

May 3, 2017

To the Leadership of Castro Valley First:

I have been alerted regarding the hastily written public statement made on May 3, 2017 on your church website, which still declares that Steve Korch is involved with the church at the bottom. The statement of the church:

*We want to inform you that the church leadership team has decided not to continue utilizing the services of Dr. Steve Korch as our transitional coach. When we brought Steve onboard for this role in February of this year, we made this decision being aware of a particular sin in Steve's past. We did not think that this sin disqualified him from being able to guide our church in the transition process, specifically **because he had demonstrated repentance, which was covered under God's grace, and had a proven track record of Godly service for many decades as a pastor, seminary teacher and transitional coach.** We did however underestimate the amount of hurt that would be caused by having Steve in this position and not coming to you sooner. This should have happened early in the process, when first introduced Steve to the congregation. In an effort to best serve this body, we have severed our relationship with Dr. Steve Korch effectively immediately, because we do not want to cause additional pain for people. If you are one of those who has been hurt by this, please hear our deepest apologies, as our intentions have always been to serve and protect this body and not place any additional stumbling blocks or sources of pain in front of you. For that, we ask for your forgiveness.*

Your statement appears as prepared fluff. All you have done now is make things worse, by further covering for Steve Korch and attempting to minimize what has actually gone on in Steve Korch's life since 1975.

Point 1. What Steve Korch did is a serious crime in the State of California. This is not simply "sin."

1. In the State of California, a person under the age of 18 is considered a child. Claiming that the child consented is not a defense. This is clearly noted in the Criminal Jury Instructions written by the Judicial Council of California. In both No. 1102. Sexual Penetration With Person Under 18 (Penal Code Section 289(h)) (pp. 818-820) and No. 1122. Annoying or Molesting a Child (Penal Code Section 647.6(a)-(c)) (pp. 840-843) *People v. Kemp* (1934) 139 Cal.App. 48, 51 [34 P.2d 502] is referenced if a defense claims that the other person may have consented.

In *Kemp*, the defendant was convicted of rape and incest on his niece. Four counts were charged as rape and four counts as incest. At the time the niece was sixteen for two of the occasions and seventeen for the other two. In particular, the niece gave birth to a child, which died a couple of months after birth. During the time the niece was living with the defendant (March, 1932 - December, 1932 and June, 1933 - October, 1933) the niece and uncle had repeated acts of sexual intercourse.

According to instruction notes for No. 1102, "Except as provided in Section 288, any person who participates in an act of sexual penetration with another person who is under 18 years of age shall be punished by imprisonment in the state prison or in a county jail for a period of not more than one year." Penal Code Section 289(h)." The instruction notes go on to define various possible claims and defenses, such as:

1. Foreign Object, Substance, Instrument, or Device Defined. Pen. Code, § 289(k)(2); *People v. Wilcox* (1986) 177 Cal.App.3d 715, 717 [223 Cal.Rptr. 170] [a finger is a "foreign object"].
2. Sexual Penetration Defined. Pen. Code, § 289(k)(1); see *People v. Quintana* (2001) 89 Cal.App.4th 1362, 1371 [108 Cal.Rptr.2d 235] [penetration of genital opening refers to penetration of labia majora, not the vagina].

3. Unknown Object Defined. Pen. Code, § 289(k)(3). “Unknown object” shall include any foreign object, substance, instrument, or device, or any part of the body, including a penis, when it is not known whether penetration was by a penis or by a foreign object, substance, instrument, or device, or by any other part of the body.”

4. Sexual Abuse Defined. *People v. White* (1986) 179 Cal.App.3d 193, 205–206 [224 Cal.Rptr. 467].

In the case of instruction notes for No. 1122, “(a) (1) Every person who annoys or molests any child under 18 years of age shall be punished by a fine not exceeding five thousand dollars (\$5,000), by imprisonment in a county jail not exceeding one year, or by both the fine and imprisonment. (a)(2) Every person who, motivated by an unnatural or abnormal sexual interest in children, engages in conduct with an adult whom he or she believes to be a child under 18 years of age, which conduct, if directed toward a child under 18 years of age, would be a violation of this section, shall be punished by a fine not exceeding five thousand dollars (\$5,000), by imprisonment in a county jail for up to one year, or by both that fine and imprisonment. (b) Every person who violates this section after having entered, without consent, an inhabited dwelling house, or trailer coach as defined in Section 635 of the Vehicle Code, or the inhabited portion of any other building, shall be punished by imprisonment in the state prison, or in a county jail not exceeding one year, and by a fine not exceeding five thousand dollars (\$5,000). (c) (1) Every person who violates this section shall be punished upon the second and each subsequent conviction by imprisonment in the state prison. (c)(2) Every person who violates this section after a previous felony conviction under Section 261, 264.1, 269, 285, 286, 288a, 288.5, or 289, any of which involved a minor under 16 years of age, or a previous felony conviction under this section, a conviction under Section 288, or a felony conviction under Section 311.4 involving a minor under 14 years of age shall be punished by imprisonment in the state prison for two, four, or six years.”

