Scouting program was structured in such a way that sexual abuse of Scouts by Scout leaders was certain to occur to some degree within the Scouting program."</p> <p>BOWEN-Doug Bowen 1-COMPLAINT Idaho II Case 1:17-cv-00184-CWD .pdf</p>
<p>05/02/17 Boise, Idaho</p>	<p>LDS James Schmidt was Convicted of Lewd Conduct with a Minor in February, 1983 in Idaho, and again in October, 1996 in Maryland. Accused of molesting scouts in the 1970's and 1980's and on May 1st, 2017 another case was brought against the LDS Church and</p>

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	<p>the Boy Scouts of America due to Schmidt's sexual molestation of children. The following is a history and timeline and the case allegations will follow: Sex Offender Registry Details</p> <p>Perpetrator: Schmidt, James - Mormon Place: Caldwell, Nampa Troop & Location: Troop 228 - Caldwell, Troop 200 - Wilder, Ore-Ida Council 106 Years in BSA: Put in IV Files in 1983, Scouting from 1977-1983 Evidence of LDS Knowledge:</p> <p>In the file there are letters of complaint about Schmidt going back to 1979 and on May 13, 1981 a letter from Rex J. Black, Council Executive to Paul ERNST BSA National states that Rex "received a call from (REDACTED), a member of the LDS Nampa, Idaho, Stake Presidency. He related that about four month earlier that Jim Schmidt was involved in Homosexual activities. Jim has some mental and physical problems and has been in the State Hospital quite a while; therefore no "church court" was held concerning excommunication from the LDS Church, but he was asked to cease Scouting activities in the Ward and Stake. Jim has become active in the district and in other units even though in our conference of July 20.1979 he had agreed not to. Continuing with the telephone call from (REDACTED) on May 12-President (REDACTED) related that he had a call from a mother in one of the "non-LDS" units where Jim Schmidt had become associated. Jim had been making homosexual advances with the youth there. I have discussed this with our President, Roy Arnold, and feel that I should again meet with Jim and ask him to cease his activities and present him with the enclosed letter. As indicated in the 1979 letter his first reaction will be to fight legally, but I think I can calm him and void a public conflict. Sincerely Rex J. Black Council Executive." Schmidt 1-BSA File.pdf</p> <p>And another letter from BSA Rex Black dated February 25,1983 to their legal Counsel "Dear Dave: Last week Jim Schmidt was arrested and charged with lewd conduct ...The</p>
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	<p>police are stating that he will receive other charges dealing with other boys. There is considerable adverse publicity locally. I'm getting some pressure stating that I was aware of the situation for more than four years but I did nothing." SCHMIDT-James Schmidt 1-BSA File.pdf http://documents.latimes.com/james-phillip-schmidt/</p> <p>The following is verbatim from: http://www.idahoboyscoutabuse.com/perpetrators/jim-schmidt/ Timeline for James Philip Schmidt: Born 11/24/1944SSN Issued in Idaho 1960's through 1983 Lived and worked in the Caldwell-Nampa-Boise area. Summer, 1977 Molested Scout at scout camp. 6/19/79 Mother of Scout reports abuse to Rex Black, Ore-Ida Council Executive 7/20/79 Rex Black confronts Schmidt. Schmidt says accusations were two years ago and that he did not do it. Schmidt agreed to stay away from camp, but wanted to continue with his "own" unit. 9/18/79 Rex Black notifies Vern Dunn, associate director of BSA of the accusations made toward Schmidt. 5/12/81 Rex Black was notified by the LDS Stake President, Jerry Hess, that Schmidt had been involved in "homosexual" activities, but he did not want to remove him from church because of his mental problems, and decided not to send Schmidt to "church court". Conf 009213 5/12/81 Rex Black acknowledged that Schmidt was still active in scouting despite being told to stay away in July, 1979.</p>
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	<p>7/2/81 Rex Black received the IV File record sheet from Paul Ernst, BSA Registration.</p> <p>10/12/81 Rex Black received a second request for the form from Paul Ernst. 1982 Schmidt was registered as Scouting Coordinator for Troop 228, Caldwell Methodist Church. Conf 009202</p> <p>2/18/82 Rex Black sent a letter to Paul Ernst requesting that Schmidt not be put in the IV Files.</p> <p>2/25/83 Schmidt arrested for lewd conduct with a boy on a Cub Scout camping trip.</p> <p>3/17/83 Schmidt finally put in the IV Files.</p> <p>6/1983 Received suspended sentence and sent to Maryland for treatment. (Idaho Statesman)</p> <p>10/7/1996 Convicted of Sex Abuse of a Minor in Maryland. Current Registered Sex Offender. http://www.idahoboyscoutabuse.com/perpetrators/jim-schmidt/</p> <p>SCHMIDT-James Schmidt 8.pdf</p> <p>JOHN DOE XX, JOHN DOE XXI, JOHN DOE XXII, SHANE JULIAN, and RILEY GILROY, Plaintiffs, v. BOY SCOUTS OF AMERICA, a congressionally chartered corporation authorized to do business in Idaho; CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a foreign corporation sole registered to do business in Idaho; and CORPORATION OF THE PRESIDENT OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS AND SUCCESSORS, a foreign corporation registered to do business in Idaho,</p>
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Defendants.

