

FR. GARY JACOBSON

Additional Disclosure Documents

PD-HO 0043

3rd-grade at Queen of Peace

Fr-Jacobson came every Monday
night for dinner & to watch
football.

On this night she had her best
friend spending the night
with her. (They were sleeping in
little sister's room - light was
off came in & felt her body
focusing on vaginal area -

- Did the same to her friend
nights were never on
- mom came in asked what are
you doing - They talked about
it said they were going
to sleep on stomach - he came
in later & French kissed her
+ Then he French-kissed her
every time they came.

Family was close - saw them
often - Last time she had
seen him was 5 years ago
when they were visiting in
Oregon.

Girl who was with her - she does
not remember her last name
was her first name - does not know
where.

After the second instance mom came
in and asked her to leave.

'Mother said'

When Fr. Jacobson left the parish
there were rumors of involvement w/

children
List of names of young girls
to pray for. told after his

Scottsdale

to were having party - taken
Slumber party in - They
basement - Fr. kept going
into the basement - Mother had to
(he had dropped in) come to
leave

still on Queen of Peace (Teach at Sem

Their daughter really liked the
little daughter Fr. Then there
was an abrupt change.

liked Fr. then little girl really
had an abrupt change.

What she was attempting to do

- 1) She was having problems in
her relationships with men.
- 2) Now has met a guy - 10 days
ago he Fr. had kissed - brought

all this back.

2) So she needs counselling.

3) Wants to make sure he was not
~~under care~~ in a circumstance

~~Don't~~ A

MEMORANDUM

TO: File

RE: Father Gary Jacobson

FROM: Father Paul Peri

DATE: 26 February 1987

This is a follow-up to my Memo to File of 15 January 1987 in which the substance of a complaint against Fr. Jacobson was described. The complaint was made by Jacobson had touched the daughter in an inappropriate way. The girl is 15 years old. The complaint stated that Father

On February 25, 1987, I met with Father Jacobson in my office and gave him a copy of my January 15th Memo. I asked him to respond to the concerns of the Memo.

Father Jacobson said that he "may well have touched" He explained it by saying that he is openly affectionate with lots of people. I asked him if he was aware of the gravity of the situation. He said he was, but impressed me as not being overly concerned.

Jacobson said that he had been drinking prior to the incident and that might have contributed to the situation. I asked him if he had a problem with alcohol. He said he did not.

Jacobson said that he had no intention of doing any harm to he is close to the family and would not do anything to hurt them.

I asked Jacobson if he would be willing to see Father Carey or Father Mosbrucker for an assessment with respect to the complaint. He said that he would be willing. He also said that there was no turmoil at this time in his life.

CONFIDENTIAL

MEMORANDUM

TO: File

FROM: Fr. Peri

RE: Fr. Gary Jacobson

DATE: 15 January 1987

On 14 January 1987,

came into the office to make an observation about Father Gary Jacobson. are members of Christ the King Parish and have known Fr. Jacobson for 2 1/2 years. The have seven children: four at Christ the King and two daughters at LaSalle and one small child at home.

observation of Gary Jacobson is that he has an "inappropriate" interest in young girls. His behavior in word and deed, she maintains, has been unprofessional and unbecoming. In support of her observation, she offered the following information.

In January of 1986, they had invited Jacobson over to their home for dinner. Gary had been to the house prior to this time and it was common for him to watch television with as well as play cards with the kids.

On this particular occasion, had gone upstairs to finish preparing the dinner in a few minutes. Their 15 year old daughter, came upstairs and was upset and crying. said that Jacobson had put his hand on her back and was massaging her back. His hand was under her shirt.

The girl was upset enough to stay in her Mother's bedroom and not join the family for dinner. The girl then related to her Mother that once before while the kids were playing cards, Jacobson had more than once pulled her to himself in order to kiss her on the forehead.

then related an incident from a girls' softball game in June of 1986. Jacobson was the umpire, it seems. Somewhere along the line, Jacobson repeatedly told about the beauty of the girls' builds, their physical beauty. said it was obvious that he was "noticing" the girls. said that during the fall of 1986, three different people made comments to her about Father Jacobson and "his interest in the girls." These people said that they were uncomfortable with Father Jacobson's attention to the girls.

In December, 1986, at a basketball game in which the LaSalle girls played Seaside, Jacobson sat close to to watch the game. Before the game, Jacobson kept making comments about the girls bodies and their looks to the point of being inappropriate, according to

PD-HO 0048

MEMO

RE: Fr. Gary Jacobson

Page 2

 said that he agrees with the data that his wife supplied, however, he said that he did not share the same sense of alarm over the behavior described above and which agrees is not proper behavior for a priest.

The also pointed out to me that there is a certain level of gossip in the parish about Father Jacobson.

My recommendation to the was that they should talk to Father Jacobson first and tell him frankly about their uneasy feelings. I said that I would also be talking to him after they did. said that he would call me after he had a chance to see Father Jacobson.

