

IN THE CIRCUIT COURT OF TANEY COUNTY, MISSOURI

JOHN DOE XI,

Plaintiff,

vs.

Case No.

PETER "PETE" D. NEWMAN,

Serve: Jefferson City Correctional Center
8200 No More Victims Road
Jefferson City, Missouri 65101

Defendant.

ORIGINAL PETITION

COMES NOW, Plaintiff, through the undersigned counsel, and for his original petition states:

General Allegations

1. Venue is proper in Taney County, Missouri under R. S. Mo. § 508.010, as this is the location where Plaintiff first was damaged.
2. Plaintiff is an adult man proceeding by pseudonym and his true name will be provided to Defendant.
3. At all times pertinent herein, Plaintiff was a citizen and resident of Texas. Plaintiff John Doe XI is currently a resident and citizen of Arkansas.
4. Defendant Peter ("Pete") D. Newman is an individual who resides in Missouri at the Jefferson City Correctional Center in Cole County, Missouri.
5. This action is brought within the Missouri statute of limitations.

Statement of Facts Applicable to All Counts

6. At all times pertinent hereto, Kanakuk owned and operated residence camps for children known as Kanakuk camps where children would come sleep and attend camp activities for periods of time ranging from one to three weeks.
7. During the camps, children would have no phone or computer access to their family.
8. Kanakuk camps include but are not limited to K-1, K-2, K-West and K-Kountry.
9. Defendant Newman was a counselor, then assistant Kamp Director, then Kamp Director.
10. Newman remained in the position of Kamp Director until he received a double life sentence plus 30 years for sexually abusing Kanakuk attendees.
11. During the time he was a Kanakuk employee, he was a serial abuser and sexually abused at least 60 children.
12. Defendant Newman's continued to engage in communications with "kampers" after the "kampers" returned home from summer residential camp in Missouri.
13. Newman's activities as counselor and director included interacting with children and recruiting them to attend Kanakuk Kamps during (1) small group Bible studies; (2) lunch at children's schools; (3) club activities; (4) leadership activities; (5) small group activities; (6) para Kamp activities; (7) "hot tub" ministry at a house Kanakuk gave to Newman; (8) father-son retreats at K-Colorado, at which Newman acted as father to Plaintiff; and (9) Winter Trail visits to John Doe XI's home.
14. After Plaintiff first year at Kanakuk kamps, Newman had a preexisting relationship with Plaintiff.
15. Sexual abusers spend an unusual amount of time with children.
16. Newman spent an unusual amount of time with Plaintiff.

17. Child molesters seek jobs that put them in proximity to and allow for continuous access to children.
18. Newman sought a job at Kanakuk that put him in proximity to and allowed him continuous access to children.
19. Child molesters find ways to isolate themselves with children when no adults or parents are present.
20. Pete Newman isolated himself with Plaintiff when no adults or parents were present.
21. Grooming, like sexual assault, progresses through various phases becoming more outrageous and this tactic is used on the victim and his parents.
22. During grooming, the predator uses the parents' blessing and trust as a way to interpose himself between the child and parent and to minimize the wrongfulness of the predator's behavior.
23. Newman groomed Plaintiff and used Plaintiff's parents' blessing to minimize the wrongfulness of Newman's behavior.

Newman – The Textbook Pedophile

24. In fact Newman fits every description of a typical pedophile in that he:
 - a. Displayed keen, often excessive interest in children;
 - b. Sought opportunities to be alone with children;
 - c. Found legitimate access to children through employment and volunteer opportunities;
 - d. Associated with and developed friendships with children;
 - e. Seduced children with attention, affection and gifts;
 - f. Was tuned into children's needs and was highly skilled at engendering the trust and confidence of children;

- g. Was very sensitive to children's feelings and weaknesses and had a facility for putting children at ease; and
- h. Befriended a child's family and became a babysitter, went on vacation with the family, and took the child on special outings.

