

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CANDY H., individually and as
representative of the class,

Plaintiffs,

v.

JOHN KNUDSEN,
REDEMPTION RANCH, INC.,
BETHESDA HOME FOR GIRLS,
BOB WILLS,
JACK RILEY,
BRUCE AULTMAN,
C. W. WILLIAMS,
LINDA WILLIAMS,
D1-D40,

Defendants.

CIVIL ACTION NO. 82-100-N

FILED

FEB 17 1982

W. P. GORDON, CLERK

AMENDED COMPLAINT

I. NATURE OF THE ACTION.

This is a civil action brought by Candy H. (hereinafter Candy), individually and as representative of the class of unwed pregnant girls who are being, or will be kept at the Bethesda Home for Girls.

Candy is 19 years old, unwed, female, five months pregnant, and a resident of Montgomery, Alabama. Candy was induced by fraud and coercion to enter the Bethesda Home for Girls (hereinafter Bethesda), in Hattiesburg, Mississippi. The operators of Bethesda prevented her (and are now preventing other pregnant girls) from leaving and used numerous manipulative techniques (and are using these techniques on other pregnant girls) in an attempt to convince her to stay at Bethesda. Candy's relatives were (and relatives of other pregnant girls are) not permitted to see her or communicate with her upon request and any communications from Candy were (and from other pregnant girls are) carefully monitored or censored.

Plaintiffs seek declaratory and injunctive relief, as well as compensatory and punitive damages, for this illegal and tortious deprivation of their rights.

II. JURISDICTION AND VENUE.

1. This action arises under the Thirteenth Amendment and other provisions of the United States Constitution, under 42

U.S.C. §§ 1985(3) and 1994, and under Alabama's constitutional, statutory and common law.

2. Jurisdiction over this case is invoked pursuant to 28 U.S.C. §§ 1331, 1332, and 1343.

3. Jurisdiction over the claims based on the law of Alabama is specifically invoked under 28 U.S.C. § 1332, and by virtue of the principles of pendent jurisdiction, for these claims derive from precisely the same nucleus of operative facts as the federal claims, and the federal claims are substantial. In the case of other class members who are found to reside in states other than Alabama, these same principles will support claims based upon the laws of their respective states. In addition, the federal and state claims are such that a plaintiff would ordinarily be expected to try them all in one proceeding.

4. The amount in controversy exceeds the sum of ten thousand (10,000) dollars, exclusive of interest and costs.

5. The defendants all have sufficient contacts with the State of Alabama for this Court to exercise personal jurisdiction, by virtue of the fact that the causes of action alleged herein arose in Alabama, the defendants are doing business in Alabama, and the defendants engaged in activities designed to cause tortious and illegal injury in Alabama.

6. This claim arose in Montgomery, Alabama and hence venue is proper under 28 U.S.C. §§ 1391b and 1391c.

III. CLASS ACTION

1. Plaintiff brings this action on behalf of herself and all other unwed pregnant girls who have been, are being, or will be kept at Bethesda Home for Girls.

2. The individual plaintiff sues on her own behalf and as class representative pursuant to Rule 23 of the Federal Rules of Civil Procedure. The prerequisites of Rule 23(a) and of Rule 23(b)(1) and (2) are satisfied. The class is so numerous as to make joinder of all of its members impractical; there are numerous questions of law or fact common to the class; the claims of the individual named plaintiff are typical of the claims of the class; and the individual plaintiff will fairly and adequately protect

the interests of the class. In addition, the prosecution of separate actions by individual class members would create a risk of adjudications with respect to individual members of the class which would, as a practical matter, be dispositive of the interests of the other class members or substantially impair or impede their ability to protect their interests. Moreover, the defendants have both acted and refused to act on grounds generally applicable to the class, thereby making appropriate final injunctive and declaratory relief with respect to the class as a whole.

IV. PARTIES

1. Plaintiff.

A. Candy is a 19-year-old unwed female, is approximately five months pregnant, and is a citizen of Montgomery, Alabama.

2. Defendants.

A. Reverend John Knudsen is a citizen of Montgomery, Alabama, and is associated with the Friendship Baptist Church in Montgomery, Alabama.

B. Redemption Ranch, Inc. is incorporated under the laws of Mississippi, and owns and operates the Bethesda Home for Girls, in Hattiesburg, Mississippi.