PD-HO 0049

The Consulting Service for Clergy and Religious

0858 S.W. Palatine Hill Rd., Portland, Oregon

Phone 636-1521

The Rev. Jacob Mosbrucker

April 23, 1987

TO: Father Paul Peri

FROM: J. Mosbrucker

RE: Father Gary Jacobson

Father Gary Jacobson was referred to this office because of a complaint filed by a . . . The purpose of the referral was to assist in determining what course of action should be recommended to Father Jacobson. I explained that I would interview him and that a report would be written. He understood that and accepted that procedure.

Father Jacobson indicated that he had been at the home of the family who have been his friends since September of 1985. The father of the family is a "beer drinking buddy." Father Jacobson said that he had too much beer to drink and was rubbing the eighth grade girl's back underneath her sweater, adding "you know I have that problem."

The girl's mother wrote a complaint to the Archdiocese concerning Father Jacobson's behavior. He explained that the girl's mother thought that he was too affectionate with girls in general. This attitude, he felt, was engendered by other women who had mentioned the behavior of Father Jacobson at coffee and rolls, viz hugging young girls. He said that he had made a comment at a softball game about a girl having a particular build and he felt that . . . had been prejudiced about that comment by the earlier incident with her daughter. He complained that he "can't say anything without all sorts of sexual connotations being put on it."

He understands his problem in several ways. The first is that when he is drinking beer his "sexual feelings are almost out of control." Typically, this is the connection that he makes. The other explanation that he gives is that "I reach out mainly to young girls for affection." He expresses a need to change his behavior but at the same time protests that there is a normal expression of affection, especially with the girls who are on the softball team, such as a hug. He further protests that people should not talk about him because he doesn't always reach out to the attractive women on the team. In fact, if a girl were to take the initiative people should not talk about his behavior at all. He feels there is an

PD-HO 0050

RE: Father Gary Jacobson

Page 2

April 23, 1987

injustice done to him by people talking about his expressions of affection and thereby depriving him of it.

Father Jacobson sees some diminishments in his life in recent years, especially due to a worsening case of arthritis. He indicated a strong dislike for parish life for several reasons. One, that there are "all those people coming at me," an inability to delegate responsibilities, and the extreme loneliness he experiences by being in a couple oriented culture. His gratifications come from spiritual direction, umpiring girls' softball games, engaged encounter work, and liturgy and music. Life in the parish he finds very stressful because there is too much to do and the responsibility tends to overwhelm him.

His solution to the consequences of him being criticized for his over-affectionate behavior was several pronged. He first indicated that he would stop drinking beer but then protested that the incidents were not that frequent and ongoing so he should not be deprived of that activity. He, secondly, has taken steps to be careful about what he says around young women and to "make sure I'm not pawing people." A third activity is to become more involved in his spiritual life and more faithful to his spiritual exercises. He also feels that he needs a more structured, predictable life and not the disruptions which he experiences in parish life. On the other hand, he has formed no long-term relationships with women and, as he described it, he could "love 'em and leave 'em."

Father Jacobson is obviously a very confused man. He attempts periodically to get his basic needs met which seems to get him into trouble by hurting some other person in his life. He responds to the reactions of others by working harder at his spiritual life and ceasing the use of alcohol but then resenting what he experiences as a deprivation of contact with women. He does not see his aggressive behavior towards women as hurtful and only understands that when there is a serious disruption of his life, such as the complaint by *He did not indicate that his behavior would* change but rather that he would modify the places where he expressed this behavior so that he would not continue to offend those people who were involved in the complaint. This does not seem to be so much a change of his attitudes. Rather, it is damage control.

In light of these comments it seems to me that any change he would undergo would be the result of long-term, intensive psychological work with him. Concomitantly, I would recommend: 1) that those making recommendations for his life would read his total record; 2) that he not be involved in parish life; 3) that he be given the long-term, intensive patient therapy that might be of some assistance to him.

J. Mosbrucker
jj

PD-HO 0051

Rev. Charles Lienert
Archdiocesan Pastoral Center
2838 E. Burnside
Portland, OR 97214

March 24, 1993

MAR 29 1993

Dear Fr. Lienert,

After trying for over a week to talk to you by phone, I have chosen to put my thoughts and wishes in writing. I spoke with _____ so you can reach her at _____ during the day. She is willing to talk to you about Fr. Gary Jacobson pursuit of her daughter, age 22, during his stay there. It reached a point that they had to tell him not to come to their house any more because he wouldn't leave her alone. She will also tell you of his drinking in her home. He told them that hard liquor didn't agree with him but beer and occasionally wine were fine. Does this sound like a man who has changed to you?

When I first came to you in December, I was wanting Fr. Jacobson out of parishes so other young women would not be in danger. Now, especially after Sunday's 60 Minutes tv show, I want him out of the priesthood. I find I am very angry with how the Bishop has moved him from parish to parish every two years knowing there is a problem. He has harmed so many women and young girls with his sexual advances and you just send him to another unsuspecting parish.

It has been a difficult decision to come forward again and talk of all this after having done so 6 years ago and have nothing happen. Fr. Lienert you have reassured me that something has been done and you keep in contact with Fr. Jacobson to be sure he is conducting himself properly. Clearly he is not and I want something done.

