



The Pa. grand jury investigation into alleged systemic cover-up of child sex abuse within the Jehovah's Witnesses Organization | Witness to Wicked

A Pa. grand jury recently brought child sex abuse charges against nine men in what some are calling the most extensive investigation into Jehovah's Witnesses ever.

Harri Leigh (FOX43)

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HARRISBURG, Pa.

WARNING: The following story contains details that some viewers may find disturbing.

A Pennsylvania grand jury has recently brought child sexual abuse charges against nine men—all Jehovah's Witnesses—in what some are calling the most extensive investigation into the group in history.

According to multiple sources familiar with the investigation, the Pennsylvania Attorney General's office could soon release a report of the grand jury's findings, which could bring major consequences for the Jehovah's Witnesses organization.



ELDER TO APOSTATE Witness to Wicked



The first time was a Wednesday morning, recalled Martin Haugh, 46, sitting on his couch in York Haven.

Following generations of his family, Haugh was a devout member of Jehovah's Witnesses. In October 2005, he was a ministerial servant—equivalent to a Catholic deacon—who helped with routine work around the Red Lion Jehovah's Witnesses congregation.

Jehovah's Witnesses, also known as the Watchtower Bible and Tract Society, has 8.7 million members worldwide, including 1.2 million in the U.S. and 83,000 in Pennsylvania. The religion was founded in Pittsburgh in the 1870s, breaking with orthodox Christianity over its focus on Armageddon and separation from the world.

At 9 a.m. that Wednesday morning, Haugh was at the Kingdom Hall for the "meeting for field service," when Jehovah's Witnesses pair up to go door-knocking in search of converts.

As he was assigning door-knocking routes, he saw a teenage member slip inside the Kingdom Hall—along with his 4-year-old daughter. Confused, he followed them inside and into the coat room.

He didn't believe his own eyes.

"I caught him fondling my daughter," he now said matter-of-factly. "I didn't know what to do. I actually didn't do anything the first time because I didn't know if I saw that."

The second time was the following Sunday morning.

"My daughter disappeared a second time and I freaked out," Haugh recalled to FOX43. "I was really scared because I knew [the teenager] was there, and then I saw him assaulting my daughter."

Even after the third time, another meeting for field service sometime the next spring, there was nowhere to turn for true believers like Martin and his wife, Jennifer Haugh. They relied on divine justice, rather than secular justice.

Martin explained his thinking at the time as: "The police are controlled by Satan and the justices. So we can't get justice for anybody out there."

"The whole world is lying in the power of the wicked one," Jennifer quoted from John 5:19.

The Haugh's reported the assaults to the elders—congregation leaders, equivalent to priests—but not the police.

"You're told to wait on Jehovah," Jennifer said.

So, they waited 11 years.

"I wish it was the child abuse that woke me up, but it wasn't," Martin said.

Instead, he went on to become an elder in 2011 at the Red Lion congregation, switching to the Prospect congregation in York in 2013.

When Martin decided to leave in 2016, the final straw was the trashing of religious literature that had been deemed outdated.

Haugh said elders had been directed to destroy about 400 copies of several books, including "You Can Live Forever in Paradise on Earth" (1983), "Reasoning from the Scriptures" (1989) and "Knowledge that Leads to Everlasting Life" (1995).

All of these books had predicted specific time ranges for when Armageddon, or the end of the world, would come. "You Can Live Forever in Paradise on Earth," for example, predicted that "some of the generation living in 1914 will see the end of the system of things and survive it."

"These were books that we had studied, revered, we considered them equal to the bible, and now they were considered trash, litter," Martin said.

By April 2016, he had left the religion and been marked as an apostate. To this day, he said, his parents won't talk to him.

In 2017, the Haugh's finally reported the sexual assaults of their daughter and revealed the perpetrator.

He was arrested in May 2018 and charged with indecent assault of a person under the age of 13.

However, because he was about 14 at the time of the incidents, though, the charges were ultimately dropped.

In order to ensure what happened to his daughter, now 21, never happens to someone else's, Martin agreed to work with the Attorney General's office. He is now one of dozens of witnesses to testify before a grand jury that is investigating an alleged systemic cover-up of child sexual abuse within the Jehovah's Witnesses organization.