John Doe XI

- 25. John Doe XI attended several Kanakuk camps as a camper: K-Kountry (2001-2002); K-1 (2003); K-West (2004-2005); K-2 (2006); and as a junior counselor at K-Kountry (2007-2008).
- 26. Acting as a Kanakuk employee, Defendant Newman took an interest in John Doe XI and sought him out as part of Defendant Newman's "grooming" process.
- 27. These actions were intended to and did make John Doe XI believe that he had a special relationship with Defendant Newman and led John Doe XI to more completely trust and believe Defendant Newman.
- 28. Defendant Newman held himself out to Plaintiff and his parents as a safe, trustworthy caretaker and mentor of children.
- 29. During the time John Doe XI was a Kamper, Defendant Newman continued the grooming process.
- 30. Defendant Newman, as a director of Kanakuk Kamps, and as part of his Kanakuk Extra Kamp Ministry, was responsible for doing the work of Kanakuk and in fact did that work and involved Plaintiff in it.
- 31. Plaintiff was involved in Newman's "para-Kamp" and "extra-Kamp" ministry.
- 32. Defendant Newman abused the Plaintiff at Newman's home.

33. Newman continued contact with campers such as Plaintiff and his family during the non-camp months in extra Kamp and para Kamp activities such as Bible study, winter trail, father son events, sports and small groups.
34. Newman talked about his hot tub ministry in a speech, wherein Newman stated not a night of the week went by that there wasn't someone to minister to in the hot tub.
35. Defendant Newman began having John Doe XI sit on his lap at camp in 2001. That same year, Newman invited John Doe XI to visit him at his home at Kanakuk. During the visit he took John Doe XI to a birthday party at a skating rink in Springfield, Missouri. On the ride back, he asked John Doe XI if he knew what oral sex was. John Doe XI said "no." Newman then insisted that John Doe XI sleep in Newman's bed.
36. Newman's special attention to John Doe XI continued in 2002, when Newman took John Doe XI to a K-Colorado father son retreat.
37. In 2003, Defendant Newman took John Doe XI on a Kanakuk sponsored father son retreat at Kanakuk camp in Lampe, Missouri, where Newman directed John Doe XI to strip naked in a cave.
38. In 2006, during staff training week, in Barn 13 at K Kountry, Defendant Newman told John Doe XI that masturbation was not a sin if you didn't think about girls while masturbating, and then sexually abused John Doe XI.
39. Defendant Newman asked John Doe XI to come live with him. John Doe XI had finished high school a semester early and moved in with Defendant Newman in Branson, Missouri in 2009. During this period Newman invited John Doe XI and a Kanakuk Institute student and former Kanakuk counselor, to get into a hot tub. Defendant

Newman jumped into the hot tub naked with an erection. He then told John Doe XI and the other boy to stick their penises into the hot tub jets.

40. Defendant Newman used his position at Kanakuk Kamps as a means to abuse children such as John Doe XI by developing the children's trust and friendship. This, coupled with Defendant Newman's mantle of authority as a director of Kanakuk Kamps, allowed Defendant Newman to sexually abuse and molest multiple boys through masturbation, nudity, and sodomy.
41. During each of these activities Defendant Newman falsely represented to the young Plaintiff that these behaviors were okay or normal.
42. During each of these activities, Defendant Newman used his position of authority as director of Kanakuk Kamps to sexually abuse John Doe XI.

Newman's Arrest And The Victims

43. In February 2010, Defendant Newman pleaded guilty in Taney County to several counts of statutory sodomy and child enticement involving child abuse of a boy on Kanakuk property and received two life sentences plus 30 years in the Missouri Department of Corrections.
44. Prior to Newman's arrest, there were at least 60 victims of Newman.

COUNT I -- INVASION OF PRIVACY

45. Plaintiff incorporates by reference, as if set forth at length herein, all factual allegations set forth in the foregoing paragraphs.
46. Plaintiff was and is entitled to an expectation of privacy in his body, i.e., that his naked body will not be viewed without his consent.