I will recount for you and the Bishop his actions at St. Henry parish 6 years ago. At the time Fr. Jacobson came to St. Henry's, I was a part-time staff person as Care Ministry coordinator and Fr. Jacobson was assigned to work with me. I did most of the work from my home via telephone. In connection with this Fr. Jacobson came to my house one day. Intermixed in the business conversation was social conversation for Fr. Jacobson was new to the parish and to me. Out of the blue, Fr. Jacobson said that his vow of celibacy technically meant that he would never marry and he had no intention of doing that. The way he said it implied to me that sex was an option. I was shocked at the remark and responded with silence. He left soon after.

We continued to work and socialize together. A month or 2 later St. Henry's had their Christmas party for everyone who had done any volunteer work in the parish during the year. The staff put it on. After the party about 20 parishioners including Fr. Jacobson decided to go to a local lounge to continue socializing. I ended up sitting

next to Fr. Jacobson and realized he was drunk. He leaned over and began kissing me on the cheek and telling me that he loved me, rubbing my arm and back. I asked him to stop and removed his hand but he continued so I got up and moved. When I left soon after, he had fallen asleep in his chair.

I called and made an appointment to see him the following Monday. When I confronted him on his behavior he excused it with a need to let his hair down sometimes. He commented that he had to have someone help him find his car the next day because he couldn't remember where he parked it. I suggested he had an alcohol problem which he denied.

From then on he was verbally abusive to me until I talked to Fr. Flack who put a stop to it. For some reason I did not tell Fr. Flack about Fr. Jacobson's pass or drinking but went to Fr. Mossbrucker. He told me he was aware there was a problem and was trying to get something done about it. I don't recall how long after that, perhaps a year or more, he gave me a list of women's names and asked me to call them and ask if they would be willing to talk to anyone else about their experiences with Fr. Jacobson. Many of the women gave me other women's names to talk to also and all expressed a desire to see something done about his behavior. I returned the names and information to Fr. Mossbrucker.

During the two years that Fr. Jacobson was in our parish I observed his behavior with women. He began with women my age, late 30's, and slowly moved to younger and younger women until he was seeking out high school girls. He told me he was going to the local high schools to recruit people for the folk group he led. All the people he recruited were female. I observed one practice with these girls where he would demand they sit beside him on the piano bench and when they protested they didn't want to he would become angry and demand they obey. They sat on the edge of the bench and he would move over until he was touching them. I may have been reading a sexual undertone into his actions but it sure appeared to be there to me.

will tell you of witnessing him kiss one of these high school girls.

I was upset to see he was being assigned to a parish with a school when he left St. Henry's, for I felt a lot of innocent girls were in danger. I didn't think he would force anyone into sex with him but would use the power of his office and subtle coercion to get what he wanted. And he was choosing a more vulnerable population who were least likely to speak up. I talked with Fr. Mossbrucker again and was told Fr. Jacobson was going to drug and alcohol treatment but nothing else would be done because his psychological profile showed that nothing more could be done. Nor did the bishop wish to do any more.

I had felt I had no power to do any more and had to let it go until recently. The Anita Hill hearings then the Bob Packwood allegations and now the 60 Minutes show

on the Archbishop in New Mexico have made me want to speak up once again. I want justice, and safety for my sisters from the Church. I am aware there is a shortage of priests but I would rather have none to harmful ones like him.

How many victims do there have to be before you put a stop to this? Surely you can see that it is only a matter of time until he finds a willing victim who will speak to the press. Leaving him in the priesthood gives him access to the power to abuse women and keeps the Church open to a lawsuit. Please put a stop to this scandal.

Sincerely,

MEMORANDUM

TO: FILE

FROM: FR. LIENERT

RE: TELEPHONE CONVERSATION WITH
PASTORAL ASSOCIATE AT
OUR LADY OF THE LAKE
ABOUT FR. GARY JACOBSEN

DATE: APRIL 14, 1993

I spoke with _____ by telephone about a letter I had received from _____ suggesting that I talk with her about Fr. Gary Jacobsen's pursuit of their daughter during his stay there.

_____ willingly spoke with me. She expressed some concern about motivation and agenda.

She said that first _____ sister had called inquiring whether there had been any difficulties. She, in a sympathetic way, had talked a little bit about problems that her daughter had had with Fr. Jacobsen. Later, _____ called and spoke with her at some length, asking whether there was anyone else involved.

_____ said that she would willingly talk to me about Fr. Jacobsen's behavior toward her daughter, if it would be helpful. She said that she did not want her daughter to be involved in any way and she felt that that was her daughter's desire, as well.

Shortly after Fr. Jacobsen arrived, when he first met _____ and her daughter, he said how wonderful she was and what a beautiful girl she was. Subsequently, almost every time he met _____ and her husband, _____ he remarked about their daughter, saying, "How's that wonderful _____". He also called her on a number of occasions, saying how much he loved her and what a wonderful girl she was. At the time she was working at St. Mary's academy, Fr. Jacobsen twice stopped by there to see her. _____ is not sure whether her daughter was there both times. She was not there at one time.