C. The Bethesda Home for Girls is a private home for girls located in Hattiesburg, Mississippi.

D. Bob Wills is a citizen of Hattiesburg, Mississippi. Mr. Wills is in charge of the Bethesda Home for Girls and is on Redemption Ranch, Inc.'s Board of Directors.

E. Jack Riley is a citizen of Hattiesburg, Mississippi, and is on Redemption Ranch, Inc.'s Board of Directors.

G. C. W. Williams is a citizen of Hattiesburg, Mississippi, and is on the Redemption Ranch, Inc.'s Board of Directors.

H. Linda Williams is a citizen of Hattiesburg, Mississippi, and is an employee of Redemption Ranch, Inc. She works at the Bethesda Home for Girls, in Hattiesburg, Mississippi.

I. Unnamed employees of Redemption Ranch, Inc. who have aided, abetted, encouraged, or otherwise furthered the conspiracy alleged herein, and whom the plaintiffs will seek leave to add as named defendants when they are identified through discovery.

J. Other unnamed defendants who have aided, abetted, encouraged, or otherwise furthered the conspiracy alleged herein, and whom the plaintiffs will seek leave to add as named defendants when they are identified through discovery.

V. STATEMENT OF FACTS

1. On or about January 16, 1982, Candy was brought by her twin sister Cindy H. to Reverend John Knudsen, of the Friendship Baptist Church in Montgomery, Alabama.

2. On or about January 16, 1982, Candy met with Reverend Knudsen. At the time of this meeting Candy was extremely confused and upset because of her pregnancy and her uncertainty about what to do with her expected child. During this meeting Candy was "saved" by Reverend Knudsen.

3. During the following week, Reverend Knudsen frequently met with Candy and told her that he knew a place where she could live, receive religious counseling, and later put her baby up for adoption.

4. During these meetings Reverend Knudsen gave Candy literature and fraudulently led her to believe that it described the place he was recommending. The literature provided by Reverend Knudsen was completely misleading: it describes a home with a relaxed atmosphere and does not mention any of the restrictive and abusive practices described herein.

5. During her meeting with Reverend Knudsen, Candy was told by Reverend Knudsen that if she wanted her baby to be adopted by good, Christian parents she should go to Bethesda. He told her that if the baby was adopted through a State agency the chances were slim that the baby would be adopted by Christians. He never informed Candy that Bethesda would receive any compensation for arranging to have her baby adopted.

6. During these meetings Reverend Knudsen told Candy that he would make all the arrangements to get her into Bethesda, and would see that the \$250 per month fee charged by the home was taken care of. Reverend Knudsen did in fact make these arrangements.

7. On or about January 23, 1982, Candy agreed to go to the home described by Reverend Knudsen.

8. On January 23, 1982, a man known to the plaintiffs only as "Brother Scott" drove Candy to Bethesda. Brother Scott and Candy were accompanied by Reverend Knudsen and Cindy H., who at this point was a devout follower of Reverend Knudsen.

9. During the drive to Hattiesburg, Reverend Knudsen and Brother Scott began to explain some of the restrictions at the home, but continued to emphasize its religious underpinnings and the importance of Candy being there.

10. Upon arriving at Bethesda, the four met with defendant Linda Williams. Linda Williams told Candy that she would have to leave most of her possessions with her sister Cindy H. These possessions included: certain items of clothing, anything with Candy's name on it, a disposable razor, numerous pictures of Candy's family and friends, her diary, and various pieces of identification (including her social security card and birth certificate). All of Candy's money was placed in an account at Bethesda.

11. Candy was asked to read and sign a long agreement. Almost as soon as she began reading it Candy became extremely upset and started crying so hard that she could barely finish reading it. She remained upset when she signed the agreement. The agreement stipulated, among other things, that Candy would remain at Bethesda for one year, could make no phone calls for three months, and could receive no letters from males.

12. During this meeting the doors to Bethesda were locked from both sides, preventing anyone from leaving without a key.

13. After the meeting, Cindy H. returned to Montgomery, Alabama, with Reverend Knudsen and Brother Scott.

14. On January 25, 1982, Candy called Cindy H. Candy said that "Granny" (who is believed to be a staffperson at Bethesda) was in her presence at the time, and Candy told Cindy H. that Bethesda as "OK." When "Granny" momentarily left the room, Candy's tone immediately changed. She told Cindy H. to do whatever she could to "get me out of here."

