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Another Religion Targeted With Sex Abuse Lawsuits

CLAIMS AGAINST JEHOVAH'S WITNESSES PART OF NATIONAL TREND

By ISAAC AVILUCEA

In the 1990s and early 2000s, the Roman Catholic Church was rocked by allegations of rampant sexual abuse by priests. Since then, millions of dollars have been paid in settlements to victims. Now a string of lawsuits against Jehovah's Witnesses shows sex abuse problems may be nondenominational.

Four accusers are suing East Spanish Congregation of Jehovah's Witnesses New Haven and the Watchtower Bible and Tract Society of New York, saying they were sexually assaulted by Orlando Afanador, who held a leadership position in the New Haven congregation for five years starting in 1988.

The four lawsuits were filed by siblings Sybelle Almodovar, Evelyn Selimaj and Ferdinand

Almodovar, and another woman, Bianca Martinez. The suits trace Afanador's ascension in the church, detail the Witnesses' internal hierarchy, and describe practices the plaintiffs say prevented followers from going outside the church to report abuse and that allegedly allowed Afanador's actions to go unchecked for years. (In 2010, Afanador was criminally convicted of sexually assaulting a Nebraska boy.)

The Connecticut plaintiffs are represented by attorneys Thomas McNamara, of McNamara & Goodwin in New Haven, and Irwin Zalkwin, of San Diego, who plan to pursue the cases in state court. McNamara said church leaders got around legal obligations to report suspected sexual abuse to authorities by loosely asserting priest-penitent

■ See SUITS on PAGE 9

Suits Says Religious Doctrine Blocked Abuse Reporting

■ From ANOTHER on PAGE 1

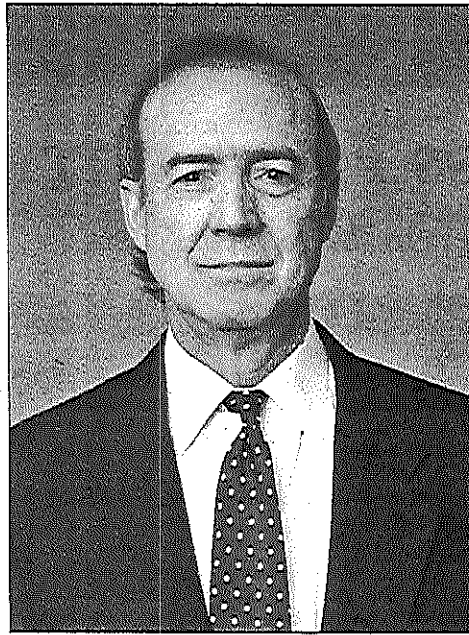
privilege, which protects pastoral communications that take place in confessionals. The problem, McNamara said, is church officials "stretched" application of the privilege to the point that "everything is confidential."

According to the lawsuits, the abuse began in 1988, shortly after Afanador migrated from another Connecticut congregation to the East Spanish Congregation of Jehovah's Witnesses New Haven after a mother in the previous congregation claimed he molested her children. Afanador was reportedly sanctioned by the other congregation but not expelled, which enabled him to move on to East Spanish.

At East Spanish, he quickly rose to ministerial servant, a position held by a number of men in each congregation who perform tasks ranging from maintaining the Kingdom Hall to assigning "witnessing" territory to members. It was in New Haven where Afanador met the Almovodor family. Soon, he and his wife moved into their home to help babysit the children after the parents divorced. Sybelle was 8 when Afanador began trying to entice her into sexual acts by dangling gifts, her lawsuit claims.

For about a year, he reportedly terrorized the girl almost nightly, entering the room she shared with her younger sister, Evelyn, violating her while the younger sister watched and listened, the lawsuit says. Meanwhile, the lawsuit says Afanador sexually abused Ferdinand more than 25 times, forcing him to perform oral sex, snapping photos of him engaged in sexual acts and showing him pornography.

In Martinez's case, Afanador allegedly began abusing her shortly after her family moved to Connecticut in 1989 and settled into the same apartment building where Afanador lived.



Law Tribune File Photo

Attorney Thomas McNamara and a San Diego attorney are bringing claims on behalf of four people who say they were molested by a leader of the Jehovah's Witnesses New Haven congregation starting in the late 1980s.

Martinez, who was 9 at the time, often visited Afanador's apartment to play with his son. One day, she went to show off her new hamster to Afanador's son, but she instead encountered Afanador, who invited the young girl in to wait. While she was sitting on the couch, he allegedly fondled her; she said she hopped off the couch and ran home.

Eventually, the Almodovar family claims the abuse forced them to move back to the Dominican Republic. They said they told church

leaders there what had happened, but they say nothing was done. Their lawyers said they filed lawsuits after realizing they weren't the only victims of Jehovah's Witnesses leaders. Zalkin is representing two Vermont women who say they were sexually abused by a different ministerial servant in the 1990s.

Other similar accusations stretch back more than three decades. In 2007, NBC News reported that it had learned of nine confidential settlements between the religious group's leaders and sexual abuse victims. The network said it had learned that one of the settlements totaled nearly \$800,000.

In California in 2012, a sexual abuse victim was awarded \$28 million in damages for abuse that took place in the mid-1990s. In Pittsburgh, an elder was charged last year with molestation, forcible sodomy and rape by instrumentation. The charges were ultimately dropped after defense attorneys successfully argued the statute of limitations had run out on the alleged crimes, which occurred from 1977 to 1982.

"This is an insidious problem, an epidemic problem with child sex abuse within this organization that so far seems more concerned about protecting its reputation from scandal than about the children," Zalkin said at a news conference in New Haven.

The church is being served with the Connecticut lawsuit on Oct. 13. So far, McNamara said, Witness leaders have not informed him if the church has retained counsel. No one from the church's New York regional office responded to a request for comment.

Two-Witness Rule

The lawsuit also attempts to explain how the church hierarchy and practices may lead

to the coverup of abuse. It notes that little is done without the approval of Watchtower, the organizational leaders—or elders—who advise congregational leaders through "secret" handbooks that cover everything from routine church operations to how to respond to allegations of sexual abuse, according to the lawsuits.

In previous lawsuits, Witnesses elders have been criticized for discouraging reports of suspected sexual abuse by church members and leaders in hopes of limiting lawsuits and negative publicity. The Connecticut lawsuit is more specific, saying the church's "two-witness rule" allowed Afanador's conduct to go unquestioned. Rooted in a literal application of biblical scripture, the two-witness rule requires an accused person to confess to sexual abuse or for two witnesses to the act to come forward to file a formal complaint.

Church leaders gave the two-witness rule priority over state law requiring clergy to report known or suspected instances of child abuse, McNamara said. He said it's preposterous to think that an abuser would ever allow someone else to witness a sexual act with a child.

"Imagine the scenario: I'm about to abuse this 10-year old child. Can I get a volunteer [to] please watch me?" he said. "What's it going to take for them to [turn from the two-witness rule]? Not being a Jehovah. They are known for being extremely rigid. I don't see that going by the wayside any time soon."

For this reason, McNamara said he thinks more sex abuse victims will step forward once they realize the church's reputation is not "more important than justice and their own healing." ■