Because Fr. Jacobsen didn't seem to relate well to a lot of people in the parish because of his brusque manner, _____ tried to befriend him and offer him hospitality. She invited him over to their house. He came frequently to watch football with her husband, _____ or, on other occasions, he just dropped in. He always expressed some interest in _____

About the first of the year, he went out for lunch on his birthday. When he came back, he was in a real funny mood. She could not tell whether he was drinking or not, but he seemed to be acting somewhat strange. After awhile, he said he was going over to the house to rest. That night their daughter told her that he had called her and again told her how wonderful she was and how much he loved her. Her daughter told _____ and her _____

husband that she never wanted to talk to him again. She asked that they not talk to Fr. Jacobsen about this, but that she would never answer his calls again. After that time, she never responded to his calls and no longer invited Fr. Jacobsen to their house.

I asked whether I could talk to Fr. Jacobsen and mention her daughter's name. After some hesitation, she thought that that would be all right. I told her I would make it clear to Fr. Jacobsen that I had initiated the call to based on some information I had received from someone else, who suggested that I call her.

I then asked her about Fr. Jacobsen's drinking. She said that before he came to the parish, she had been told by a friend that he had announced, in a homily, that he was an alcoholic. She was surprised, then, when, the first time he came to their house, when they were having wine and they offered him a glass, he said "no, but I will have a glass of beer."

During the various times that he came to their house, he almost always drank beer. On occasion, when her husband would offer him a gin and tonic, he said "no, they hard liquor doesn't agree with me, but I'll have a beer." He had a particular variety, which they used to keep on hand. On one occasion, he drank an entire 6-pack. They were concerned enough to stop buying beer and not have it on hand when he came to visit. On other occasions, she saw him take a glass of wine at staff meetings or gatherings.

I thanked her for this information and told her that it would be very helpful in working with Fr. Jacobsen. She said that she hesitated to talk about this for fear of being two-faced with Fr. Jacobsen, but felt that, if it would sincerely help him and also prevent any future harassment, she believed that she was doing the right thing.



ARCHDIOCESE
OF PORTLAND
IN OREGON

CONFIDENTIAL

Vicar For Clergy

MEMORANDUM

TO: Archbishop Levada
FROM: Father Charles Lienert
SUBJECT: Father Gary Jacobson
DATE: April 19, 1993

I spoke with [redacted] from Our Lady of the Lake Parish last week and have included the memo documenting that conversation.

She confirmed that Father Jacobson regularly drank beer when he was a guest at their home until they found it necessary to stop inviting him to their house.

Furthermore, she confirmed that the attention he paid to their daughter was upsetting to her. She eventually told her parents that she never wanted to talk to him again.

Both of these issues raise serious concerns about Father Jacobson. I intended to speak with him about this report today, but he did not come into the office. In view of this information I think we must consider putting additional restrictions on his ministry. I will speak with you about this matter.

CJL:gg

| | |
|---|--------|
| FILED | LODGED |
| RECEIVED | COPY |
| OCT 08 2002 | |
| CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA U.S. DEPT. OF JUSTICE | |

1 M. Paul Fischer, Esq.

2 THE LAW FIRM OF
3 M. Paul Fischer, P.C.
4 SUITE 100
5 40 NORTH CENTER STREET
6 P.O. BOX 5139
7 MESA, ARIZONA 85211-5139
8 (480) 461-4650

6 Attorneys for Plaintiff

THIS DOCUMENT IS NOT IN PROPER FORM ACCORDING
TO FEDERAL AND/OR LOCAL RULES AND PRACTICES
AND IS SUBJECT TO REJECTION BY THE COURT

IN THE UNITED STATES DISTRICT COURT 1994-13
(Rule Number/Section)
IN THE DISTRICT OF ARIZONA

11 , a single woman;

12 Plaintiff,

13 vs.

14 (1) THE DIOCESE OF OREGON, an
15 Oregon Corporation; (2) THE
16 ARCHDIOCESE OF PORTLAND IN
17 OREGON, an Oregon Corporation; (3)
18 ROMAN CATHOLIC ARCHBISHOP OF
19 PORTLAND IN OREGON, AND
20 SUCCESSORS, A CORPORATION SOLE,
an Oregon Corporation; (4) FATHER
GARY JACOBSON, a single man; ABC
CORPORATIONS I-X; BLACK AND
WHITE PARTNERSHIPS I-X; JOHN DOES
I-X,

21 Defendants.

22 Plaintiff,

23 , by and through her undersigned counsel, for her
24 Complaint against the Defendants, and each of them, allege as follows:

24 PARTIES

25 1. Plaintiff is a single adult female and is a resident
26 of Maricopa County, State of Arizona. Plaintiff was a minor during the sexual abuse

CIV 02 1994 PHX PCR

COMPLAINT
(Tort - Non-Motor Vehicle)

- Vicarious Liability/Respondent Superior
- Negligence
- Sexual Assault/Molestation

JURY TRIAL REQUESTED

1 alleged below.

2 2. Upon information and belief, Defendants THE DIOCESE OF
3 OREGON, THE ARCHDIOCESE OF PORTLAND IN OREGON, and the ROMAN
4 CATHOLIC ARCHBISHOP OF PORTLAND IN OREGON, AND SUCCESSORS, A
5 CORPORATION SOLE, (hereinafter and collectively "Diocese") are all Oregon
6 Corporations in good standing duly authorized to do business in the State of Oregon and
7 they maintain an office for the purposes of doing business in Oregon and may be served
8 with process through their registered statutory agents. Defendant Diocese provided
9 pastoral services to Plaintiff and her immediate family through its parishes.