15. Immediately after the phone call Cindy H. called Reverend Knudsen. He told her that he would talk to Candy.

16. On or about January 26, 1982, Reverend Knudsen called Cindy H. and said he had talked to Candy. He told Cindy H. to "give Candy a month and see how she likes it." Cindy H., as a follower of Reverend Knudsen, agreed with this advice.

17. On February 1, 1982 Candy's mother, Sandra L. called Bethesda but was denied permission to talk to Candy.

18. On February 4, 1982, Candy was able to communicate with Sandra L. and Cindy H., and told them that she wanted to leave Bethesda but was being prevented from doing so.

19. On February 5, 1982, Cindy H. called Bethesda and spoke to defendant Linda Williams. Linda Williams informed her that Candy had decided to stay until Candy had the baby. Linda Williams refused to let Cindy H. talk to Candy.

20. Candy wanted to leave Bethesda and was prevented from doing so. She also was subjected to numerous tactics designed to overbear her will, possibly including threats to her physical safety and to the safety of her future child.

21. Candy is one of many young pregnant girls who have been illegally and tortiously injured by the practices of Redemption Ranch, Bethesda, and the other named and unnamed defendants.

22. Almost all of the girls at Bethesda (hereinafter "the girls") are brought to Bethesda from outside the State of Mississippi. In most cases, the referrals to Bethesda and any necessary arrangements are made by and through an informal network of fundamentalist Baptist preachers who are associated with independent Baptist Churches.

23. Bethesda is part of an informal interstate network of fundamentalist Baptist homes. Girls are frequently moved from one of these homes to another if it is considered necessary.

24. Bethesda is owned and operated by Redemption Ranch, Inc. Redemption Ranch, Inc. does substantial business in Alabama: it solicits and receives funds from persons in Alabama, and it advertises Bethesda's services in Alabama; Bethesda receives many girls from Alabama, and it advertises and arranges for the sale of babies in Alabama.

25. Bethesda receives substantial financial support from Central Baptist Church in Hattiesburg, Mississippi, Bethel Baptist Church in Lucedale, Mississippi, Friendship Baptist Church in Montgomery, Alabama, and other independent Baptist churches, and persons associated with these churches. These churches and associated persons have financially supported the unlawful practices at Bethesda with knowledge of Bethesda's activities and with the intent to further these activities.

26. The practices and policies of Redemption Ranch, Inc. and Bethesda are dictated by the Corporation's Board of Directors. The members of the Board known to plaintiffs are defendants Bob Wills, Jack Riley, Bruce Aultman, and C. W. Williams.

27. On information and belief, the plaintiffs allege that Lester Roloff and Roloff Evangelistic Enterprises, Inc. play an active and leading role in dictating the policies and practices of Bethesda, and also have a key role in organizing the interstate network of fundamentalist Baptist referral services and homes in Alabama and other states described herein. Lester Roloff has been indicted in Texas for unlawful practices in the course of operating his fundamentalist Baptist home for children and was the subject of an expose on "60 Minutes."

28. On information and belief, the plaintiffs allege that all of the defendants have helped formulate, carry out, or otherwise encourage the policies and practices that are intended to, and do in fact, cause tortious and illegal injury in the State of Alabama to residents of Alabama.

29. Girls brought to Bethesda are denied any sources of information about the world outside Bethesda. They are not permitted access to television, radio, newspaper, books or any other reading material other than the King James version of the Bible.

30. Girls at Bethesda are denied any privacy. During the first three months at Bethesda a new girl is constantly accompanied by a "proctor," even when going to the bathroom. On information and belief, plaintiffs allege that all of the telephones and rooms at Bethesda are "bugged," and all conversations at Bethesda are
ed.

31. Bethesda curtails communication with, or from, the outside world by either prohibiting speaking or writing to family members during the first six months at Bethesda, or to any male during the entire stay at Bethesda, and/or censoring or otherwise monitoring any oral or written communication between the girls and persons outside Bethesda.

32. Whenever visitors come to Bethesda they are not permitted any contact with the girls. This policy is most strictly enforced when the visitors are either parents or other relatives, attorneys, or welfare officials.

33. Bethesda prohibits the girls from leaving Bethesda at any time, except to attend Central Baptist Church in Hattiesburg, Mississippi, on Sunday morning. While at church the girls are kept together in a group in separate pews, and are not permitted to talk to anyone outside this group.