"I would love to see the headquarters held accountable because it is their policy that has led thousands of young kids to be abused and victimized over and over again," he said.

The 49th Investigative Grand Jury, as it's officially known, has resulted in several arrests.

Between October 2022 and February 2023 Pennsylvania Attorney General Michelle Henry announced sex abuse charges against nine members of Jehovah's Witnesses, hinting at a larger pattern.

"Some of these defendants even used their faith communities to prey upon their victims and some had to look no farther than their families," Henry said on Feb. 8.

When FOX43 asked Henry directly whether she was investigating the organization as a whole, Henry responded, "This is an ongoing investigation."

Several sources familiar with the investigation confirmed it is looking into the Jehovah's Witnesses organization's alleged complicity in protecting abusers.

Martin Haugh said his work helped secure some of the initial arrests and will continue to help in the larger investigation.

"They were also asking a lot of questions about how the governing body works, he said, adding, "The investigation is wrapping up."

Dan Kiss, the defense lawyer representing one of the nine men charged with child sex abuse, said the complaint against his client, 56-year-old Robert Ostrander, was not the result of the alleged victims coming forward.

"The Attorney General's office went into some church records from the Jehovah's Witnesses religion and went and found what they believed to be allegations and then went and hunted down people involved to try to create allegations that otherwise would never have existed," Kiss said.

Kiss said he believes Ostrander was singled out to advance a larger investigation.

"This seems to me in large part to be Catholic Church part two. They're making this about the Jehovah's Witnesses religion," Kiss said, referencing a 2018 grand jury report that revealed the systemic cover-up of child sex abuse at the hands of Catholic priests in Pennsylvania by the Catholic Church.

The Attorney General's office said they still could not comment on the ongoing investigation, but did write in a statement:

"The relevance of the Jehovah's Witnesses organization to the investigation is outlined in the Grand Jury presentments regarding each defendant who has been charged. Those presentments articulate incidents where defendants used their positions of authority within Jehovah's Witnesses congregations to build trust with children who they later abuse."



MANDATE TO REPORT

Witness to Wicked



The grand jury investigation follows a familiar playbook written over two decades of similar investigations in Pennsylvania of the Catholic Church:

In 2003 then-Philadelphia District Attorney Lynne Abraham impaneled a grand jury that in 2005 delivered a blistering indictment against the Philadelphia archdiocese's complicity in widespread child sex abuse by clergy.

In 2016 then-Pennsylvania Attorney General Kathleen Kane released a 147-page report on a child sex abuse cover-up by the Altoona-Johnstown diocese, concluding the diocese had "a dark and disturbing history."

Other investigations looked into child sex abuse at Penn State in 2011 and the Solebury School in Bucks County in 2017.

"There is no state in the country that has more knowledge about the way abuse operates in institutions than Pennsylvania," said Marci Hamilton, founder and CEO of Child USA, a prominent national think tank focusing on the prevention of child sexual abuse.

In 2018 then-Pennsylvania Attorney General Josh Shapiro released a damning report that the state's remaining six dioceses not covered in the previous two grand jury investigations had protected more than 300 predator priests.

According to sources familiar with the investigation, the grand jury's final report will likely detail Jehovah's Witnesses' internal judicial system, and how it allegedly fails to hold abusers accountable.

"There is tremendous abuse in the faith that is intrafamilial and so many, many victims in the faith have been locked in because they're not allowed to tell the authorities and the proof element in the church has been so high," Hamilton said. "So it's disastrous."

In order to trigger an internal investigation, Watchtower requires two people to witness the abuse, a standard that in many cases is impossible to meet. In recent years DNA evidence can be considered as the second witness, but that, too, is difficult to obtain in many cases.

"The odds of child abuse including DNA evidence, especially when you're not encouraged to go to the police right away, is almost zero. It's not going to happen," said Jennifer Haugh, the former member of Jehovah's Witnesses who said her daughter was abused by another member.

Jehovah's Witnesses United States Branch wrote in a statement:

"Congregation elders never require victims of child abuse, nor witnesses, to present their accusation in the presence of the alleged perpetrator. The Bible requirement of two witnesses is related solely to a religious determination whether an ecclesiastical judicial committee can be formed to determine whether the accused should be expelled from being one of Jehovah's Witnesses."

