

LOCAL
TESTIMONY ENDS IN LUTHERAN TRIAL CHURCH CHARGED WITH IMPROPER SUPERVISION

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Jurors will begin deliberating today in a civil trial accusing the Evangelical Lutheran Church of America and the Florida-Bahamas Synod of failing to properly supervise a former pastor who abused at least one woman he counseled.

Attorneys for Kerry Fitzgerald say that former Pastor Conny Sjostrom had been crying out to his church for help for years before he abused her. They say the church ignored those cries and then tried to hide documents that showed they knew he was burned out and depressed.

Defense attorney Dan Bachi said the church took action immediately after Fitzgerald reported Sjostrom's misconduct. The 5.2 million member church forced Sjostrom to retire in 1994.

Fitzgerald's lawyer, **Ron Weil**, also claims that the church ignored a series of red flags that Sjostrom was in no condition to counsel others. They say he took advantage of women, including Fitzgerald, who were vulnerable when they sought help to recover from alcohol or substance abuse problems.

One of Sjostrom's four ex-wives testified that she warned church officials 27 women told her the pastor had acted inappropriately with them years before he began counseling Fitzgerald in 1993.

In annual personal reports that Sjostrom filed with his bishop in 1989, 1991 and 1992, he wrote he was burned out and depressed.

"Despite Sjostrom's calls for help, {church officials} ignored them, and they lied to you," Weil told jurors, saying the church tried to keep those documents from the court and only produced them some days into the trial.

"I feel like Old Man River -- tired of living and feared of dying," Sjostrom wrote in a 1991 report.

Based on those signs, Fitzgerald's lawyers said the church should have kept him away from vulnerable people

The church's attorney, Bachi, argued that Fitzgerald consented to the relationship with Sjostrom, which stopped short of intercourse.

"It was improper but it was consensual," Bachi said.

Bachi said the church should not be held liable for Sjostrom's misconduct because the organization in Chicago and its local headquarters in Tampa had no knowledge of his actions. Church officials also said that he did not work for them, and they did not control his employment by the St. Francis Chapel and Mission of St. Francis at the time in Fort Lauderdale.

But Weil said that church officials' decision to force Sjostrom to retire in 1994 showed they had power and control over him and he was able to abuse women because of the trust inspired by the clerical collar he was permitted to wear.

Gary Schoener, a Minnesota-based expert and adviser to several religious organizations and social services groups, testified during the trial that no person recovering from alcohol or substance abuse is capable of consenting to sexual entanglement with a counselor because of the power imbalance in that relationship.

Sjostrom, a well-known local figure, once worked as chaplain for the Broward Sheriff's Office during the late Sheriff Ron Cochran's tenure. He now works as a counselor for St. Francis Chapel, an independent church in Davie.

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