



## **LA Unified leaders sued over teacher sex abuse**

**LOS ANGELES** • The current Los Angeles schools superintendent and five of his predecessors were sued Tuesday on grounds that they systematically covered up complaints about teacher sex abuse of students over the past two decades.

Attorney Brian Claypool said he filed the suit on behalf of 12 children and 19 parents he is representing in another lawsuit.

Since that case at Miramonte Elementary School was made public a year ago, more cases of alleged teacher sex abuse and administrator inaction have surfaced in the district.



## Don't Taze Me Bro

### Respondeat Superior, A Misapplied Doctrine

I think the doctrine of Respondeat Superior (let the master answer) has gone amuck and it's time to rein it in. I became very upset when I heard a recent newscast report that another lawsuit is to be filed against the Los Angeles Unified School District for sexual misconduct by a teacher. Damn it, I can't afford it. I have a hard enough time getting by on my retirement income; I can't afford to pay higher taxes to continue to support a misapplied legal doctrine.

Respondeat Superior, as you may know, was a concept of law devised to allow an injured victim to recover damages from an employer (the master) because the employee (the servant) generally could not provide adequate compensation for the injuries he/she inflicted while doing his/her job. If that person were to have caused the very same injuries while not working for a master, he/she, and only he/she would be liable for the damages.

The doctrine made sense for the circumstances which caused its creation. The master was to profit by the servant's acts. To make the master liable for the servant's conduct in pursuit of that profit was not unfair. It was just another risk of doing business and could be factored in when budgeting business activities.

Tax supported public entities should not be bundled with, or confused with, private enterprise. It

-----By Harvey A. Saltz

is not The Board of Education's purpose to operate for a profit. Nay, it is operating for the benefit of the public in general. It is merely fulfilling a duty placed upon it by society and government. It is doing the bidding of the public, me and you. If I am to be held liable for the wrongdoing of employees of the education process, then my choice is to close-down business and eliminate the possibility of financial loss. Can we do that? Of course we can't. And that, my fellow citizens, is precisely why the doctrine of Respondeat Superior should not be applied to tax supported public entities. Recovery from a wage-earning wrongdoer should be sufficient without digging into my pockets.

Is it punishment that is sought? Well, the wrongdoer will personally have to pay damages, suffer loss of employment, face public disgrace and criminal prosecution, serve time in prison, and be marred for life as a sex-offender. Was the School District negligent in its hiring or monitoring and have to be taught a lesson? Perhaps, but it should only be the negligent individual that is held personally accountable, not me nor the rest of the public who had no hand in the negligent hiring, or the monitoring, or the perpetration of the criminal act.

Harvey Saltz is a former attorney and Deputy District Attorney for the County of Los Angeles. He is the author of *It's a New World, Retirement*.



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# Archdiocese says it warned LAUSD

**ABUSE:** Former priest was hired despite negative recommendation.

By **Barbara Jones**  
 Staff Writer

The Archdiocese of Los Angeles said Monday that it raised red flags with Los Angeles Unified about a pedophile priest before the district hired him as a community liaison in 2002.

Monsignor Craig Cox filled out a reference questionnaire in 2001 for former priest Joseph Pina, saying he was “not the most stable of individuals” and recommending that he not be hired.

Cox also answered “no” when asked if Pina had carried out his job with the archdiocese in an “ethical and safe manner” and whether he’d be hired again.

The questionnaire was provided Monday by the archdiocese as officials scrambled to determine how a priest implicated in the clerical sex abuse scandal had gone on to work for the school district.

While Cox provided his phone number on the questionnaire, archdiocese spokesman Tod Tamberg said, “There is no indication in our files of any follow-up by LAUSD once the form was returned.”

If the district had inquired, officials might have learned that Pina had told church officials about a

long-term sexual relationship with an adolescent girl and several “boundary issues” with young women.

Superintendent John Deasy said that he’d scoured Pina’s personnel file on Monday and couldn’t find a copy of the questionnaire.

“His file has a background check and a one-page resume and the usual forms, but we don’t have this document,” Deasy said. “Obviously, we’re looking into it.”

That wasn’t an isolated incident.

The archdiocese said Monday it had notified the district in May 2008 that a former priest accused of having a relationship with a teenage girl was working as a girl’s volleyball coach.

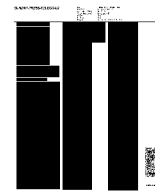
The coach was fired a few months later — after the Los Angeles Times alerted school officials that the ex-clergyman was named in sex abuse lawsuit. District officials couldn’t determine whether the church or the newspaper notification prompted the firing.

Pina was hired Jan. 7, 2002, as a community outreach coordinator for the facilities division, serving as a point person for residents concerned about issues related to the district’s construction program.

He was laid off last year as construction work waned but was brought back periodically.

“That’s not happening anymore,” Deasy said. “He’s done.”

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## ABUSIVE CLERICS

# Former priests could be next door

**CASES:** Without a tracking system, molestation suspects could be a danger to children.

By Barbara Jones Staff Writer

Half of them are dead, a handful are in prison, a few have continued in the ministry.

And the rest of the former priests — those accused in Los Angeles archdiocese files of sexually abusing altar boys, parishioners' kids and schoolchildren — could be just about anywhere.

Because of efforts by Cardinal Roger Mahony and his top aides to shield scores of suspect priests from prosecution, many have been free to leave the church and start new lives without anyone else knowing about their past.

