



**ALLEGED SINNER:** Former Franciscan friar David Johnson, who taught at St. Anthony's seminary, was accused of sexual abuse in two new lawsuits dating back to the 1980s. The lawsuit labels the Franciscans an ongoing public nuisance. Franciscans counter that since the scandal first erupted in 1993, no fresh accusations of abuse have surfaced. Johnson, they point out, has left the order.

## Moral Dumping Ground

### New Sex Abuse Claims Filed Against Franciscans

By Nick Welsh  
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Sixteen years after Santa Barbara's St. Anthony seminary was first exposed as a cluster bomb of sexual abuse, the legal warfare over who did what to whom, and what should be done about it, shows little sign of abating. Two new civil complaints were recently filed by former seminary students against the Franciscan order, claiming—sometimes in excruciating detail—that they'd been sexually assaulted by former friar Dave Johnson.

Both plaintiffs, Craig Clover and Ernesto C., first attended St. Anthony's in 1979. Both came from abusive families; both claim the sexual predations they suffered led to a life of substance

abuse and emotional instability. And both contend that they'd repressed memories of their respective assaults until recently.

Whether their claims fall within California's statute of limitations depends on how wide the California Supreme Court determines that legal window should be kept open. The plaintiffs' attorney, Tim Hale, contends that the Franciscans constitute an ongoing and abiding public nuisance—for which no statute of limitations exists—because they shuttled problem priests from one community to the next without warning unsuspecting parishioners. On the contrary, Hale charged, the Franciscans engaged in a wide array of practices designed to conceal and cover up the transgressions of pedophile priests.

In the recent filings, Hale gave prominent placement to a 1950 letter from the San Diego Bishop to church authorities in Rome complaining, in the bitterest possible terms, of priests from Santa Barbara. "During the 13 years since this Diocese was erected, to my own personal knowledge, the Saint Barbara Province of the Franciscan Fathers has used this Diocese as a dumping ground for their moral, mental and physical problems," he wrote. "It became necessary for me some time ago to demand the withdrawal of one misfit after another." Without San Diego as a safety valve, Hale contended, Santa Barbara was forced to keep its problem priests. As a result, children in Santa Barbara were placed at uncommon risk. "I guarantee you that per capita, Santa Barbara had more of this than any other community," Hale said.

Brian Brosnahan, the attorney representing the Franciscans, noted that nothing in the letter Hale cited mentions priestly pederasty. Instead, the complaints focus on incompetent Franciscans who failed to build desperately needed new schools on church-owned property. Brosnahan said the letter indicated the bishop wanted the Franciscans out of San Diego so that he could reward priests working in desert parishes with more choice assignments there.

Brosnahan also disputed Hale's public nuisance claim, arguing that since the scandal broke in 1993, the Franciscans have taken pains to ensure that problem priests were not put in a position where they could abuse again. While many new lawsuits have been filed since 1993, Brosnahan insisted that there have been no allegations that sexual misconduct by Franciscan friars has taken place since that time. Instead, Brosnahan argued that the Franciscans have been "at the vanguard" of reconciliation efforts by religious orders dealing with sexual abuse. As part of the Franciscans \$25 million settlement in 2006, he pointed out, the Provincial agreed to meet with survivors, hear their stories, and personally apologize.

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Craig Clover and Ernesto C. would add two more to the list of 62 minors molested by Franciscan friars in Santa Barbara since 1960. Clover, a native of Phoenix Arizona, reported that soon after arriving he had his testicles fondled and his anus digitally penetrated—under the guise of a medical exam—by a friar with no medical expertise. Later, he claimed, Father Dave Johnson called him into his room and ordered him to kneel and take off his clothes. When Clover balked, he said Johnson and an unnamed accomplice yanked off his trousers, held him face down, and sodomized him with a foreign object. On another instance, Clover charged that Fr. Gus

Krumm—then wearing boxer shorts—pressed him against the wall and thrust his groin onto his backside.

When Clover returned to Phoenix, he alleged, he notified Thomas O'Brien, his parish priest, who would later become that city's bishop. After O'Brien consulted Fr. Mel Jurisich, then running St. Anthony's, O'Brien berated him, Clover charged, asking if he understood it was a mortal sin to lie about a priest. More recently, O'Brien, it turns out, struck a deal with Mariposa prosecutors granting him immunity from charges of covering up crimes of priestly pedophilia dating back to 1979. And five years ago, O'Brien was found guilty of felonious hit and run, after he accidentally killed a pedestrian with his car and fled the scene.

Brosnahan, the Franciscan's attorney, called Clover's account of conversations involving O'Brien and Jurisich "a total fabrication." He said the Franciscans were investigating Clover's claims against Johnson, whom he acknowledged had been the subject of a similar lawsuit in the past. Johnson, he said, is no longer a Franciscan. Brosnahan acknowledged that Johnson and Krumm both had admitted to sexual misconduct in the past, but Johnson had denied the allegations recently leveled against him.

Clover reportedly suppressed all memory of these events until recently, when he encountered Johnson—or a man who resembled him—outside of a movie theater.

Ernest C., who came from a broken home in Richmond, California, charged that Fr. Johnson got him drunk on half a bottle of Bacardi rum during a school camping trip to Yosemite, and then assaulted him in a tent. For years, he would consider Johnson a close mentor, inviting him to officiate over his wedding in 1985, and writing him several letters expressing his admiration and affection for the priest. Only during subsequent substance-abuse counseling sessions would he come to remember that Johnson had abused him.

In his legal filings, Hale contended the Franciscans should have known that Fr. Krumm posed a threat because, as a seminary student, he got in trouble for contracting a case of the crabs from having sex with an adolescent male. Brosnahan countered that he had spoken with the noviate instructor whom Hale alleged read Krumm the riot act for getting crabs. "It just didn't happen," Brosnahan stated. I

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Initially, the Franciscans defended Krumm, stating that he'd been investigated and that three psychiatrists had concluded he wasn't guilty. In 2002, however, Krumm admitted he'd molested boys while at Saint Anthony's. Shortly after this admission, he left the priesthood. In the meantime, however, he'd been transferred to parishes in Oregon, Sacramento, and Orange County. In no instances, Hale objected, was anyone notified or warned. "Hale has the theory that we should send out mass mailings to everybody," Brosnahan said. "We have not done that. It's not our policy. It is currently our policy to report all claims to law enforcement authorities."

Former pedophile priests have struck since 1993, Hale contends, in at least two instances. He claimed that Fr. Steven Kain, a pedophile priest once assigned to St. Anthony's, had molested again in 2005 while at St. William's at Los Altos. Brosnahan dismissed this too as "a fabrication," stating the alleged witness Hale cited in making this claim did not corroborate Hale's representation: Brosnahan contended that the witness acknowledged hearing reports of sexual abuse about Kain, but those allegations involved events that took place prior to 1993 and did not take place at St. William's.

Hale said he'd be happy to let a jury decide. Hale also cited the case of Fr. Louis Ladenberger, who never taught at St. Anthony's, but who left the Franciscans in 1996, after having been sent for psychological treatment twice in the 1980s for inappropriate behavior. Last year, Ladenberger was sentenced to five years in Idaho for having sex with two boarding school students. Hale contends the Franciscans need to warn a wider community about their friars' past misdeeds. "If you own a dog and it becomes rabid and you abandon it as a result and it bites someone," he asked, "aren't you responsible?"

The two newest cases will go before separate Santa Barbara judges sometimes next month.

*This story has been added to and amended for accuracy since its original posting.*