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IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR MULTNOMAH COUNTY **18CV12510**

LAURA DOE, an individual proceeding
under a fictitious name,

Plaintiff,

v.

WESTERN OREGON CONFERENCE
ASSOCIATION OF SEVENTH-DAY
ADVENTISTS, an Oregon not for profit
corporation, doing business as Oregon
Conference of Seventh-day Adventists,

Defendants.

Case No. _____

COMPLAINT
(Sexual Battery of a Child/ *Respondeat Superior*; Intentional Infliction of Emotional Distress/*Respondeat Superior*; Negligence)

JURY TRIAL DEMANDED

Not Subject to Mandatory Arbitration

Prayer: \$4,000,000.00

(Common Allegations)

1.

Plaintiff Laura Doe is an adult female born in the year 1960. At all times relevant to the acts alleged in this Complaint, Plaintiff was an unemancipated minor who attended religious services, meetings, and classes and participated in activities at and through the Mt. Tabor Seventh-day Adventist Church (“Mt. Tabor SDA Church”), which was operated by Defendant. Plaintiff was enrolled as a student and also attended the seventh and eighth grades at Portland Adventist Elementary School (“PAES”), an SDA school for grades K-8 located in Gresham, Oregon and affiliated with Mt. Tabor SDA Church and other Adventist churches in the Portland area. (The term “Seventh-day Adventist” will hereinafter also be referred to as “SDA.”)

2.

Defendant Western Oregon Conference Association of Seventh-day Adventists is an Oregon not-for-profit corporation, doing business as Oregon Conference of Seventh-day

1 Adventists (“Oregon Conference”).

2 3.

3 Defendant operates, directs, supervises, and otherwise controls the SDA Churches and
4 SDA schools in Oregon, as well as the programs therein. Through its various churches, schools,
5 and programs, Defendant maintains offices or conducts regular and sustained business in
6 Multnomah County. At all relevant times Defendant operated, directed, supervised, and
7 otherwise controlled the Mt. Tabor SDA Church, PAES, and the programs and activities therein.

8 4.

9 At all times relevant to this Complaint, Defendant selected or accepted Pastor Lee
10 Thompson, an adult male, as a Teacher at PAES and a Pastor at Mt. Tabor SDA Church. As
11 such, Pastor Lee Thompson was Defendant’s agent, subject to Defendant’s direction and control.
12 As a Teacher and Pastor, Pastor Lee Thompson was in a position of trust, confidence, and
13 authority over minors involved with Defendant’s schools and churches. During his agency as a
14 Teacher and Pastor, Pastor Lee Thompson was authorized and required to: interact with, care for,
15 befriend, mentor, and build relationships with SDA children; to provide SDA children with
16 religious counseling, mentoring, training, education, and instruction; and to supervise and care
17 for SDA children – including Plaintiff in this case. At all times relevant to this Complaint,
18 Pastor Lee Thompson acted within the course and scope of his agency in performing duties for
19 and on behalf of the Defendant.

20 5.

21 Defendant authorized and empowered Pastor Lee Thompson to perform all the duties of a
22 Teacher and a Pastor with authority over children involved with or attending Defendant’s
23 churches and schools, including Plaintiff in this case. Defendant also taught and instructed
24 Plaintiff that she was to have respect for and obey all persons in positions of church authority
25 wherever they might meet. Defendant knew that as part of his duties as a Teacher and a Pastor,
26 Pastor Lee Thompson would be in a position of trust and confidence with SDA families and their

1 children, including Plaintiff in this case. At all times relevant to this Complaint, Defendant
2 authorized or ratified the conduct of Pastor Lee Thompson in performing the duties of a Teacher
3 and Pastor.

4 6.

5 For the purpose of furthering his duties as a Teacher and Pastor, Pastor Lee Thompson
6 sought and gained the trust and obedience of Plaintiff. Plaintiff was also conditioned by her
7 church, school, and family to respect and obey individuals in positions of church authority,
8 including SDA Teachers and Pastors. As a result, Plaintiff was conditioned to trust Pastor Lee
9 Thompson, to comply with Pastor Lee Thompson's directions, and to respect Pastor Lee
10 Thompson as a person of authority. This course of conduct is referred to hereinafter as
11 "Grooming." Alternatively or in conjunction with the Grooming activity, Pastor Lee Thompson
12 acted as a Teacher and Pastor toward Plaintiff and exercised authority *in loco parentis* over
13 Plaintiff during school and church events.