Just as was the case in No. 1102, the instruction notes go on to define various possible claims and defenses, such as:

1. Child annoyance or molestation may be committed by either a single act or a repetitive course of conduct.
2. Sixteen year old cannot consent. See *People v. Kemp* (1934) 139 Cal.App. 48, 51 [34 P.2d 502]. See also *People v. Cardenas* (1994) 21 Cal.App.4th 927, 937, fn. 7 [26 Cal.Rptr.2d 567] [dicta, in context of lewd act].
3. “Annoy” and “molest” are synonymous and generally refer to conduct designed to disturb, irritate, offend, injure, or at least tend to injure, another person. (*People v. Lopez* (1998) 19 Cal.4th 282, 289 [79 Cal.Rptr.2d 195, 965 P.2d 713]; *People v. Carskaddon* (1957) 49 Cal.2d 423, 426 [318 P.2d 4].) “Annoy means to disturb or irritate, especially by continued or repeated acts . . . [¶] ‘[M]olest’ [means] . . . ‘to interfere with or meddle with unwarrantably so as to injure or disturb.’ ” (*People v. Pallares* (1952) 112 Cal.App.2d Supp. 895, 901 [246 P.2d 173].) A photographer can “annoy” a minor by taking the minor’s photograph in a public place in an offensive and irritating manner. (See *Ecker v. Raging Waters Group, Inc.* (2001) 87 Cal.App.4th 1320, 1325 [105 Cal.Rptr.2d 320].) A lewd act is not required. (*People v. Thompson* (1988) 206 Cal.App.3d 459, 465–466 [253 Cal.Rptr. 564].)
4. Annoy and Molest Defined; Objective Standard. *People v. Lopez* (1998) 19 Cal.4th 282, 289–290 [79 Cal.Rptr.2d 195, 965 P.2d 713]; *People v. Kongs* (1994) 30 Cal.App.4th 1741, 1749–1750 [37 Cal.Rptr.2d 327]; *People v. Pallares* (1952) 112 Cal.App.2d Supp. 895, 901–902 [246 P.2d 173]. Penal Code 647.6 does not require any touching whatsoever. Words alone may constitute annoying or molesting a child.
5. Lewd Act Not Required. *People v. Thompson* (1988) 206 Cal.App.3d 459, 465–466 [253 Cal.Rptr. 564].
6. Need Not Actually Be Annoyed. *People v. Lopez* (1998) 19 Cal.4th 282, 290 [79 Cal.Rptr.2d 195, 965 P.2d 713].

7. Actual Touching Not Required. *People v. Memro* (1995) 11 Cal.4th 786, 871 [47 Cal.Rptr.2d 219, 905 P.2d 1305]; *People v. Lopez* (1998) 19 Cal.4th 282, 289 [79 Cal.Rptr.2d 195, 965 P.2d 713].

Steve Korch and his various Religious supporters in 1975, have claimed that it was only one child or that he did not commit the acts again or whatever claim he can muddle through. Somehow making this better, but that is not what the law or the court says. In *People v. Shaw* (2009) 77 Cal.App.4th 92, 99 Cal.Rptr.3d 112 ("The statute does not merely protect children as a class; it protects "any child" in the State of California from being annoyed or molested by an adult motivated by an unnatural or abnormal sexual interest... To hold that a defendant might lawfully annoy or molest a child motivated by an abnormal sexual interest toward that child alone is not only ludicrous, but defeats the express statutory purpose of protecting any child in this state against sexual offenses."). In fact, there is nothing in the statute or any case law directly on point that requires the defendant to have singled out any particular child (or group of children) in advance for his actions.

In other words, regardless if it was an one time act, **several acts over several weeks which is the case**, one child, more children that have not come forward; regardless if he penetrated Jane Doe with his penis, placed it next to her vagina, thrust his fingers inside back and forth, simply used his fingers, mouth, touched her in any way or even just annoyed her, Steve Korch molested a child.

Point 2. Since 2005, Steve Korch and others have acted to cover up what actually has gone on. (as stated in Feb, 2017, see note)

In 2005, Jane Doe contacted me (Randy Chapel) regarding the child molestation acts by Steve Korch. This was brought to the attention of others, including my mother Carol Nye-Wilson and our attorney at the time, William Dresser. Unknown to Steve at the time, Jane Doe requested to confront Steve Korch at his deposition, which can be viewed on the web at <https://www.youtube.com/watch?v=xOiXADUUMa8> .