According to Martin Haugh, Jehovah's Witnesses view child sexual abuse as a sin rather than a crime, and therefore prefer to deal with infractions through their internal judicial system. He did not report the alleged sexual abuse of his daughter to the police for 11 years.

"They said we could go to the police if we wanted to, but they recommended that we do not go to [them]," Martin said. "Even though I had doubts and fears, I was still a true believer at that time, so I thought that we would get justice through the organization, not the legal system."

Legal experts said that approach is not adequate under federal and state law.

"Whatever is happening within the religious community, does not stand in respect to the law that applies to everybody else," said Hamilton.

Jehovah's Witnesses United States Branch responded in a statement,

"Jehovah's Witnesses view child abuse as an abhorrent and serious crime as well as a sin... Jehovah's Witnesses have an internal Scriptural process for dealing with allegations or confessions of the sin of child sexual abuse. The Scriptural investigation of this serious sin by the congregation elders does not purport to offer an alternative process to the secular authorities' investigation of allegations of the crime of child sexual abuse."

A 2002 BBC report revealed Watchtower kept a secret database of allegations of child molestation. Martin said it still exists.

"Every Kingdom Hall has documents of child abuse, of drinking, spousal abuse, rape, homosexuality, any kind of thing, drug abuse, going back 70 years, to the 1950s," he said.

When Martin was an elder, he admitted he helped destroy some of those records by buying a paper shredder.

"We were told by headquarters to shred all the records," he said.

The Haughs left the religion in 2016 and Martin is now helping with the investigation. He said in exchange for his cooperation the Attorney General's office offered him immunity from potential charges for not reporting abuse when he was an elder; though that could not be confirmed with the Attorney General's office.

The crux of the grand jury's investigation on Jehovah's Witnesses hinges on whether elders broke the law by relying on their internal judicial system instead of the secular judicial system.

In Pennsylvania, clergy are mandated reporters, meaning if they have reasonable cause to suspect a child is the victim of abuse, they are legally required to report it to authorities.

In 33 states, though—including the Keystone State—there is an exemption for clergy who learn about the abuse during personal spiritual communications, such as confession.

Pennsylvania last updated its child abuse code in 2014, leaving in clergy-penitent privilege.

"This is a privilege that is created by the state. It is not required by the First Amendment," said Marci Hamilton.

Jehovah's Witnesses' elders fall into a gray area because while they are congregational leaders, being an elder is not a full-time, paid position.

"An elder is like a dual role; it's a shepherd/teacher, but also a judge, too, in the congregation," said Martin Haugh.

Lawyers for Jehovah's Witnesses have argued in multiple court cases across the country that elders are in fact clergy and therefore do not have to report confidential spiritual communications.

In 2020 the Ivy Hill Jehovah's Witnesses congregation in Philadelphia asked a Commonwealth Court to officially rule elders have clergy-penitent privilege. The court denied the request, leaving the elders' status undefined.

Jehovah's Witnesses United States Branch wrote in a statement,

"Jehovah's Witnesses do not use full-time, paid clergy or follow the 'clergy-laity' distinction as used by many other religions (See the article on jw.org, our official website, entitled 'Do Jehovah's Witnesses Have a Paid Clergy?'). However, elders are ministers who often meet the statutory definition of clergy in the state where they reside, in that they are authorized to hear confessions, provide pastoral care, solemnize marriages, and perform baptisms."

Defining elders as clergy comes with its own risks, since clergy, as mandated reporters, must report abuse discovered outside of spiritual communications. The designation could open up lawsuits against elders who covered up known abuse.

"Watchtower loves to say that we have no paid clergy. Therefore they do not have mandated reporting," Martin Haugh said. "On the other hand, they want to play it both ways. They want all the privileges of the clergy."

Jehovah's Witnesses United States Branch wrote in a statement,

"The religion of Jehovah's Witnesses does not shield any perpetrator of child abuse from the secular authorities. Elders will report an allegation of abuse to the statutory authorities as required by law."

Getting ejected from the faith is called being "disfellowshipped" within the church. Among those leaving, it's called "waking up." Martin Haugh said he wants other members to wake up and change their thinking on child sex abuse within the religion.