ALLEGATIONS SPECIFIC TO PLAINTIFF SHANE JULIAN

27.

Plaintiff Shane Julian (“Julian”) re-alleges and incorporates by reference paragraphs 1–26.

28.

Julian was born in 1973.

29.

At all times relevant to this Complaint, Julian was a child involved in Cub Scouting, in a den that, on information and belief, was sponsored or operated by the LDS Defendants Caldwell Fourth Ward. Julian was under the care, custody, protection, and/or responsibility of each Defendant during the time he was involved in Scouting.

30.

One of leaders of Julian’s den was James Schmidt. In or around approximately 1982, Schmidt sexually abused Julian at Schmidt’s home by engaging in oral sex. Schmidt’s sexual abuse of Julian also included other acts of physical, sexual, and emotional abuse. SCHMIDT-James Schmidt-Complaint Idaho.Case 1:17-cv-00184 CWD.pdf

“For the second time in his life, Riley Gilroy is turning to the courts to right a wrong.

The first time was when he was 9 years old and his mother, a single parent in Caldwell, thought he needed a male role model....

“Caldwell’s Church of Jesus Christ of Latter-day Saints 4th Ward recommended the Boy Scouts — Scouting has been a sanctioned LDS program for nearly 100 years, and the church is Idaho’s largest sponsor of it. Gilroy and his best friend joined the ward’s Cub Scout den in 1982.” “That’s where I met Jim Schmidt who, over a period of time, proceeded to molest me and other Cub Scouts,” Gilroy said.”

”Gilroy, 44, now lives in Massachusetts. Earlier this year, he found out the Boy Scouts had an “ineligible volunteer” file on Schmidt, part of a decades-old file system that tracks sexual misconduct and other transgressions.”

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“The Boy Scouts’ paperwork on Schmidt’s problems started in 1979 — three years before Schmidt started sexually abusing Gilroy.”

“The first entries are two handwritten statements from two Boy Scouts given to Ore-Ida Council Executive Rex J. Black in June 1979. An example: “The summer of 1977, when I was twelve at Boy Scout camp ... we slept in Jim Schmidt’s tent. ... Jim Schmidt tried to get his hands down my pants. I knocked his hand away and rolled over. I was scared because of this and because he said there was something out there. He said it was a wolverine but I knew there were no wolverines around that area.”

“Black took the 1979 complaints to Schmidt, who said he was innocent. Black then instructed Schmidt to have an adult present when he doing Scouting activities. In 1981, a member of the LDS Nampa Stake Presidency called Black to say Schmidt was involved in “homosexual activities” involving youth. Black told the Ore-Ida Council president, who gave Black a letter for Schmidt stating his registration with the Boy Scouts had been suspended.”

Black also sent a letter to the national office in Texas recounting what he had been told: “Jim (Schmidt) has some mental and physical problems and has been in the State Hospital quite a while; therefore, no ‘church court’ was held concerning excommunication from the LDS Church, but he was asked to cease Scouting activities in the Ward and Stake.”

“In early 1982, the same year Gilroy joined Cub Scouts, Black responded: “After careful study, I do not feel that Jim Schmidt should be put on the confidential file. There is probably no chance he that he will leave this council, and I’ll watch for any wrongdoing here.”

One year later came Schmidt’s arrest. SCHMIDT-James Schmidt 9.pdf

MAY 10, 2017 12:20 PM

‘I felt betrayed.’ Former Idaho Scouts speak about abuse they suffered as children BY CYNTHIA SEWELL

<http://www.idahostatesman.com/news/local/article149736589.html#storylink=cpy>

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