14 7.

15 The Grooming process and/or the roles of a Teacher and Pastor undertaken by Pastor Lee
16 Thompson led to and resulted in the sexual abuse of Plaintiff. Pastor Lee Thompson's Grooming
17 actions were (1) committed in direct connection and for the purposes of fulfilling Pastor Lee
18 Thompson's agency with Defendant; (2) committed, at least in part, within the time and space
19 limits of his agency for Defendant; (3) done initially and at least in part from a desire to serve the
20 interests of Defendant; (4) done directly in the performance of his duties as a Teacher and Pastor;
21 (5) consisted generally of actions of a kind and nature which Pastor Lee Thompson was required
22 to perform as a Teacher and Pastor; and (6) were done at the direction of, and pursuant to, the
23 power vested in him by Defendant. Defendant, through its agents, had a right to control Pastor
24 Lee Thompson's Grooming of congregation children as a Teacher and Pastor and/or Pastor Lee
25 Thompson's interactions with those children as a Teacher and Pastor.

26 ///

1 8.

2 While acting within the course and scope of his position as a Teacher and Pastor for
3 Defendant, and using the authority of his position, Pastor Lee Thompson used his Grooming of
4 Plaintiff to sexually abuse Plaintiff. Alternatively or in conjunction with the Grooming activity,
5 Pastor Lee Thompson's authorized actions as a Teacher and Pastor led to and/or resulted in the
6 sexual abuse of Plaintiff.

7 9.

8 Pastor Lee Thompson, as an adult, engaged in intentional conduct resulting in one or
9 more of the following: physical injury, mental injury, sexual abuse, and/or sexual exploitation of
10 Plaintiff as those terms are used in ORS 12.117. Specifically, Pastor Lee Thompson, while
11 acting as a Teacher and Pastor, sexually abused and molested Plaintiff between approximately
12 1972 to 1973, when Plaintiff was approximately 12 and 13 years old. The abuse included
13 kissing, groping Plaintiff's genitals, and digital penetration.

14 10.

15 As a result of Pastor Lee Thompson's sexual abuse, molestation, and breach of authority,
16 trust, and position as a Teacher and Pastor, Plaintiff has suffered and continues to suffer severe
17 and debilitating physical, mental, and emotional injury, including pain and suffering, physical
18 and emotional trauma, and permanent psychological damage distinct from the abuse itself, all to
19 her non-economic damages in the amount of \$2,000,000.00, the exact amount of which will be
20 proven at the time of trial.

21 11.

22 As an additional result and consequence of Pastor Lee Thompson's sexual abuse,
23 molestation, and breach of authority, trust, and position as a Teacher and Pastor, Plaintiff has
24 incurred and/or will incur in the future: costs for counseling and psychiatric and psychological
25 medical treatment, lost wages, and lost earning capacity, all to her economic damages in the
26 amount of \$2,000,000.00, the exact amount of which will be proven at the time of trial.

1 **FIRST CLAIM FOR RELIEF**

2 (Sexual Battery of a Child/*Respondeat Superior*)

3 12.

4 Plaintiff realleges and incorporates by reference paragraphs 1 through 11, above.

5 13.

6 The sexual molestation and abuse described in paragraph 9, above, constituted harmful
7 and offensive touching of Plaintiff, to which Plaintiff did not and could not consent.

8 14.

9 As a result of Pastor Lee Thompson's sexual abuse of Plaintiff and Pastor Lee
10 Thompson's breach of authority, trust, and position as a Teacher and Pastor to Plaintiff, Plaintiff
11 has suffered economic and non-economic damages, as detailed above in paragraphs 10 and 11,
12 above.

13 15.

14 Less than five years before the date of this Complaint, Plaintiff discovered the causal
15 connection between her abuse, as set forth in paragraph 9 above, and the damages suffered as a
16 result of the abuse, as set forth in paragraphs 10 and 11, above. Prior to that time, Plaintiff did
17 not discover and could not reasonably have discovered the connection between the abuse and the
18 resulting injuries distinct from the abuse itself. The psychological effects of the abuse Plaintiff
19 suffered prevented Plaintiff from discovering the causal connection between the abuse and the
20 injuries she suffered as a result of the abuse. Pursuant to ORS 12.117, Plaintiff's claims are
21 timely.

22 16.

