

# the Stranger

## NEWS

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September 26, 2007

### **Dan Satterberg's Sin of Omission**

Why Didn't King County Prosecutor's Office Do More for Victims of Abusive Priests?

By [Josh Feit](#)

At the height of the nationwide Catholic priest sex-abuse scandal in April 2002, Seattle attorney Timothy Kosnoff—who has successfully won over \$50 million in settlements against priests on behalf of child-abuse victims—sent a letter to the King County Prosecutor's Office.

Kosnoff, forbidden by a court order to talk publicly about what he found through legal discovery in the local Seattle Archdiocese's sealed files, asked the prosecutor's office to use its unique subpoena power to force the horror stories of 49 cases into the public eye and bring criminal charges against the priests.

The King County prosecutor's chief of staff at the time, Dan Satterberg, responded to Kosnoff, saying the prosecutor's office was invited "to assist the Seattle Archdiocese with formulating a policy that is in compliance with state law regarding mandatory reporting of child sexual abuse," and there was no reason to subpoena the files.

Kosnoff is still incensed today—both about the appearance of a conflict of interest when a law enforcement agency works closely with a potential law breaker and about Satterberg's refusal to look at the files.

"In other cities, the Catholic Church was unmasked. They were forced to disclose. In Seattle, we sat on this trove of information. The prosecutor's office is the only entity that's capable of bringing this to light. When the prosecutor's office failed to do that, justice was left undone," Kosnoff says.

The reason Kosnoff is so exercised about Satterberg these days is because Satterberg is currently running for the top job in the prosecutor's office—King County prosecutor.

Satterberg, a Republican, is running as heir apparent to his former boss, Republican Norm Maleng (who died unexpectedly last May), against Democrat Bill Sherman.

While dogged prosecutors' offices across the country were forcing the church to turn over files about complaints against priests—including Los Angeles, where the district attorney's office famously took the Los Angeles Archdiocese all the way to the U.S. Supreme Court to get personnel files, winning last April, and is now expanding its investigation and adding charges—King County demurred.

"We have no evidence that local church officials have violated the mandatory reporting law," Satterberg responded in an April 12, 2002, letter to Kosnoff. "If you have actual knowledge of a criminal act of failing to report child abuse, please contact the police. We have no legal basis to seek search warrants to seize records from the archdiocese."

"No shit, Dan," Kosnoff says bitterly today. "You haven't found any evidence because you haven't issued a subpoena." Kosnoff complains that "clerics were able to skate through with settlements paid for by parishioners without ever being required to account for sodomizing children. King County should have been doing its job, and I hold Dan Satterberg responsible."

Kosnoff, who's still deeply immersed in cases against priests, holds Satterberg in unique disregard for the county's reluctance to go after abusive priests because Satterberg served on the special panel at the Seattle Archdiocese charged with making sure the church was dealing with accusations of sexual abuse. State law requires the church to contact law enforcement about any reports of abuse.

Kosnoff describes Satterberg's position with the church—a public law enforcement official working with the archdiocese on its sexual-abuse protocol—as a massive conflict of interest. "Not only were they not doing anything about it, he was serving in a capacity to give the archdiocese cover." It's like tax cheats having the IRS advising them, Kosnoff reasons.

Satterberg, who was raised Presbyterian, says serving on the panel would only be a conflict of interest if the church weren't sincere about preventing abuse. "It might be [a conflict]," he says, "if their motivation was to hide abuse, but they see it now as something they have to exorcise." Satterberg points to a recent Mercer Island case where St. Monica's Catholic Church suspended a priest for alleged inappropriate contact with a minor last August. And Satterberg, who was the "legal resource" for the special board, was among other public officials: such as director of the Harborview Center for Sexual Assault and Traumatic Stress and the executive director of the King County Sexual Assault Resource Center.

Satterberg is no longer on the panel, but one of his colleagues at the prosecutor's office, Lisa Johnson, is.

As for not bringing a subpoena from the county to get personnel files, Satterberg says, "[The King County Prosecutor's Office] deals in the world of evidence. We need evidence before we just bust into an office and start seizing documents. I need a specific person to come forward and say they were a victim and then I might have a case, and I could get files."

In Seattle, an archdiocese final report in 2004 acknowledged that since 1950, 153 people accused 49 priests of abusing them as children. The Seattle Archdiocese has had to pay about \$11.8 million in court settlements and \$13.5 million overall, including things like nearly \$500,000 for victim counseling and \$900,000 in lawyers' fees.

"There has been no law enforcement investigation into the largest case of an institutional child-abuse cover-up in our state," Kosnoff says. "It's a matter of public interest and the prosecutor's office should have done its job." ★

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