10 3. Upon information and belief, Defendant FATHER GARY
11 JACOBSON (hereinafter "Father Gary") is a resident of the State of Oregon, and caused
12 incidents to occur in the State of Oregon, out of which this cause of action arises.

13 4. ABC Corporations I-X, Black and White Partnerships I-X and John
14 Does I-X are persons, agents, employees, servants, corporations or business entities
15 whose true names are not known to Plaintiff at present time. Plaintiff alleges, upon
16 information and belief, that John Does I-X are citizens and residents of the State of
17 Oregon. When the true names of such persons, servants, corporations or business entities
18 are known to the Plaintiff, she will pray leave of the Court to amend her Complaint to
19 reflect such true names, together with appropriate charging allegations.

20 5. That Defendants ABC Corporations I-X are fictitiously named
21 Defendants whose true names, identities and capacities are unknown to the Plaintiff at
22 this time. Plaintiff will keep leave of this Court to amend her Complaint when the true
23 names, identities and capacities of such Defendants become known. In any events, at this
24 time, Plaintiff alleges that Defendants ABC Corporations I-X are domestic or foreign
25 corporations, authorized to do and doing business within the State of Oregon.

26

1 6. Plaintiff alleges, upon information and belief, that Defendants, and
2 each of them, caused an event to occur in the State of Oregon out of which this claim
3 arises.

4 JURISDICTION AND VENUE

5 7. Jurisdiction and venue against each of the Defendants is proper.
6 This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1332 because the
7 amount in controversy exceeds the sum of \$75,000.00, exclusive of interest and costs,
8 and the Plaintiff herein, a citizen of the State of Arizona, is diverse in citizenship from
9 Defendants, who are citizens of the State of Oregon.

10 8. This Court has personal jurisdiction over the Defendants because a
11 tort was committed by the Defendants against Plaintiff in this district. This Court has
12 jurisdiction over the Defendants and/or Does 1-10 in that the actions that the Plaintiff
13 complains of involve an activity for which the law provides an exception to sovereign
14 immunity.

15 9. Venue is proper in this district pursuant to 28 U.S.C. § 1391 because
16 a substantial part of the events or omissions giving rise to the claim occurred within this
17 district.

18 FACTS

19 10. At all times material hereto, Defendants employed priests, including
20 one Father Gary Jacobson ("Father Gary"), to provide religious, pastoral and educational
21 services. Father Gary was employed by all Defendants as a priest and
22 instructional/religious advisor at Queen of Peace Catholic School. The duties of Father
23 Gary's employment included but were not restricted to teaching the word of God and the
24 law of the church, providing pastoral services, spiritual care, guidance and counseling,
25 educational support and direction as spiritual advisor of Queen of Peace Catholic School,
26 and obtaining financial support for the Church. At all times material, Father Gary was a

1 Roman Catholic priest, employed by and an agent of the Defendants, under their direct
2 supervision and control. At all times material, Father Gary was an adult at the time of the
3 sexual abuse alleged herein. As a Religious Order priest, Father Gary was under the
4 supervision of both superiors of his order and the bishops of dioceses wherein he was
5 serving.

6 11. Plaintiff came to know Father Gary starting in approximately when
7 she was approximately 7 years old and a student at Queen of Peace Catholic School in
8 Oregon. Plaintiff came to know Father Gary as a priest, counselor and spiritual advisor.
9 Plaintiff was raised in a devout Roman Catholic family, and regularly celebrated mass,
10 received the sacraments, was an altar server and participated in church-related activities.
11 Plaintiff, therefore, developed great admiration, trust, reverence and respect for the
12 Roman Catholic Church and its agents. Thus, Father Gary was a person of great
13 influence and persuasion as a holy man and authority figure.

14 12. During the period when Plaintiff was approximately 7 years old to
15 approximately 9 years old, Father Gary would come over to Plaintiff's house for dinner or
16 other social gatherings upon invitation of Plaintiff's parents. It was during this time that
17 Father Gary would attempt to french kiss Plaintiff and at times would french kiss her.
18 Additionally, on one occasion while Father Gary was visiting Plaintiff and her family,
19 Plaintiff was in bed for the evening when Father Gary came into Plaintiff's bedroom and
20 sexually molested Plaintiff on two separate occasions that same evening. Father Gary
21 used his position of authority, trust, reverence, and control as a Roman Catholic priest to
22 intimidate and have control over Plaintiff.

23 13. The sexual abuse of Plaintiff, and the circumstances under which the
24 abuse occurred caused Plaintiff to develop various psychological coping mechanisms and
25 symptoms of psychological distress, including great shame, guilt, self-blame, depression,
26 repression and disassociation. As a result, Plaintiff was unable to perceive or know the

1 existence or nature of his psychological and emotional injuries and their connection to the
2 sexual abuse perpetrated upon her by Father Gary.

3 14. As a direct and proximate result of the sexual abuse described
4 herein, Plaintiff has suffered and will continue to suffer severe and permanent emotional
5 distress, physical manifestations of emotional distress, embarrassment, loss of self-
6 esteem, and other psychological injuries; was prevented and will continue to be prevented
7 from performing her normal daily activities and obtaining the full enjoyment of life.