Subsequently, Western Seminary, led by Bert Downs proceeded to cover for Steve Korch, making up radical claims concerning how he learned and making various public statements regarding the acts. During Bert Downs' own deposition, he was caught in his own lies, while he unsuccessfully attempted to cover for Steve. Since 1975, Steve's secrete sin had been covered up with the help of the weak-minded religious in and around him. However, once it was out, nothing could put it back.

Subsequently, others at Western Seminary would continue the cover up for Steve, including Randal Roberts, Rob Wiggins, Lynn Ruark, Gary Tuck and their attorneys. Ultimately, Bert Downs and Randal Roberts would get the school's two accreditors to help in the cover up and finally staff with Margaret Spellings would later provide the cover needed.

Returning to the events of 2005, contacts were made to ascertain, who was spiritually over Steve Korch. That investigation led us to Faith Baptist Church, which led to the statement of Jan 19, 2006 concerning Steve Korch. That statement noted:

- Tragic nature of the sin that took place in April and May of 1975.
- The "terrible consequences"
- "We would agree with Steve's description that his actions were 'deplorable.'"
- "Had the church known of this moral failure in 1978, it is probable that they would not have called Steve Korch to be their pastor, and it is equally likely that, had the ordination council in 1980 known of this moral failure, they would not have recommended his ordination."
- That "Deacon board of Faith Baptist Church unanimously agrees not to remove Steve Korch's ordination."

- That “the leadership of Faith Baptist has expressed its opinion to Steve that, given the public nature of this sin, for the sake of the name of Christ, the more honorable course of action may be for him to voluntarily step down from his position of public ministry.”
- That "nothing in all creation is hidden from God's sight. Everything is uncovered and laid bare before the eyes of him to whom we must give account."-Heb 4:13, NIV.

In other words, the claim that Steve Korch expressed “*repentance, which was covered under God’s grace, and had a proven track record of Godly service for many decades as a pastor, seminary teacher and transitional coach*” is bogus. Since 1975, people such as those running Castro Valley First have been minimizing and covering for Steve Korch, at the expense to the Church and proper theology.

In fact and in truth, Steve Korch did not meet with his child molestation victim until May 12, 2006, when he demanded that this would be the only meeting with her, and would only be for 2 hours and that she would have to pay her own way (from So Ca). At that time, **he had to be prodded to actually admit that he was sorry for molesting his victim**. After that meeting, his victim accidentally overdosed on meds and was taken to the hospital. I know this because I took her to the meeting at the church and I also called for help when she fell to the floor after overdosing. She continues as of the date of this letter in counseling. This “Godly and repentant man” pays nothing to help his victim.

Steve Korch has been able to remain where he is because people like yourself act to cover for him.

By March 2006 he demanded that my Master of Divinity and Master of Theology be held and all previously earned education be withheld, at the demand of his attorney that **the cover up of his child molestation be directly tied as criteria to my education**.

Godly, moral, upright, with a “*proven track record of Godly service*” don’t do this, or even threaten people like this way. But Steve Korch, Gary Tuck, Lynn Ruark, and Western Seminary, involving Randal Roberts, Rob Wiggins and Bert Downs did.

What you claim (and for that matter, Western Seminary, etc.) has nothing to do with grace or repentance. People, such as yourselves continue to cover for Steve Korch with various claims that have no basis in evidence or proper theology. This is why you are labeled as “company men” because **you put relationships before fidelity to God**.

Point 3. Since 2005, when my mother and I learned about the criminal acts of Steve Korch, he with others have acted at all costs to cover up what Steve Korch has done and continues to do, and will stop at nothing to destroy anyone that doesn’t maintain their narrative – the narrative posted on your website.

Steve Korch is actually involved in a much wider plot to commit fraud, including fraud against the government. Please see the attached two statements written by me in February, 2017.

Point 4. Highly Questionable

It is highly questionable how Steve Korch should continue to be ordained at this point given his long history of highly sinful activities. In Steve Korch’s life, this is not a single act of sin, but something that is **ongoing** and to the extent that **he will destroy anyone that doesn’t maintain his narrative**, only supports my points over your nonsense.

Not only should Steve Korch’s ordination be immediately pulled, but Steve Korch’s very salvation should be publically questioned. **Mature Christians don’t do these things, and to the extent that he continues to preach and teach at Western Seminary, speaks volumes concerning the normalized corruption at that school and those involved.**

To the extent that the leadership of Castro Valley acts to minimize this PUBLICLY, actually speaks volumes regarding the leadership or lack of leadership of the church.

Regarding, all of this will be made public.

Because of what Steve Korch has done and continues to do, because of what Western Seminary and the others have done with the child molester **you act to minimize**, the only future for Steve Korch is one that justice will be served upon him, personally by me.

Steve Korch's days, like that of Gary Tuck are limited.

Randy Chapel

cc: Department of Ed,
bbc: Steve Korch's Victim