

Jury gives \$37 million to Lutheran victims: History of abusive pastor hidden

News in the [May 18, 2004](#) issue

A Texas jury has awarded nearly \$37 million to nine victims who accused a Lutheran governing body of hiding the history of a pastor later convicted of child abuse. The nine plaintiffs said former Lutheran Bishop Mark Herbener and his assistant Earl Eliason should have warned Good Shepherd Lutheran Church in Marshall, Texas, about allegations involving former pastor Gerald Thomas.

Thomas, who served as the church's pastor from 1997 to 2001, is currently serving a five-year federal prison term on child pornography charges. Last year he was sentenced to an additional 397 years in state prison for 11 counts of multiple sex crimes against children.

Thomas is no longer listed on the clergy roster of the Evangelical Lutheran Church in America, and Herbener is retired as bishop of the Northern Texas-Northern Louisiana Synod.

According to the Associated Press, plaintiffs accused the synod of not telling the church that Thomas had given tequila shots to two teenage boys, and possessed a pornographic video, when he was an intern at a church in Wilson, Texas, in 1996.

Eliason said he did not know about the allegations, but lawyers cast doubt on his testimony after noting that Eliason himself pleaded no-contest to charges of indecent exposure in 1987, 1996 and 2003.

The jury's award against the synod came after a \$32 million settlement approved on April 12 involving the denomination, an Ohio seminary, a clergy screening committee in Michigan and Good Shepherd Lutheran Church. Terms of the settlement were not released until April 22. ELCA spokesman John Brooks said the denomination will pay \$8 million of the April 12 settlement, which will be covered by

insurance.

The ELCA continues to pray for all affected adversely by “this disturbing case,” including the Synod and its leaders, who will decide whether to appeal the civil case, said spokesman John Brooks. “Deeply sorry” for the young boys abused, Brooks expressed gratitude that the \$8 million awarded in the separate settlement was put “in a trust to help the victims.” *-Religion News Service*