23 In molesting Plaintiff, Pastor Lee Thompson acted with malice or a reckless and
24 outrageous indifference to a highly unreasonable risk of harm and with a conscious indifference
25 to the health, safety, and welfare of Plaintiff. Punitive damages against an agent are attributable
26 to a principal when a tort is committed in the course and scope of agency. Pursuant to ORS §

1 31.725, Plaintiff hereby provides notice of her intent to move to add allegations of punitive
2 damages against Defendant at any time after the filing of this Complaint.

3 **SECOND CLAIM FOR RELIEF**

4 (Intentional Infliction of Emotional Distress/*Respondeat Superior*)

5 17.

6 Plaintiff realleges and incorporates by reference paragraphs 1 through 16, above.

7 18.

8 Pastor Lee Thompson, while engaging in the Grooming process, knowingly and
9 intentionally caused severe emotional distress to Plaintiff when he sexually molested and abused
10 Plaintiff. In the alternative and/or in conjunction with the Grooming, acts within the course and
11 scope of Pastor Lee Thompson's agency with Defendant led to and/or resulted in Pastor Lee
12 Thompson knowingly and intentionally causing severe emotional distress and physical injury to
13 Plaintiff when Pastor Lee Thompson sexually molested and abused Plaintiff, as described in
14 paragraphs 9, above. Plaintiff did in fact suffer severe emotional distress as a result of this abuse,
15 and the sexual abuse of a child is beyond the bounds of all socially tolerable conduct.

16 19.

17 As a result of Pastor Lee Thompson's sexual abuse of Plaintiff and Pastor Lee
18 Thompson's breach of authority, trust, and position as a Teacher and Pastor to Plaintiff, Plaintiff
19 has suffered economic and non-economic damages, as detailed above in paragraphs 10 and 11,
20 above.

21 20.

22 Less than five years before the date of this Complaint, Plaintiff discovered the causal
23 connection between her abuse, as set forth in paragraph 9 above, and the damages suffered as a
24 result of the abuse, as set forth in paragraphs 10 and 11, above. Prior to that time, Plaintiff did
25 not discover and could not reasonably have discovered the connection between the abuse and the
26 damages she suffered as a result of the abuse. The psychological effects of the abuse Plaintiff

1 suffered prevented Plaintiff from discovering the causal connection between the abuse and the
2 damages she suffered as a result of the abuse.

3 21.

4 In molesting Plaintiff, Pastor Lee Thompson acted with malice or a reckless and
5 outrageous indifference to a highly unreasonable risk of harm and with a conscious indifference
6 to the health, safety, and welfare of Plaintiff. Punitive damages against an agent are attributable
7 to a principal when a tort is committed in the course and scope of agency. Pursuant to ORS §
8 31.725, Plaintiff hereby provides notice of her intent to move to add allegations of punitive
9 damages against Defendant at any time after the filing of this Complaint.

10 **THIRD CLAIM FOR RELIEF**

11 (Negligence)

12 22.

13 Plaintiff realleges and incorporates by reference paragraphs 1 through 21, above.

14 23.

15 On information and belief, in or around 1973, prior to the last occasion of abuse suffered
16 by Plaintiff, Defendant learned through its agents that Pastor Lee Thompson had been sexually
17 abusing Plaintiff. Pastor Lee Thompson was then removed from PAES, but Defendant
18 subsequently allowed Pastor Lee Thompson to serve as a Pastor at Mt. Tabor SDA Church.
19 After leaving PAES and while serving as a Pastor at Mt. Tabor SDA Church, Pastor Lee
20 Thompson continued to have access to, groom, and sexually abuse Plaintiff as a child involved
21 with programs and activities at Mt. Tabor SDA.

22 24.

23 Defendant created a foreseeable risk of Pastor Lee Thompson abusing youth, including
24 Plaintiff, in the following ways:

25 A. Defendant failed to screen or exclude Pastor Lee Thompson from contact with
26 children;

- 1 B. Defendant failed to train the SDA church and PAES employees to screen or
2 exclude individuals suspected of child sexual abuse from interacting with
3 children;
- 4 C. Defendant failed to warn Plaintiff's parents and parents of similarly
5 situated children of the known risk posed by Pastor Lee Thompson as
6 described in paragraph 23;
- 7 D. Defendant failed to report Pastor Lee Thompson to the police;
- 8 E. Defendant failed to train the SDA church and PAES employees to report to law
9 enforcement allegations of an adult employee sexually abusing a child as
10 described in paragraph 23;
- 11 F. Defendant failed to implement and/or enforce reasonable policies to
12 prevent child abuse – such as a “zero tolerance” rule regarding allegations
13 of child abuse or a rule against any adult SDA employee participating in
14 activities alone (i.e. one-on-one) with individual children; and
- 15 G. Defendant failed to train the SDA church and PAES employees in how to
16 properly recognize, prevent, and respond to child abuse.

