

### **Communication #22-07 GLG Bloomington vs. SJC**

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Subject: Complaint from Bloomington

Men: I apologize for this, but after consulting with the best minds of our denominational “*clerkdom*,” I am still not completely sure where this complaint regarding the SJC and the IRPC matter is supposed to go first! I very much appreciate the efforts to clarify, but it seems like some confusion remains. As a result, I am sending this on behalf of the Bloomington RPC Session to (1) Tom Fisher, the clerk of the SJC, (2) Adam Kuehner, the clerk of GLGP, and (3) John McFarland, clerk of RPCNA Synod. I hope that Mr. Kuehner will pass this through our presbytery in the event that GLG is the “*lower court*.” I pass it to Mr. Fisher since the SJC may, in fact, be the “*lower court*” and because the SJC asked for complaints to be sent to them. I include Mr. McFarland since the complaint should eventually find its way to him. If there is something else that needs to be done, please let me know. I would like to add here that our session holds the men of the SJC in high regard and that this complaint is offered respectfully in the hopes that we might all learn from what has happened and correct any mistakes that might have been made. It is not our intention to impugn anyone’s motives, and we hope that is clear from what we’ve written.

*Blessings in Christ, Rich Holdeman, Bloomington RPC*

### **Complaint Regarding the Synod Judicial Commission’s Handling of the Immanuel Matter to the Synod of the RPCNA ... April 7, 2022**

Fathers and brothers: We recognize the sincere, sacrificial labors of our brother elders of the Synod Judicial Commission (SJC). They have been tasked with navigating a complex and troubling situation. The SJC’s task was made still more difficult by the fact that its members were operating at some distance both from one another and from the individuals who were parties to the matter. Under these circumstances, we appreciate the difficulty of having to blaze a pathway through largely uncharted territory, and we admire the determination with which they pursued their task. Their role carried the added burden of becoming a guide to those who might face similar circumstances in future judicial cases. Indeed, for that reason, it is right and good that their work be

critically reviewed in order to sharpen our understanding of the processes of discipline, identify weaknesses in such processes, and learn how better to care for one another across the denomination.

It is with this intent and spirit that we submit this request, which would be classified as a complaint under our *Constitution*. We believe that aspects of our experience with the Immanuel case should be examined in order to harvest greater clarity and improved approaches that might prove helpful in future cases of a similar kind. Thus, we think it our duty to complain concerning both the *manner* and the *result* of the SJC's work, particularly with respect to Jared Olivetti. We ask that Synod critically review of the Commission's work by means of an independent committee or other agent, with the goal of correcting any injustices found, identifying any errors in the process, sharpening specifications where vagueness in the *Constitution* is found to present potential pitfalls, and documenting aspects of the commission's work which may enhance the biblical effectiveness of the disciplinary process, all with an eye toward deriving instruction for the church from this difficult case.

Countless hours have been spent seeking a God-honoring resolution of the abuse that occurred in the Immanuel RPC congregation (IRPC). Whether at the congregational, presbytery, or synodical level, there was a sense of horror at what occurred and a corresponding sense that a strong response was needed. However, efforts thus far appear deeply flawed in ways that invite doubts about the quality and nature of the process.

While it is generally agreed that the SJC has been faced with a complicated matter, several broad concerns about the process have emerged. We long for peace in our presbytery and fear that these concerns will sow doubt in the integrity of the investigation and thus doubts about the outcome of the trial, and so sow further seeds of discord and division:

1. It is unclear to us whether the SJC appreciated the breadth or depth of concern that exists within the GLG presbytery about the Presbytery Judicial Commission (PJC). Instead, the SJC appears to have accepted the PJC's work as the starting point for its own investigation—even though the PJC's handling of its own investigation was one of the primary reasons for the flood of complaints that led Synod to intervene.
2. The SJC's choice of investigators casts a shadow over the process by including one with the strong appearance of bias. One of the prosecutors was in communication with a member of the PJC, volunteered himself as a prosecutor of the Immanuel elders at Synod, took part in the SJC's investigation, and then served as a prosecutor after submitting charges against the elders to the SJC. Meanwhile, three months before Synod, he authored a piece on *Gentle Reformation* describing past abuse he

suffered and declaring: "I'm so tired of hearing one story after another of the failures of leadership to respond to sexual abuse in the church. I'm also angry." The process thus has failed to remain above reproach.