8 **COUNT I:**

9 **VICARIOUS LIABILITY (RESPONDEAT SUPERIOR) AGAINST**
10 **DEFENDANT DIOCESE**

11 Plaintiff incorporates each and every allegation contained in the preceding
12 paragraphs of this complaint as if set forth in full herein.

13 15. For the purpose of furthering his assigned duties as priest, pastor and
14 instructional/religious advisor, Father Gary identified Plaintiff's family as one with a
15 young female child, sought and gained the trust and confidence of Plaintiff's parents as
16 friends, spiritual guide, confessor and priest; sought and gained parental consent for
17 Plaintiff to participate in church activities, and was able to get invited to social gatherings
18 and dinners at Plaintiff's home for the purpose of getting close to Plaintiff, and sought
19 and gained the parental directive to Plaintiff that she respect Father Gary's authority and
20 guidance and comply with his instruction.

21 16. For the purpose of furthering his assigned duties as priest, pastor and
22 spiritual advisor, Father Gary also sought and gained Plaintiff's trust, friendship,
23 admiration, and obedience. As a result, Plaintiff was conditioned to comply with Father
24 Gary's direction and to look to him as an authority on matters spiritual, moral, ethical and
25 temporal.
26

1 17. Upon information and belief, Father Gary at all times material
2 suffered from a mental disorder known as Pedophilia. This disorder caused him to be
3 compelled to perpetrate sexual acts upon young children. Using the power, authority and
4 trust of his position as priest, pastor and spiritual advisor to Plaintiff and to her parents,
5 Father Gary enticed, induced, directed and coerced Plaintiff to engage in various sexual
6 acts with him.

7 18. Using the power, authority and trust of his position as priest, pastor
8 and advisor to the Plaintiff and to her parents, Father Gary sexually molested Plaintiff
9 while she was a minor. Defendant Diocese is therefore vicariously liable for the
10 negligent acts and omissions of their agent Father Gary.

11 19. As a result of this sexual abuse and breach of trust, Plaintiff has
12 suffered and will continue to suffer emotional pain and dysfunction to Plaintiff's general
13 damage in an amount to be determined by a jury in excess of \$75,000.00.

14 20. Upon information and belief, as a further result of the molestation,
15 Plaintiff has incurred or will continue to incur costs for counseling and psychological
16 treatment in an amount to be disclosed prior to trial.

17 **COUNT II:**

18 **NEGLIGENCE AGAINST DEFENDANT DIOCESE**

19 Plaintiff incorporates each and every allegation contained in the preceding
20 paragraphs of this Complaint as if set forth in full herein.

21 21. Defendant Diocese, by and through its agents, servants and
22 employees, knew or reasonably should have known of Father Gary's dangerous and
23 exploitive propensities as a child sexual abuser and/or an unfit agent, and despite such
24 knowledge, Defendant Diocese negligently retained Father Gary and failed to warn those
25 coming into contact with him, including but not limited to, Plaintiff herein and Plaintiff's
26 family, of Father Gary's propensities. Father Gary was, therefore, able to assume

1 positions of trust and authority as a Roman Catholic priest, where he was able to commit
2 the wrongful acts against the Plaintiff. Defendant Diocese failed to provide reasonable
3 supervision of Father Gary, failed to use reasonable care in investigating Father Gary and
4 failed to provide adequate warning to Plaintiff and her family. Upon information and
5 belief, Defendant Diocese was acting in accordance with its own policies, practices, and
6 procedures.

7 22. As a direct and proximate result of this negligent conduct, Plaintiff
8 has sustained and continues to sustain the injuries and described hereinabove.

9 23. Upon information and belief, as a further result of the molestation,
10 Plaintiff has incurred or will continue to incur costs for counseling and psychological
11 treatment in an amount to be disclosed prior to trial.

12 **COUNT III:**

13 **ASSAULT AND SEXUAL MOLESTATION OF A MINOR**

14 **ALLEGED AGAINST FATHER GARY JACOBSON**

15 Plaintiff incorporates each and every allegation contained in the preceding
16 paragraphs of this Complaint as if set forth in full herein.

17 24. Defendant Father Gary committed the act of sexual assault and
18 molestation upon Plaintiff, a minor, by voluntarily engaging in sexual contact upon the
19 person of Plaintiff, while a minor, on repeated occasions with the intent to cause a
20 harmful or offensive contact upon the Plaintiff.

21 25. As a direct and proximate result of this conduct, Plaintiff has
22 sustained and continues to sustain the injuries and described hereinabove.

23 26. Upon information and belief, as a further result of the molestation,
24 Plaintiff has incurred or will continue to incur costs for counseling and psychological
25 treatment in an amount to be disclosed prior to trial.

WHEREFORE, Plaintiff prays for judgment against the Defendants, and each of them, jointly and severally, as follows:

A. For medical expenses for counseling, past and future, in an amount to be proven at trial;

B. For damages for mental pain and suffering, embarrassment, physical manifestations of emotional distress, loss of self-esteem, and other psychological injuries, and limitation of normal activities, both past and future, in an amount to be proven at trial;

C. For punitive damages in an amount to be proven at trial;

D. That this matter be set for a Jury Trial;

E. For such other and further relief as the Court deems just and proper.

DATED this 9th day of Oct, 2002.