"What I want to see is Jehovah's Witnesses first, not call the branch, not call the headquarters, not call the legal department," he said. "I want to see every single time they learn of child abuse to call the experts."



PATH TO JUSTICE

Witness to Wicked



No matter how much child sexual abuse the report ends up revealing, justice remains out of reach for many victims because their statute of limitations ran out. The statute of limitations, a period of time in which to bring legal action, has lengthened over the years for child sex abuse civil claims.

Before 1991, child sexual assault victims had to report lesser abuses, like inappropriate touching, within two years, and greater abuses, like sodomy or rape, within five years.

In 1991, the statute period for minor victims extended to their 20th birthday for lesser abuses and to their 23rd birthday for greater abuses.

In 2002, the statute was further extended so minor victims could file civil charges until their 30th birthday.

Since 2019, minor victims have been able to file civil charges until the age of 55. That same year, the statute of limitations was entirely lifted for criminal child sex abuse charges.

All updated statutes of limitations apply to assaults that happen after those statutes are passed. For example, a 15-year-old who was assaulted in 2005 still could only file civil charges until 2020.

The average age of a child sex abuse victim to report is around 52, according to Child USA.

State Rep. Mark Rozzi (D-Berks), himself a survivor of childhood sexual abuse at the hands of a Catholic priest, has long championed legislation that would open a retroactive two-year window for child victims whose statute of limitations has passed to sue their abusers.

The two-year window is an important timeframe, Rozzi said, because when his abuse occurred, he had only two years to report it.

"Put yourself in my position, as a 13-year-old being raped in the shower, and you're supposed to know what a statute of limitations is?" he said. "Give these victims their two years back."

The idea of a retroactive window has been on a roller coaster of a ride since it was first introduced to the Pennsylvania legislature in 2006.

Opponents in the Republican-controlled Senate have long argued the window could bankrupt churches and schools.

The Susquehanna Valley Center for Public Policy, a conservative think tank, released a report in January 2023 that such a window would result in \$5 billion to \$32.5 billion in legal costs for Pennsylvania public schools. The report arrives at this number by estimating the number of child sex abuse cases at public schools to be 100 times greater than at Catholic schools.

"This is pure fiction," said Marci Hamilton, adding that even if rates of abuse were elevated in public schools, "Not all of the victims come forward."

Opponents have also argued that creating the retroactive window through regular legislation would be unconstitutional under the Pennsylvania Constitution's Remedies Clause, which states, "Every man for an injury done him in his lands, goods, person or reputation shall have remedy by due course of law, and right and justice administered without sale, denial or delay."

However, similar bills have been passed and enacted successfully in at least 24 other states, including New York in 2019, New Jersey in 2019, Louisiana in 2021 and Arkansas in 2022.

To withstand these objections, advocates for the statutory window tried to pass the measure as a constitutional amendment.

The process to pass a constitutional amendment takes several years. Under state law, changes to the state constitution require that a proposal be approved by the legislature in two consecutive sessions (sessions last two years each). At that point, the proposed change appears on the ballot for voters to decide.

Victims were close to getting long-sought relief in 2021, when the constitutional amendment had passed both the state House and Senate in two consecutive sessions and was set to appear as a referendum on the May 2021 ballot. However, the Department of State failed to properly advertise the amendment in newspapers across the state, leading to the resignation of then-Secretary of State Kathy Boockvar.

An ensuing effort to push the amendment through an emergency process failed.

Due to the error, the process had to be restarted. The House and Senate both passed the measure again in the spring of 2021.

Rozzi and Rep. Jim Gregory (R-Blair), who was also sexually abused as a child, co-sponsored the legislation through these votes.

Then in January 2023, Rozzi was unexpectedly elected Speaker of the House. He used the post to publicize the measure and vowed not to consider any legislation until the House passed it.

Gov. Tom Wolf also called a special session of the legislature to pass the measure.

On Feb. 24, the new Democratic majority in the House passed the beleaguered bill as both a statutory law and constitutional amendment. Rozzi said the dual path was intended to increase the chance that at least one would pass in the Senate.

The House subsequently passed both versions of the bill in a special session, resulting in four total versions of the bill that were sent to the Senate.