34. The outside doors to Bethesda are locked from both sides, preventing any girls from leaving without the assistance of one of Bethesda's employees. Many of the doors inside Bethesda are locked from both sides and this may include the doors to the girls' rooms.

35. The behavior of the girls is governed by strict disciplinary rules. Girls violating the rules of Bethesda are frequently physically beaten. On information and belief, plaintiffs allege that defendant Bob Wills has said that "corporal punishment is a way of life out here."

36. Girls at Bethesda are kept on a strictly regimented daily schedule. The girls are required to work without receiving any compensation.

37. On information and belief, the plaintiffs allege that the girls at Bethesda are kept on a dangerous low-protein diet, with meals usually consisting of nothing more than fruit and/or juice. Because of this and/or other causes, the girls at Bethesda lose weight and have a high rate of miscarriage.

38. On information and belief, the plaintiffs allege that on August 26, 1980, 11 girls managed to escape temporarily from Bethesda. During this escape, one of the girls was accidentally

struck by a truck and killed. There have been numerous other attempted escapes.

39. Bethesda's efforts to eliminate all connections between the girls and their family and past life, to completely isolate them from the world outside Bethesda, and to eliminate all their freedoms and strickly regulate their activities, are part of a scheme designed to overcome the girls' free will and to make them dependent on Bethesda and subservient to the defendants.

40. This dependence and subservience is magnified by the fact that the girls are in a very troubled state when they reach Bethesda, are dependent on Bethesda for satisfaction of their physical needs (e.g., food), and fear physical beatings or other forms of abuse if they object to the defendants' tortious and illegal conduct.

41. Redemption Ranch, Inc. and Bethesda advertise and arrange for the sale of the girls' babies in Mississippi, Alabama, and other states. The babies are provided by the defendants to parents in exchange for payment to cover the \$250/month charge for keeping a girl at Bethesda and any other expenses, and also for "love offerings" which are made by the parents.

42. The defendants' unlawful practices described herein are specifically motivated by a class based animus against women, and especially pregnant unwed girls. The defendants believe that women should be subservient, and the defendants' practices and teachings reflect this belief. The defendants' practices are particularly intended to violate the rights of unwed pregnant girls because of the defendants' belief that such women are sinners and must be subjugated to the defendants' total control so that they can be reformed. Moreover, at least in the case of the Redemption Ranch, Inc. and Bethesda defendants, the unlawful practices described herein have been directed specifically at unwed pregnant girls in order to advance the defendants' own pecuniary interests through the sale of babies.

43. Bethesda has thwarted the efforts of relatives and other concerned persons to discover the true conditions inside Bethesda. Bethesda also prevents these persons from finding

out whether individual girls wish to remain by effectively requiring these persons to accept Bethesda's claims that the individuals do wish to remain.

44. When the defendants learn that parents or other concerned individuals are contemplating legal or other actions to have a child removed from Bethesda, the defendants have conspired and acted to have the child sent to one of the other homes in the interstate network of homes described herein.

45. Because Bethesda has so effectively isolated itself from the outside world, the practices inside Bethesda are not fully known, and the tortious and illegal conduct described herein probably significantly understates the abusive practices at Bethesda.

46. Each of the named and unnamed defendants conspired in and actively participated in the events described herein, with the purpose of depriving Candy and the other girls, particularly unwed pregnant girls, at Bethesda, of equal privileges and immunities under the First, Thirteenth and other Amendments to the United States Constitution, and of their constitutional rights to travel, and to reproductive privacy, and to family privacy, and of the protection meant to be secured by 42 U.S.C. § 1994, and of their rights under Alabama constitutional, statutory and common law. The defendants all acted out of a class based animus against women.

47. All of the defendants had knowledge that the unlawful acts described herein were about to be committed and had the ability to aid in preventing these acts by informing the lawful authorities or otherwise, but did not take such action.

VI. FIRST CAUSE OF ACTION

1. Plaintiffs reallege paragraphs 1 through 47 of Part V.
2. The actions of the defendants in conspiring to and overtly acting to deprive Candy, and other women, particularly unwed pregnant girls, of the equal protection of the laws, and of equal privileges and immunities under the laws, were in violation of 42 U.S.C. § 1985(3).

VII. SECOND CAUSE OF ACTION.

1. Plaintiffs reallege paragraphs 1 through 47 of Part V.
2. The defendants failure to take feasible steps to aid in preventing the actions described herein, by informing the lawful authorities or otherwise, violated the command of 42 U.S.C. § 1986.

