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Florida Baptist Convention found liable for former pastor who abused Eustis boy

6:05 p.m. EST, May 17, 2012 |
By Ludmilla Lelis, Orlando Sentinel

TAVARES — A Lake County jury today found the Florida Baptist Convention liable for a former pastor who sexually abused a 13-year-old boy in Eustis.

Jurors decided that the convention didn't do enough to investigate the background of Douglas W. Myers, who started two churches in Lake County after receiving funds and training from the convention.

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Myers, 63, pleaded guilty to molesting the boy repeated over a six-month period, ending in 2005, and is serving a seven-year prison sentence. The convention had argued that it is more of a support organization for Baptist churches and that it didn't have any control or responsibility for him.

The jury for the nearly two-week trial was not asked to decide a monetary award for damages. Attorneys said that issue would come up at a later court hearing.

"We're very pleased with the verdict," said Ronald Weil, an attorney for the victim, who is now 19. "It clearly shows the Florida Baptist Convention failed to follow a basic standard of care."

The attorney for the convention, E.T. Fernandez III, said he was happy that the jury did agree with his main legal point, that Myers wasn't an employee of the convention when the abuse occurred.

The victim and his mother had filed suit against the convention, arguing that it failed to uncover past allegations of sexual abuse at churches in Maryland and Alabama before giving Myers grant funds and training to start new churches in Florida.

This is the first such liability case against the convention, which comprises nearly 3,000 congregations and 1 million members in Florida, according to a convention spokeswoman.

In a similar case in South Florida, a jury in 1994 levied \$4.2 million against Wayside Baptist Church in Kendall for negligence in hiring a youth minister who sexually molested nearly a dozen teenage boys.

Though Myers had never faced prior criminal charges for sex abuse, members of his Maryland and Alabama churches knew about questionable behavior, including inappropriate contact with young boys and a skinny-dipping trip with children, according to court testimony.

During the trial, the victim testified the abuse occurred while he was in eighth grade after Myers earned the trust of his grandmother, a devout Baptist.

"He told me it was a normal part of growing up," the young man testified. "He told me he had done it with

plenty of other kids at other churches."

Before Myers started his church work in Florida, the convention ran a background search on him, including a search of criminal cases, motor-vehicle violations and a credit check, according to testimony. However, none of the convention officials had checked his references or called the prior churches, according to testimony.

A key question for jurors was whether the convention was negligent in having Myers start new Baptist churches. Myers started Harbor Baptist Fellowship in Howey-in-the-Hills and Triangle Community Church in Eustis. Both are now defunct.

Fernandez argued that the convention is more of a support group for the affiliated Baptist churches and that Baptist churches are run independently. The convention doesn't maintain any kind of authority over churches, he argued.

"We had no right to control anything he did," Fernandez said to the jurors. "We didn't hire him. We didn't fire him. We didn't control him."

However, Weil said Myers came to Florida as a "church planter," and that the convention had a more direct role over him. Baptist churches may be independently run, but it wasn't a church committee that brought Myers to town, he argued to the jury.

Instead, Myers received his funding and training directly from the convention, was in contact with the convention's mission division and was included in church directories and Baptist publications as being affiliated, Weil argued.

"He wasn't a rogue. He wasn't on his own," Weil told jurors. "He was part of an affiliated church."

A national support group for victims of sexual abuse by clergy has called the convention's claims of autonomy a bogus excuse. Survivors Network of those Abused by Priests, or SNAP, has a Baptist group with a website, StopBaptistPredators.org, and has asked the Southern Baptist Convention to create an independent objective review board to research allegations.

"When Southern Baptist leaders want to take action, they don't let the principle of autonomy prevent it," writes Christa Brown with SNAP. Brown is author of "This Little Light," a book that chronicles her own abuse.

Brown also wrote: "The denomination must provide a safe place where clergy abuse survivors can make a report with a reasonable expectation of being objectively and compassionately heard."

Jurors decided that at least part of the blame rests with the Lake County Baptist Association and the Bay Street Baptist Church. However, the trial focused on the responsibility of the statewide organization.

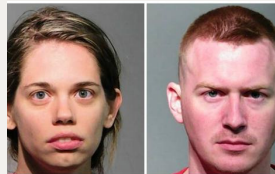
This question of shared responsibility will factor into future court hearings about potential awards for monetary damages. Court hearings about those legal issues will be held at a future date.

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