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Man jailed for molesting 16 people

By Thana Dharmarajah

GUELPH

An 82-year-old farmer from Arthur Township was sentenced yesterday to two years less a day in jail for molesting 16 people, most of them children.

About 20 members of Amsey Bearinger's Mennonite community packed a Guelph courtroom as Justice Norman Douglas passed sentence.

Sitting in the front row, an elderly supporter sobbed, his arms covering his eyes, as Douglas delivered his verdict.

"I'm not dealing with Amsey Bearinger's sin," Douglas said in response to several letters quoting Bible passages he'd received supporting Bearinger. "I'm not a judge of his soul."

Bearinger pleaded guilty to 14 counts of indecent assault, two counts of sexual assault and one count of gross indecency.

The crimes involved 13 males and three females. All but two victims were children at the time. The incidents occurred between January 1967 and August 1986.

Court heard yesterday that several of the males were hired hands who were fondled by Bearinger while helping on his farm.

Defence lawyer James Ruddock asked the judge to consider a conditional sentence of house arrest, given the incidents happened decades ago.

Bearinger has already paid a price within the community by being excommunicated from the local church, he said. He can attend certain church events but must take his meals at a separate table.

Ruddock said the community came forward to ask what they could do to keep Bearinger from a jail cell.

"It may very well kill him," the lawyer said of the jail sentence. "He's never been exposed to that type of environment. He's been a Mennonite all his life."

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The investigation began when a 35-year-old man told authorities in January that when he was eight, Bearinger reached into his shirt and fondled him while they were driving a tractor.

When the boy swam at a nearby swimming hole, Bearinger would dry him off while touching him all over his body, court heard.

Crown prosecutor Pamela Borghesan said similar incidents at the swimming hole occurred with other boys.

"Some have forgiven (Bearinger) and don't wish him ill," she told the court. "Some say it's had no impact on them.

"One can only be relieved at that. But some others have lived with this all their lives and suffered."

The 35-year-old victim whose information launched the investigation told the court he was severely traumatized by his experience and has twice tried to end his life.

"I believed myself to be unworthy," he said. "I feel dirty and ashamed, scared for being such a weak individual."

The man said he questioned whether he was homosexual, who he would tell and what he would say because Bearinger was a pillar in the Mennonite community.

Borghesan sought a sentence of two years less a day in a provincial correctional centre so Bearinger wouldn't have to go to a federal prison.

She said his genuine remorse, his age and the nature of the assaults led to her recommendation.

During a brief recess, Bearinger's son Paul said his father has repented for his sins and decided to stop his behaviour on his own.

"His conscience told him it wasn't right."

Paul Bearinger said the community church became actively involved about two years ago to ensure his father doesn't reoffend.

Despite the wishes of the Mennonite community, Douglas said he couldn't allow Bearinger to be placed under house arrest.

"When a man abuses a child, he can affect that child for the rest of his life," he said. "For a momentary sexual gratification, he unleashes a lifetime of suffering. And for what?

"Whether he's a member of the Mennonite community or not, the court must make it clear that there are punitive consequences."

Douglas said "there's nothing more precious in our community than our children," adding authorities have an obligation to report any offences against children so others don't suffer.

The judge said many of the victims expressed disappointment at their experience being aired in a public courtroom.

"There's no greater crime than a crime against a defenceless, helpless, trusting child . . . that's why it's public and must be public."

After his jail term, Bearinger will be on probation for three years. He won't be able to visit parks, swimming holes, day cares or playgrounds where anyone under 14 may be present unless he's supervised by an adult.

He is also to not be with children under 16 unless supervised and is not to contact the 35-year-old victim.

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