Although the priests are aging — the youngest is nearing 60, and most are in their 70s and 80s — victims and their advocates worry about the inability of the system to track these alleged abusers and to notify the public.

"The frightening prospect is that the gentle man next door, who is so friendly and engaging with children, might well turn out to be somebody who has a sickness and disease that makes him a danger to children," said attorney Raymond Boucher, who helped secure a \$660 million settlement in 2007 against the archdiocese in the sex-abuse scandal.

"They are predators in every sense of the word. They know just how to seek out those children who are likely to be sucked in by their charisma and magnetism. Their warm and engaging personalities is part of who they are."

Esther Hatfield Miller knows what it's like to be "groomed" by a charismatic priest. As a cheerleader at Reseda High, she was one of the many teenage girls who say they were lured into relationships with Michael Nocita, a now-defrocked priest who at the time was assigned to St.

Bridget of Sweden Catholic Church in Van Nuys.

"This is one of the things that is concerning to me — pedophiles don't look like 'stranger danger,'" said Miller, now 54, who said she's spent years in therapy trying to deal with the trauma of Nocita's abuse.

"They have this nuance about them that doesn't raise awareness that this guy is dangerous. Their coercion is very subtle."

In fact, the priests' ability to connect with parishioners — adults and kids alike — was mentioned in several of the extensive files, which have been reviewed by a team of Los Angeles News Group reporters and editors.

The documents released under court order on Jan. 31 also detail horrific allegations of molestation, and how church leaders transferred abusive priests from parish to parish in order to shield them from police.

Because the statute of limitations had expired by the time the molestation was reported, the priests were never prosecuted for crimes that might have landed them on a sex-offender registry and under the eye of authorities.

"The priests got a 'get out of jail free' card from the church," Boucher said. "It was something that was done with knowledge and intent."

As part of his legal battle to win unrestricted access to archdiocese files, Boucher compiled an extensive database in 2011 showing the locations of priests suspected of sex abuse.

By showing that disgraced priests were living near schools, across from parks or close to libraries, Boucher hoped to persuade a judge to include the names of the accused when the documents were released.

The first judge refused, saying the names should be blacked out. That decision was overturned by another judge who said the public

deserved to know how church leaders had handled molesting priests.

While websites like bisho-paccountability.org have tracked the legal cases against the priests, Boucher's database is believed to be the only one that shows the whereabouts of those accused of misconduct.

"It was a pretty monumental task," Boucher said. "We used last-known addresses, Internet researchers, our own investigators. Then we verified the location. And if we found out it wasn't accurate, it was figuring out where they went."

Using Boucher's information, the "Report to the People of God" released by the archdiocese in 2004 and its own research, the Los Angeles News Group was able to break down the files released last week. They show:

- Of the 122 priests whose files were released by the archdiocese, 62 are reported to have died. They include Father Ted Llanos, 50, who killed himself in 1997 while facing a lawsuit accusing him of molesting altar boys over a 20-year period.

- Twenty-three have been traced to neighborhoods in Los Angeles, Ventura, Orange and San Bernardino counties. Five others are in Central and Northern California.

- Seventeen couldn't be located at all, although two may have fled to Mexico, one is believed to be in Spain and another in Colombia.

- Eleven were convicted of sex crimes or took a plea deal for a reduced sentence. Four of them are currently behind bars.

- Two continue in their ministry — Father Joseph Alzugaray is assigned to St. Apollinaris Catholic Church in Napa; and Father Edward Casey is listed as a "resident" at St. Pius X Church in Broomall, Pa.

- Two other priests — Sean Cronin and David Granadino — are listed in the archdiocese directory as

being on administrative leave.

- Ex-priest George Miller, on parole for sex abuse, lives next door to Carl Sutphin, who was defrocked after being accused of molesting 18 boys, at a trailer park in Oxnard.

- Some accused molesters got jobs in positions of trust and authority after leaving the church.

Donald Farmer, who served at churches in Glendale and Thousand Oaks, left the priesthood and became a family therapist in Fresno. He was accused in 2003 of molesting four children after befriending their parents. He denied the allegations and the charges were eventually dropped.

Joseph Pina — an ex-priest accused of having relationships with young girls — worked for more than a decade as a community liaison for Los Angeles Unified School District. The district terminated him when the files were released and officials became aware of his background.

Nocita, the defrocked priest accused of relationships with numerous teenage girls, worked as a color commentator for a local news station during Pope John Paul II's visit in 1987 and was later hired as executive director of the youth center in La Cañada Flintridge.

He recently left his job in human resources at an abalone farming company and is reportedly living in Redondo Beach, but there was no phone listing for him.

A listing also was unavailable for Miller. Sutphin did not return calls for comment.

Victims advocate David Clohessy said the Roman Catholic Church needs to do more to ensure that the community remains safe from priests accused of wrongdoing — even if the abuse occurred decades earlier.

He said the church should cut off financial support to priests who have retired or been put on leave under the

shadow of an abuse allegation. And if an active priest is suspected of abuse, Clohessy wants officials to put him in a secured treatment facility or turn his file over to authorities.

“These predators live almost completely unsupervised among unsuspecting friends, neighbors and co-workers, said Clohessy, the president of the Survivors Network of those Abused by Priests. “It’s an invitation to disaster.”

Archdiocese attorney J. Michael Hennigan said the church has no way to track its former priests, adding that “they are like any other citizen” once they leave the church.

He also said the archdiocese is cooperating with law enforcement agencies that are reviewing the old files and has offered “enthusiastic assistance” in prosecuting clergy suspected of abuse.

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