



Suit targets Jehovah's Witnesses

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Benton complaint about sex abuse and church policy is said to be the first of hundreds across the U.S.

By Jennifer Rouse

Mid-Valley Sunday

A Corvallis man is suing the North Albany and North Corvallis Jehovah's Witness congregations and the religion's national headquarters for \$3 million. The lawsuit accuses church leaders of ignoring the sexual abuse he suffered as a child.

The suit is the first of hundreds of mass filings against Jehovah's Witnesses planned by the Texas law firm that filed it.

The complaint names the Watchtower Bible and Tract Society of New York and numerous other defendants.

It alleges that when Tyler C. Davidow, now in his early 20s, was 4 or 5, a fellow Jehovah's Witness member abused him. His mother, Cathy Davidow, contends that when she went to the elders of the church, they did nothing to stop the abuse.

Tyler and Cathy Davidow both declined to be interviewed. In this report, Mid-Valley Sunday is not identifying the defendant also named in the suit because he could not be located to respond to the allegations.

Jim Riffe, an elder from the North Corvallis congregation, said he couldn't comment on the situation because he didn't know anything about it and hadn't been served with court papers yet.

"We'll address the matter when we are informed of it through the proper channels," Riffe said.

Steve Cuda, an elder from the North Albany congregation, also had not heard of the complaint and could not comment. It usually takes some time before respondents are served with notice of civil complaints.

Officials at the national headquarters of Jehovah's Witnesses in Brooklyn, N.Y., didn't know of the suit either.

However, J.R. Brown, a national spokesman for the organization, said that while Jehovah's Witnesses deal strictly with child abuse within the congregation, it isn't the church's job to report abuse.

"Nothing prevents them from calling the authorities," Brown said. "They don't have to call us first. These things operate separately. If the offender is part of the congregation, we will deal with it in a church setting. But if they are also reported to the authorities, we will not try to shield them."

A copy of the complaint was sent to the newspaper by Albany attorney James G. Nelson.

According to the lawsuit, Cathy Davidow owned a store called Blackbeard's Market, at 145 N.W. Second St., Corvallis, in the 1980s. While she worked at the market, she often brought Tyler with her and let him play in a storage area. Mother and child were members of the North Albany congregation.

In 1984, Cathy Davidow employed a woman who was a member of the North Corvallis congregation. According to the lawsuit, this woman often brought her teenage son with her to work, and, according to the lawsuit, he often stayed with Tyler in the storage area while the women worked.

In 1985, according to the complaint, Tyler told his mother that the teenager had been sexually abusing him for a year, and she went to the elders of her church.

Kimberlee Norris, the Fort Worth attorney handling the case, said that Jehovah's Witnesses encourage church members to take complaints to the church leaders.

"The control issue is so strong in Jehovah's Witness congregations," Norris said. "The setup is such that the elders are the voice of the Watchtower (the name of the Jehovah's Witness headquarters), and the Watchtower is the voice of Christ. They're taught that if you take it to the elders, you get the best forum already that you could ever be in."

According to the suit, when Davidow went to the elders of the church, they told her they would research the problem and take care of it, and that she shouldn't tell anyone else about it.

Oregon law requires members of the clergy, like teachers and social workers, to report any allegation of child abuse to the police. However, another law (ORS 40.260) provides an exception if it is part of a church's religious practice to keep confidential communications secret.

Brown, the national spokesman, said that Jehovah's Witness elders do report sex abuse in states w

here there are mandatory reporting laws.

"If it is a state that requires clergy to report, we of course would view that as taking precedence over ecclesiastical privilege," he said.

Time passed, and Davidow didn't see anything being done, either to help her son or to discipline the offender. She continued to ask the elders what they were doing about the issue, the lawsuit says. Eventually, she contacted the elders at the North Corvallis congregation, where the alleged abuser and his mother were members.

"The elders of (Corvallis congregation) instructed her to 'stop talking about it, we've got it handled,'" the lawsuit states.

In 1993, Davidow says she reported the matter to the Corvallis police.

"For her to come to that point, as a Jehovah's Witness, you have to come to the point where you're willing to be shunned," Norris said.

Jehovah's Witnesses teach that church members who rebel against the teachings of the church should be disciplined, for their own good, so that they might repent and return to fellowship.

That often takes the form of disfellowshipping -- all members of the congregation, even other family members, breaking all ties with the offender. An article on the Jehovah's Witness Web site mentions that even saying hello to a disfellowshipped person might be wrong.

When Cathy Davidow finally reported her son's abuse to the police, she was disfellowshipped. Tyler was not disfellowshipped but chose to leave the faith on his own.

The basis of the suit against the Jehovah's Witnesses is that the elders were negligent in failing to deal with the reports of sexual abuse. And according to Norris, it wasn't a simple oversight on the parts of elders in Oregon. She believes that child abuse in the Jehovah's Witness church is widespread because of the church's policies.

"It's not that they intend for children to be molested by the dozens," Norris said. "It's that their crummy policy allows this to happen. They've had notice upon notice upon notice that it is, in fact, occurring. At some point, does it rise to the level of gross negligence?"

That's why the suit doesn't just name the two local congregations, but the church's headquarters and subsidiaries in New York and Pennsylvania. And Davidow's suit is not the only one.

Norris and a team of other attorneys are filing suits alleging negligence against the Jehovah's Witness organization in all 50 states. Davidow's is the first because of the impending statute of limitations -- a civil suit for child sexual abuse can't be filed in Oregon after the victim reaches the age of 24.

Norris said the mass filings are "akin to a class action lawsuit."

Norris first began working on the issue last May, when a Texas woman approached her with a story similar to Davidow's.

"Her initial allegations were so outrageous as to cause me concern as to if they were even the truth," she said. "After I began to investigate her situation, and did research on other like situations, it became clear that what she experienced, and what others experienced, are systemic in the Jehovah's Witness organization."

Since then, Norris said she's heard almost the same story from 200 to 300 different people.

There are two specific Jehovah's Witness policies that Norris contends foster sexual abuse. One policy, she says, tells church members to report problems involving other believers to church leaders instead of police. The other is that the church requires two eyewitnesses to an incident before the accused person can be punished.

Brown, the Witness spokesman, said that while the church does require two witnesses or other compelling evidence before meting out any church discipline, that's beside the point because that requirement deals only with internal church procedures. He said the church does not forbid members from reporting crimes to the police.

"We're not trying to deal with the penalty of the law," he said. "That's a separate thing from our point of view. Yes, an abuser should pay the penalty, even if he has to sit in jail for 10 or 15 years."

Norris said that despite what church leaders say about e

ncouraging church members to go to the police if they wish to, that rarely, if ever, happens among Jehovah's Witnesses.

Norris said that while Tyler Davidow does hope to reclaim damages for the emotional pain his unacknowledged child abuse caused him, he and the other people she represents have a larger goal in mind.

"This is really difficult for him, but he wants to see policy change," she said.

"We want to change Watchtower Society policy that, in my opinion, fosters and encourages child abuse."