THE LAW FIRM OF M. PAUL FISCHER,
P.C.

By

M. Paul Fischer
P.O. Box 5139
Mesa, Arizona 85211-5139
Attorney for Plaintiff

CONFIDENTIAL

July 10, 1996

Father Charles Linert
Rhonda Kwei
Archdiocese of Portland
2838 E. Burnside
Portland, OR 97214

ARCHDIOCESE OF PORTLAND
RECEIVED

JUL 11 1996

RECEIVED

Dear Rhonda & Father Linert:

Enclosed please find a list of questions and concerns I have which I would like to discuss with my meeting with Archbishop George.

What happened when he (Jacobsen) was confronted; did he admit to what he did? etc...

Did he go into treatment, what kind of treatment?

Does he have any understanding of what he did and does he indicate any remorse?

Is he sorry? If he is truly sorry would he be willing to write a letter to that effect? (The letter would need to be sent to my therapist (Dr. Saul Helfing) first in order to see if it is appropriate to be read by me and in order to see that it contains no victimization or thinking errors .

Does he realize what I have and am going through?

--I am unable to go to church

--My self esteem is low

--I've been on SSDI for two years so far because of the sexual abuse

--I am unable to work

--I have night terrors of him

--I have to take medication in order to get to sleep

PD-HO 0066

Page Two

DEPT OF POST
DISTANCE OFF

11 1995

Father Linert & Rhonda Kwei

RECEIVED

--I have tremendous guilt and sadness

--My trust level for authority figures is minimal

--My ability to read is minimal

--Does he have any idea what Post Traumatic Stress
does to a person?

In short, my life has been a living hell for the past
two years.

I would also like to know what kinds of safeguards are
in place now to attempt to prevent such things from
happening again. I acknowledge there is no particular
kind of "face" that describes a sex offender. It runs
across all walks of life and there are few ways to
point out who will offend and who will not.

Someday, not in the near future, I suspect I will want
a formal apology from him. As my healing process
continues and I gain the self esteem I will need to
confront him with appropriate safe guards in place,
and in order to do this would his therapist be willing
to talk to my therapist to assure he is ready for such
a meeting?

If possible, I would like to know if there are any
specific books written for people who have been
sexually abused by priests and how they are able or not
able to come back to the church.

Thank you Father & Rhonda for my considerations and I
look forward to this meeting. Though I am very
anxious and concerned on the outcome, I feel it is the
only way I will be able to move ahead and beyond.

I have not yet been able to deal with the other priest
issue. Dealing with one at a time is all I have been
able to manage.

PD-HO 0067

JUL 11 1996

RECEIVED

Page Three

Father Linert &
Rhonda Kwei

I appreciate the time, concern and effort you all have put forth and I hope a meeting with the new bishop will help me move ahead.

Per my phone conversation with Rhonda, due to the fact that Archbishop George was not around when all this happened, I understand if he needs to have someone with him when I come in to talk to him. If this is the case, I would want Father O'Donovan to be with me. I respect him and he has been a great help to me over this past year.

Thank you very much.

Sincerely,

MEMORANDUM

TO: Archbishop George
FROM: Father Charles Lienert

SUBJECT:

DATE: July 24, 1996

The following are responses to the questions in letter:

- 1) What happened when he (Jacobson) was confronted; did he admit to what he did, etc.?

I spoke with
I confronted Father Jacobson shortly after ~~I spoke for the first time with~~
He admitted what he had done. Because of the length of time, he could not remember all of the details, but did admit to the relationship. He expressed his sorrow for what he had done.

- 2) Did he go into treatment, what kind of treatment?

Father Jacobson first went into treatment in 1987. This was the result of a complaint about his touching a teenage girl and of his drinking. He was sent to the House of Affirmation for an assessment. As a result of the assessment, he was sent to St. Francis Cabrini Hospital in Seattle for treatment of his alcohol abuse and his acting out with women. He completed treatment there and entered follow-up treatment with Dr. John Lingus, a psychiatrist in Portland. He has been in regular therapy with Dr. Lingus since 1988. I have periodically met with Dr. Lingus and Father Jacobson together. I have specifically addressed with both of them the issue of his sexually acting out. Dr. Lingus has Father Jacobson's permission to contact me if he has any concern that Father Jacobson may be in danger of a relapse.

He is restricted from meeting alone with women. His supervisor in the Tribunal and his pastor at the Cathedral are aware of this restriction and the reason for it. If he helps somewhere other than the Cathedral, he is required to report it to my office. He is only allowed to help with Sunday Mass. (Since his illness, he is unable to do this.)

- 3) Does he have any understanding of what he did and does he indicate any remorse?

Father Jacobson has expressed to me that he understands the damage his actions have done and that he is sorry. He has worked with his therapist to insure that he will not repeat this behavior.

- 4) Is he sorry? If he is truly sorry, would he be willing to write a letter to that effect?

Shortly after I confronted him with accusation, he offered to meet with her or do whatever else she might desire to express his sorrow and to apologize. After checking with her therapist, I advised him it would not be helpful at that time. He would be willing to write a letter if we asked him.