The Senate, meanwhile, had passed the measure on Jan. 11 but bundled it with two unrelated measures deeply unpopular with Democrats, who saw the bill as a poison pill.

On April 25 the House removed the other amendments and sent the measure back to the Senate as a standalone bill. It will likely stall there, based on previous statements from Senate Republican leaders.

Majority Leader Joe Pittman (R-Indiana) wrote in a statement on Feb. 23,

"The Senate has fulfilled and completed our commitment to address this issue and a special session remains unnecessary. The Senate swiftly passed Senate Bill 1 on January 11, and in the last six weeks, the House has failed to take action to give voters a voice on these critical issues. I believe the only path to resolve the speaker's top priority is for the House to pass Senate Bill 1 as presented."

On March 6, Senate President Pro Tempore Kim Ward (R-Westmoreland) told FOX43's Harri Leigh that the measure "won't pass without the other amendments in the Senate."

Rozzi said he continues to believe the retroactive window is the only path for child sex abuse victims to hold both abusers accountable and organizations accountable for protecting those abusers.

"The members of the Senate have been blocking this," he said. "They should be embarrassed over there that they can't do the simplest job: protecting the greatest resource of this state, our children. We have to hold the people accountable who have done this: the perpetrators and the institutions who aided and abetted this. It's that simple."

A statutory window would certainly cost organizations such as the Catholic Church millions of dollars in legal fees and settlement funds.

Foreseeing this possibility, the Catholic Diocese of Harrisburg filed for bankruptcy protection in 2020, after paying \$12.7 million to more than 100 survivors of clergy sex abuse.

In February 2023 the diocese reached a settlement setting aside an additional \$18.25 million to be split between all future claimants who come forward. The Church contributed \$7.5 million to that fund, with the remaining \$10.75 million coming from their insurance companies.

Marci Hamilton of Child USA said because the fund is capped, past victims of child sex abuse will receive much less than they would have gotten before the bankruptcy reorganization.

"The victims are getting pennies on the dollar," she said.

She adds the settlement also demonstrates why insurance companies have long lobbied against the retroactive window, as they stand to lose large sums of money.

"Nobody is more active than the insurance industry," she said. "All of these organizations had some form of insurance. They didn't have to pay on those policies because few were coming forward. Now they're going to have to pay on those policies and they're fighting."

Jehovah's Witnesses has taken notice of the Catholic Church's settlement. The Associated Press reported that multiple Jehovah's Witnesses congregations throughout Pennsylvania have retained attorney Matt Haverstick of Kleinbard Law, which also represented the Catholic Church through the bankruptcy reorganization.

Gov. Josh Shapiro said he supports the two-year legal window to file civil suits, which was also one of the recommendations of the grand jury investigation he led on child abuse within the Catholic Church that concluded with a report in 2018.

"That is unfinished business, that piece of it," Shapiro said. "I'm working with lawmakers on both sides of the aisle to see them pass legislation, pass a constitutional amendment, that will allow those that were abused to confront their abusers in court."

Before leaving his former post as Attorney General, Shapiro had already begun the investigation into Jehovah's Witnesses' handling of child abuse claims. When asked if the investigation would lead to a public report, he demurred.

"I can't comment on the investigation," he said. "That will be up to the Attorney General, Michelle Henry."

The Attorney General's office wrote in an email that they could not go into the specifics of the investigation, but said in a statement,

"The relevance of the Jehovah's Witnesses organization to the investigation is outlined in the Grand Jury presentments regarding each defendant who has been charged. Those presentments articulate incidents where defendants used their positions of authority within Jehovah's Witnesses congregations to build trust with children who they later abused."

"Our office will never stop working to seek justice for those who have been victimized, and we will continue to investigate and prosecute anyone who harms the most vulnerable in our society."

When the report is released, it could be the impetus needed to finally pass the statutory window.

"The question of whether is inevitable. It's going to pass," said Marci Hamilton.

The report, expected by multiple sources to be released within months or possibly weeks, could ultimately help victims of child sexual abuse by members of Jehovah's Witnesses, the Catholic Church and many other organizations.

According to those sources, officials are already considering investigations into other religious organizations in Pennsylvania.

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