

Jehovah's Witness sex abuse case in feds' hands

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Lawsuit seeks \$10.5 million from Hillsboro church, Watchtower society

Attorneys for a 40-year-old woman and a 38-year-old man who say they were sexually abused nearly 30 years ago by a church elder in Hillsboro want to have a lawsuit filed by the pair last fall placed back in state court jurisdiction.

The plaintiffs are seeking \$10.5 million in civil damages from the North Hillsboro congregation of Jehovah's Witnesses and the Watchtower Bible & Tract Society of New York.

Their lawsuit, which alleges sexual battery, intentional infliction of emotional distress and negligence, was originally filed in December 2014.

On March 25, defendant Watchtower — the corporate head of the Jehovah's Witnesses — filed a “notice of removal” in Multnomah County Circuit Court to have the case processed in federal district court, where it is presently pending.

But lawyers for the defendants said Monday they plan to file a request to remand the case back to state court.

Kristian Roggendorf of Roggendorf Law in Lake Oswego is serving as local counsel for plaintiffs Velicia Alston and an unnamed man who is using the pseudonym “John Roe” in connection with the suit.

He said the defendants filed another motion March 26 to have the alleged perpetrator, Daniel Castellanos, named as a co-defendant in the lawsuit “or at least have him take some responsibility as a defendant.”

Alston, who now lives in San Diego, and the unnamed man, who resides outside the United States, are receiving primary representation from the Zalkin Law Firm of San Diego, which specializes in high-profile sexual abuse cases.

The firm currently has 16 such cases pending against the Jehovah's Witnesses, Zalkin Law attorney Devin Storey said Monday. In February 2014, the firm won a \$13.5 million default judgment against Watchtower in a suit brought on behalf of an alleged sexual-abuse victim who was a child member of the Linda Vista Spanish Congregation of Jehovah's Witnesses in 1986.

In that case, San Diego Superior Court Judge Joan M. Lewis entered the judgment — “like a verdict,” Roggendorf said — after Watchtower “refused to obey court orders to produce any documents they may have regarding the problem of sexual abuse of children within congregations of the Jehovah's Witnesses throughout the United States,” according to a press release from the law firm.

Attorneys for the defendants in the Hillsboro case are Anthony La Rocco and Margaret Korgul of K&L Gates in Newark, N.J. Neither Korgul nor La Rocco could be reached for comment by the Hillsboro Tribune's press deadline.

‘Grooming’ behavior

Alston and Roe were “unemancipated minors” in the late 1980s when they attended services and participated in activities at the Hillsboro parish with their families, the lawsuit reads.

At the time of the alleged abuse, Watchtower was the organizational head of the Hillsboro congregation, according to the suit, which asserts that Daniel Castellanos — who Roggendorf believes still lives in Washington County — was a “ministerial servant” in the congregation and required to “interact with, care for, befriend and build relationships with Jehovah's Witness children.”

Plaintiffs were “conditioned to trust Castellanos, comply with [his] directions,” the lawsuit says, “and to respect Castellanos as a person of authority,” a process it labels as “grooming.”

An adult Castellanos “sexually abused and molested Alston,” then 11 or 12 years old, “on multiple occasions” by fondling her genitals, kissing her on the mouth and touching her breasts, according to the lawsuit, causing “severe and debilitating physical, mental and emotional injury.”

The lawsuit asks for \$5 million in non-economic damages and \$250,000 in economic damages for Alston.

Castellano also abused Roe, then 8 to 10 years old, the suit alleges: “The abuse included fondling and masturbation of [Roe’s] genitals both above and beneath his clothing.” Attorneys are seeking non-economic damages of \$5 million and economic damages of \$250,000 for Roe.

Castellanos ‘disfellowshipped’

The lawsuit also charges that Castellanos sexually abused other minor Jehovah’s Witnesses during the same period and that the defendants failed to report him to the police or warn other parents, even after learning of the abuse.

Castellanos was disciplined or “disfellowshipped” by the congregation’s leaders, but was allowed back in some time later, according to Storey. “Whether he’s still a member [of the Hillsboro church], I don’t know,” Storey said Monday.

He added that Watchtower and the Jehovah’s Witnesses are “unlikely” to agree to produce documents requested by the plaintiffs’ attorneys in the Hillsboro case.

“Their point of view will be that even accused molesters have a right to privacy,” Storey said.

The religious denomination has “a collection of reports on child abusers they don’t want to turn over,” Roggendorf added.

Oregon’s statute of limitations doesn’t allow the criminal prosecution of Castellanos because too many years have passed since the alleged abuse occurred. But state law does allow alleged victims of child sexual abuse to file lawsuits up until age 40 or within five years of when they realize the damaging effect the abuse has had on their lives.

Alston was 39 at the time of the lawsuit’s original filing.

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