- 5) Does he realize what I have and am going through?

I am uncertain to what extent Father Jacobson realizes this. I have not told him any specifics about *To protect her privacy*, only that she was very seriously harmed.

- 6) I would like to know what kinds of safeguards are in place now to prevent such things from happening again?

We have a screening process for candidates to the priesthood that look specifically at their psychosexual development. We reject any candidates with potential problems. We similarly screen priests who wish to transfer to the Archdiocese. The seminary addresses specifically the moral and ethical questions of sex abuse on the part of a priest.

We have had some in-services with priests on sex abuse.

When we receive a complaint, we investigate it. We have a policy of the victim's needs first. We place the priest on administrative leave. If the investigation gives credence to the complaint, the priest is sent for an evaluation and appropriate treatment. Based on the outcome of the treatment, he may be asked to leave the priesthood. In some cases where recovery is clear, he may be permitted to engage in some form of ministry with appropriate safeguards.

- 7) As my healing process continues and I gain the self esteem I will need to confront him with appropriate safeguards in place and in order to do this, would his therapist be willing to talk to my therapist to assure he is ready for such a meeting?

I believe that Dr. Lingus would agree to talk to her therapist. I have not asked him.

- 8) ...are any specific books written for people who have been sexually abused by priests and are they able or not able to come back to Church?

I am unaware of any books which specifically address this question. I called St. Luke's Institute. They suggested that a book mentioned in the current newsletter of the Interfaith Sexual Trauma Institute might be the book closest to this subject. It is entitled, Restoring the Soul of the Church by Mark Laaser and Mary Meyer Hopkins. It is published by Collegeville Liturgical Press (1-800-858-5450). This book specifically addresses healing congregations which have been traumatized by clergy sexual abuse. I have not read this book.

phoned after she wrote with these additional questions.

- 9) When did the Archdiocese find out there was more than one person (victim)?

I believe that the first time the Archdiocese became aware of Father Gary Jacobson's involvement with a woman was in 1978. He was the pastor of Queen of Peace Parish in Salem. He was removed from the parish. Our records do not indicate that he received some professional treatment or evaluation at that time. Our records indicate that the next time the Archdiocese became aware of another individual was in 1987. At that time he was sent for evaluation and treatment.

- 10) After discovering the first person, how come they didn't question him more?

I am unable to determine from the files whether Father Jacobson was asked if there were other women he had abused when he was confronted in 1978. Archbishop Power may remember. After [redacted] reported his abuse to me, I have questioned Father Jacobson in the presence of Dr. Lingus whether there were other individuals we were unaware of. We have offered assistance and counseling to any victim we are aware of (I am uncertain about the 1978 incident at Queen of Peace).

CJL:gg



ARCHDIOCESE
OF PORTLAND
IN OREGON

Office of the Vicar General

Confidential Memorandum

To: Fr. Chuck Lienert, Vicar for Clergy

From: Fr. Dennis J. O'Donovan, Vicar General

Date: March 1, 2002

Regarding: Fr. Gary Jacobson

Late yesterday afternoon, just before [redacted] and my meeting with Dr. Okulitch, I received a call from [redacted], the Principal of St. Cecilia School in Beaverton. She had a teacher approach her with grave concern about Fr. Gary Jacobson. It seems that he has been doing a good bit of supply work at St. Cecilia over the last few months and has become quite friendly with a school family who have a son and also a daughter who is, I believe she said, in the fourth grade. The teacher evidently had lived or does live in Queen of Peace Parish in Portland, and she recalled that there was a good bit of rumor there about Fr. Jacobson and inappropriate touching of a young girl or girls in a family he often visited.

It seems that he is spending a good bit of time with this school family who [redacted] said had recently gone through a divorce/remarriage. It seem that the young girl in the family is very needy and very clingy, and the teacher just had a sense that something might not be right. She was making no allegation and evidently agonized over speaking to [redacted] at any rate, [redacted] immediately called me. Scott Vandehey is gone for three weeks.

I knew that Gary Jacobson had some past problems with women but I was not aware that there was ever a problem with minors. I talked to [redacted] about it and came to find out that indeed there had been some past allegations about girls and inappropriate touching.

There might not be anything happening here at all, but considering his past situation, this probably needs some looking into.



ARCHDIOCESE
OF PORTLAND
IN OREGON

Vicar for Clergy

MEMORANDUM

TO: File

FROM: Father Charles Lienert

RE: Meeting with Father Gary Jacobson

DATE: March 25, 2002

Father Dennis O'Donovan and I met with Father Gary Jacobson on March 11. It had come to my attention that he was helping out at St. Cecilia. Someone from St. Cecilia had expressed concern that he was close to a family there as well.

I reminded him that he was supposed to inform me when he was helping somewhere and that he was not to be alone with women or children. He said he knew that, but it had slipped his mind since he had been sick for so long and had retired. He told us that he had known this family for some time. They were going through a divorce. Each of them had asked for some advice with a marriage case.

He agreed that it would be best for him not to do any ministry. He said was comfortable doing that. His health has been deteriorating so it would be easy for him to decline any requests.

I have informed Archbishop Vlazny about this. He concurs.

CJL:gg