

Village Church rebuts sex abuse liability

August 26, 2019

FLOWER MOUND (BP)—The Village Church asserted it is not liable for damages suffered by a woman who alleges she was sexually abused at age 11 by a youth pastor who served the church at the time.

The Flower Mound church also challenges the plaintiff's claim of more than \$1 million in damages, citing provisions in the Texas Civil Practices and Remedies Code, as well as the Texas Charitable Immunity Act.

The Village Church filed its legal response Aug. 23 in Dallas County Court.

The plaintiff, identified in the [lawsuit](#) as Jane Doe One, accuses The Village Church of negligently breaching its duty to care for her and failing to “implement reasonable policies and procedures to detect and prevent” sexual abuse,” as well as failing “to adhere to the policies and procedures it had in place at the time” to prevent the alleged abuse.

The alleged perpetrator Matthew Tonne has a Sept. 4 trial date in Dallas County District Court on a related charge of indecent contact with a child. Tonne has been out of jail on a \$25,000 bond since Jan. 9, and his initial court date of Jan. 29 has been rescheduled 12 times, according to court documents.

If the charges the plaintiff alleges are proven to have occurred, The Village Church said Aug. 23, then the church is not liable for “the intentional criminal acts of its employee” because those acts would be outside of the course and scope of his employment.

The church also cited both the U.S. Constitution and the Texas in arguing

against exemplary or punitive damages.

Represented by Middlebrook and Goodspeed, the church urged the court to dismiss the lawsuit.