VIII. THIRD CAUSE OF ACTION

1. Plaintiffs reallege paragraphs 1 through 47 of Part V.
2. The defendants held Candy and other unwed pregnant girls to service of labor under the system known as peonage, in violation of 42 U.S.C. § 1994.

IX. FOURTH CAUSE OF ACTION

1. Plaintiffs reallege paragraphs 1 through 47 of Part V.
2. The defendants, by the actions described herein, deprived Candy and other unwed pregnant girls of their right to be free from involuntary servitude, protected by the Thirteenth Amendment, and their rights to interstate travel, and to reproductive privacy protected by the United States Constitution.

X. FIFTH CAUSE OF ACTION

1. Plaintiffs reallege paragraphs 1 through 47 of Part V.
2. The actions of the defendants described herein constitute tortious invasions of plaintiffs' rights. In particular, the defendants have committed the following torts against plaintiffs: fraud, intentional infliction of emotional distress by extreme and outrageous conduct, false imprisonment, assault, invasion of privacy, and interference with procreative rights.
3. The defendants' conspiracy to invade plaintiffs' rights also constituted a tortious violation of the protection secured to them by Ala. Code § 13a-4-3 (1980). The defendants' actions tortiously violated the provisions of numerous sections of Alabama's criminal law.
4. The actions of the defendants described herein also deprive plaintiffs of rights guaranteed by the Alabama Constitution, including their right to free speech, Ala. Const. Art. I § 4, and to be free from any form of slavery or involuntary servitude,

XI. SIXTH CAUSE OF ACTION

1. Plaintiffs reallege paragraphs 1 through 47 of Part V.
2. The actions of the defendants described herein interfered with the plaintiffs' rights to family privacy, as protected by the United States Constitution.
3. The defendants, by conspiring to prevent the plaintiffs from associating with each other and from freely communicating with each other, deprived the plaintiffs of equal privileges and immunities of the law, and specifically their fundamental rights to free speech and association, and family privacy, in violation of 42 U.S.C. § 1985(3).

XII. RELIEF

Wherefore, plaintiffs respectfully pray that this Court:

1. Certify this case as a class action.
2. Issue a preliminary injunction enjoining the defendants and all persons acting in concert with them:
 - A. To release all unwed pregnant girls to the care of the appropriate parents, guardians, and/or state agencies that will best look after the girls' health, safety and welfare.
 - B. Not to move any unwed pregnant girl from the Bethesda Home for Girls or from temporary placements with private families during the pendency of this action without the approval of this Court.
3. Permit plaintiffs to conduct expedited discovery to protect the health and welfare of unwed pregnant girls at Bethesda.
4. Issue a declaratory judgment that the actions described herein deprive plaintiffs of rights guaranteed them by 42 U.S.C. §§ 1985(3), 1986, and 1994, by the Thirteenth Amendment and the right to travel interstate and to reproductive privacy of the United States Constitution, and by Alabama constitutional, statutory, and common law.
5. Issue a declaratory judgment that any agreements signed between plaintiffs, their parents or other representatives, and any of the defendants are null and void on the grounds of duress, unconscionability, and illegality.

6. Permanently enjoin the defendants and all persons acting in concert with them from engaging in any actions which have the purpose or would reasonably be expected to have the effect of intimidating, interfering with, or otherwise impairing, the exercise by plaintiffs of the rights protected and guaranteed by any of the laws cited in Part XII, Paragraph 3.

7. Award each plaintiff class member \$100,000 in compensatory damages, and an additional \$100,000 in punitive damages, against the defendants jointly and severally.

8. Award plaintiffs reasonable costs and attorneys' fees.

9. Order such further and different relief as the Court may deem just and proper.

Respectfully submitted,



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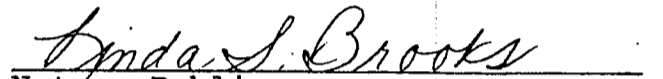
VERIFICATION

I am one of the attorneys representing the plaintiffs in this case. I have investigated the allegations in this complaint and I swear that they are true and correct to the best of my knowledge and belief.

Signed this 17 day of February, 1982.


DENNIS N. BALSKE

Sworn to, before me, a Notary Public, this 17th day of February, 1982.


Notary Public
My commission expires: 5/22/85.