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Corrected version

Award reduced in Mormon church abuse case

By Christine Clarridge
Seattle Times staff reporter

The state Court of Appeals has overturned a portion of a 2005 civil court verdict that found The Church of Jesus Christ of Latter-day Saints financially liable after a church member sexually abused his two stepdaughters.

The appellate court ruled on Tuesday that while the Mormon church still owed the two stepdaughters a little more than \$1.2 million because a bishop kept one from reporting the abuse, the church was not financially responsible for the stepfather's liability in the case. That decision will reduce the amount that was awarded to the girls in 2005, although attorneys were not immediately sure by how much.

The two sisters, Jessica and Ashley Cavalieri, had originally won a \$4.2 million award in a King County civil trial that held the stepfather, Peter N. Taylor, and the church liable for the years of abuse.

Attorneys for the sisters said it is not clear how much of the award's balance the victims will be able to recover from the stepfather, a former high priest in the Federal Way stake of the Mormon church who was sentenced to prison.

The appeals court found that the bishop did "intentionally, willfully and deliberately" silence one of the sisters by telling her that disclosing the abuse to authorities would destroy her family, according to Tim Kosnoff, an attorney for the sisters.

The appeals court, however, refused to hold the church financially responsible for the criminal actions of the stepfather. The court of appeals also ruled that a bishop in the church is not similar to a social worker and is not required to report incidents of abuse to law-enforcement or child-protection agencies.

Kosnoff said he disagrees with the court's ruling and believes that the church and stepfather are equally liable under Washington state law. He said the sisters' legal team may appeal the ruling to the state Supreme Court.

"You cannot have this group of people evade the responsibility of reporting to the police or CPS simply because they are not getting paid," Kosnoff said. "It's a dangerous situation for children in a religious environment where they are trained to take all their problems to the bishop."

Thomas Frey, an attorney for the church, said his clients are pleased with the legal clarification that significantly reduces the church's financial liability to the sisters.

The sisters, who agreed to let their names be used in media reports in the hopes it would help other abused children, filed the lawsuit in 2002 against the church and their former stepfather. Both are now in their 20s.

According to the suit, Taylor abused the older girl for about six years before she confided to her church's bishop about the abuse.

Instead of helping her or even telling her mother, the bishop urged the family to work out their problems through worship and prayer and cautioned her that public disclosure of the abuse could lead to the family's ruin, the lawsuit claimed.

The abuse continued for five more years, and Taylor also began abusing the younger girl, the lawsuit claimed.

A King County civil jury found that the church was liable for intentional misconduct and negligence and ordered the church to pay most of the award. The remainder of the award was to be paid by the stepfather.

Taylor, who was "disfellowshipped" from the church, pleaded guilty to first-degree child molestation in 2001 and was sentenced to more than four years in prison.

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