47. Defendant Newman on multiple occasions convinced the minor Plaintiff to disrobe wherein Newman intentionally viewed the nude bodies of Plaintiff.
48. In doing so, Newman intruded upon the seclusion of Plaintiff.
49. Plaintiff, as a minor, could not consent to these viewings or consent to the intrusion upon his seclusion.
50. Furthermore, Defendant Newman fostered in Plaintiff trust and admiration for Defendant Newman as a Kanakuk counselor.
51. Additionally, Defendant Newman taught Plaintiff that these nude observations were "normal" and not a cause for concern; therefore he did not understand the implications of the episodes.
52. Defendant Newman's viewing of the Plaintiff served no recognized valid purpose.
53. Defendant Newman's viewing of the Plaintiff intruded upon the Plaintiff's seclusion and reasonable expectation of privacy.
54. The manner of intrusion was objectively offensive to any reasonable third party.
55. As a direct, proximate, and foreseeable result of Defendant Newman's actions, Plaintiff suffered privacy invasion that caused him emotional distress, psychological damages that will require ongoing and future treatments, decreased economic earning potential; as well as damages to his privacy and the stigma of having been exposed to a convicted child abuser.
56. Defendant Newman's actions were evil, wanton, willful, malicious and in conscious disregard of Plaintiff's rights and justify an award of punitive damages which would serve to punish Defendant Newman and deter him and others from engaging in like conduct in the future.

57. Plaintiff pleads that Defendant Newman's actions in this case justify the fraud exception to the American Rule requiring that Defendant Newman be ordered to pay Plaintiff's reasonable attorney's fees and costs.

WHEREFORE, Plaintiff prays this court enter judgment in his favor in a fair and reasonable sum, for punitive damages, for his attorney's fees, costs, and expenses incurred herein and for such other relief as the court deems just and proper

COUNT II – CHILDHOOD SEXUAL ABUSE

58. Plaintiff incorporates by reference, as if set forth at length herein, all factual allegations set forth in the foregoing paragraphs.

59. During all relevant times, Plaintiff was a minor.

60. Defendant Newman engaged in childhood sexual abuse with Plaintiff.

61. Defendant Newman was convicted of sexual abuse.

62. As a direct and proximate result of Defendant Newman's actions, Plaintiff was injured and has suffered, and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress that are medically diagnosable and significant, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; was prevented and will continue to be prevented from performing his daily activities and obtaining the full enjoyment of life; has sustained loss of earnings and earning capacity; and/or have incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

63. Defendant Newman's actions were evil, wanton, willful, malicious and in conscious disregard of Plaintiff's rights and justify an award of punitive damages which would

serve to punish Defendant and deter Defendant and others from engaging in like conduct in the future.

64. Plaintiff pleads that Defendant Newman's actions in this case justify the fraud exception to the American Rule requiring that Defendant Newman be ordered to pay Plaintiff's reasonable attorney's fees and costs.

WHEREFORE, Plaintiff prays this court enter judgment in his favor in a fair and reasonable sum, for punitive damages, for his attorney's fees, costs, and expenses incurred herein and for such other relief as the court deems just and proper.

COUNT III - NEGLIGENCE

65. Plaintiff incorporates the foregoing paragraphs by reference as if set forth more fully herein.
66. Defendant Newman was as an employee, director, counselor, extra Kamp supervisor, para Kamp supervisor and representative of Kanakuk Kamps when he damaged Plaintiff.
67. Defendant Newman had a duty to exercise ordinary care.
68. Defendant Newman breached this duty for the same reasons set forth in the prior paragraphs of this petition.
69. Defendant Newman's conduct was a substantial cause and/or proximate cause of the severe emotional and mental distress, harm, and injury John Doe XI experienced in the past and in all likelihood will continue to experience in the future.
70. Defendant's actions were evil, wanton, willful, malicious and in conscious disregard of Plaintiff's rights and justify an award of punitive damages which would serve to punish Defendant and deter Defendant and others from engaging in like conduct in the future.

WHEREFORE, Plaintiff prays this court enter judgment in his favor in a fair and reasonable sum, for punitive damages, for his attorney's fees, costs, and expenses incurred herein and for such other relief as the court deems just and proper.

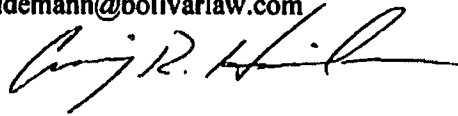
JURY TRIAL DEMAND

Plaintiff demands a trial by jury on all issues.

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