17 These actions and/or inactions caused or substantially contributed to the abuse of Plaintiff in this
18 case.

19 25.

20 It was foreseeable to Defendant that the class of children involved with programs and
21 activities at PAES and Mt. Tabor SDA Church, including Plaintiff, were in danger of sexual
22 abuse by Pastor Lee Thompson and that Pastor Lee Thompson likely would continue to molest
23 children if permitted to remain an SDA leader.

24 26.

25 As a young child entrusted to the care and control of Defendant and towards whom
26 Defendant acted *in loco parentis*, Plaintiff had a special relationship with Defendant. This

1 special relationship created a duty of care on the part of Defendant to ensure Plaintiff's safety
2 while involved in SDA programs and/or events. Plaintiff was also within the class of persons to
3 be protected by Defendant's screening, supervision, and training of those it employed or
4 authorized to care for SDA youth. The risk of sexual molestation by Defendant's agents is
5 within the general type of foreseeable incidents and injuries that required Defendant to take the
6 actions it neglected, as described in paragraph 24. Alternatively Defendant created a dangerous
7 situation when they allowed Pastor Lee Thompson to continue to act as a Pastor upon learning
8 that Pastor Lee Thompson had sexually abused Plaintiff.

9
10 27.

11 Defendant's retention of Pastor Lee Thompson as a Pastor despite knowledge of his
12 abuse of Plaintiff – as well as Defendant's failure to protect from or warn of the danger posed by
13 Pastor Lee Thompson – created a foreseeable risk of harm to the safety of children in the care of
14 Defendant, including Plaintiff. Defendant's failure to supervise Pastor Lee Thompson during his
15 agency, failure to remove Pastor Lee Thompson after discovery of his sexual abuse of children,
16 and failure to warn or otherwise protect SDA youth created a foreseeable risk of harm to the
17 safety of children over whom Pastor Lee Thompson would exercise authority, including Plaintiff
18 in this case. Defendant therefore knowingly allowed, permitted, or encouraged child abuse.
19 Plaintiff's interest in being free from sexual molestation is an interest of a kind that the law
20 protects against negligent invasion. Defendant's actions and inactions described in paragraphs
21 23 through 26 were unreasonable in light of the risk posed to youth by Pastor Lee Thompson.
22 Defendant's actions and inactions described in paragraphs 23 through 26 were a direct and
23 foreseeable cause of the respective molestation and damages suffered by the Plaintiff, as alleged
24 in paragraphs 9 through 11, above.

25
26 28.

27 Less than five years before the date of this Complaint, Plaintiff discovered the causal
28 connection between her abuse, as set forth in paragraph 9 above, and the damages suffered as a

1 result of the abuse, as set forth in paragraphs 10 and 11, above. Prior to that time, Plaintiff did
2 not discover and could not reasonably have discovered the connection between the abuse and the
3 damages she suffered as a result of the abuse. The psychological effects of the abuse Plaintiff
4 suffered prevented Plaintiff from discovering the causal connection between the abuse and the
5 damages she suffered as a result of the abuse. Accordingly, less than five years before the date of
6 this Complaint, Plaintiff discovered Defendant's causal role in the injuries she suffered, as set
7 forth in paragraphs 10 and 11, above. Plaintiff's claim is timely.

8 29.

9 By way of this negligence, Defendant acted with malice or a reckless and outrageous
10 indifference to a highly unreasonable risk of harm and with a conscious indifference to the
11 health, safety, and welfare of children in SDA churches and schools, including Plaintiff. Plaintiff
12 hereby provides notice of her intent to move to add allegations of punitive damages against
13 Defendant at any time after the filing of this Complaint.

14 **WHEREFORE**, Plaintiff prays for judgment against Defendant, as follows:

- 15 1. Non-economic damages for Plaintiff in the amount of \$2,000,000.00, the exact
16 amount to be determined by the jury at the time of trial;
- 17 2. Economic damages for Plaintiff in the amount of \$2,000,000.00, the exact amount
18 to be determined by the jury at the time of trial;
- 19 3. For Plaintiff's costs and disbursements incurred; and

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