3. A significant number of IRPC members, as well as those appointed as provisional elders, attest to real reconciliation and renewed confidence in their former leadership. Yet it is unclear whether this on-the-ground reality and statements to its effect were made available to the SJC's proceedings with respect to Mr. Olivetti. Instead, the SJC, following the PJC's recommendation, made the extraordinary decision to deprive a hurting but spiritually thriving flock of every one of its shepherds, including Mr. Olivetti. This was contrary to the recommendation of the Presbytery's Shepherding Committee that the session be permitted to continue serving in office. Reversing the decision after the pre-trial hearing, the SJC, without advanced notice, suspended Mr. Olivetti again. The reasons for this sudden change remain unclear. To the onlooker, the timing is curious: It is difficult to discern any official lines of input into the Commission's deliberations that would have brought to light new information requiring a sudden suspension of this sort.
4. Extensive as the investigations supplied to the SJC have been, some at IRPC have expressed concern that the SJC's investigation was not exhaustive, reportedly omitting key witnesses. We are unsure how this may have come about, but it is clear that defense witnesses were not available in the eventual trial of Mr. Olivetti.
5. From the communications and processes that we have been able to observe, it would seem that relatively few measures have been taken for pastoring the abuser or the abused or IRPC as a church or IRPC's elders as the SJC fulfilled its commission to look into "this matter." Rather, the process has focused largely on removing from office those who responded, successfully it seems, to the abuse—those who, with the benefit of hindsight, found mistakes and sins, and who repented and made public confession.
6. At points, the proceedings appear to have downplayed the demands of Scripture and to have substituted non-Scriptural standards in their place. The SJC seems to have preserved the PJC's non-Scriptural equation of repentance with resignation. It seems not to have broken free of the victim-centered approach pursued by the PJC, which, in its technical definition, is prejudicial. With its decision to suspend the remaining IRPC elders from ministry, the SJC appears, rather, to have preserved the PJC's tendency to transfer responsibility for the sins of the abuser to the session.

7. To outward appearance, the proceedings thus far have inconsistently maintained the spirit and the letter of the *Book of Discipline*. The animating spirit of the *Book of Discipline* is a desire for repentance and reconciliation. The former elders of IRPC believe that they have pursued repentance and reconciliation. The elders' lapses in judgment, doubtless clearer in retrospect, appear to have met with real humility: The elders confessed and repented and took credible steps toward reconciliation with those willing to speak with them. Communications from the SJC seem to suggest that, for the three ruling elders, in the days immediately preceding their trial, the Commission ultimately was persuaded that a pathway toward reconciliation was possible and that a trial was not necessary. Perhaps it will become clear when minutes are reviewed, but it has not become evident (within the time allowed for a complaint) why a similar approach was not taken with Mr. Olivetti.
8. In the case of Mr. Olivetti, the process of moving toward a trial seems not to have included careful forethought about how to establish a path toward reconciliation and restoration. The verdict statement summary of charges, as communicated, were fatally vague: asking Mr. Olivetti to admit guilt for violating most of the Ten Commandments, as well as undermining the peace and unity of the church. Those charges, so far as they are known to us, are ones that could apply equally to each orthodox presbyter. The SJC not only removed Mr. Olivetti from office but also barred him from the communion table and did so without offering guidance on how to be restored. Restoration, had it been the goal, would have provided a focal point. The question would have been the particular sins that remain as a barrier to restoration. In this case, the charges as publicly presented by the SJC were expansive and a path to restoration difficult to discern, thus calling into question whether the *Book of Discipline's* requirement that charges be sufficiently specific has been satisfied.

After the PJC's work and the complaints that followed, Synod commissioned the SJC to "*address this matter,*" which, although decidedly vague, certainly included the idea that they would investigate what occurred and try to work toward repentance and reconciliation and thus promote peace within the Immanuel RPC and within the broader GLG Presbytery. But despite the SJC's heroic work and noble intentions, the process has left questions that threaten to undermine these aims. Further, we note that the mediation framework used to pursue the case with three of the elders appears to offer a much more effective platform for pursuing the goals of truth, reconciliation, and restoration than the trial of Mr. Olivetti. Given this, we believe that future cases of a similar

kind would be better served if guided by explicit specifications for mediation, which would go far in obviating many of the apparent shortcomings mentioned above.

We thus find it necessary to ask that Synod critically review the SJC's work by means of an independent committee, with the goal of correcting any injustices found, identifying any errors in the process, proposing clearer specifications where vagueness in the *Constitution* is found to present potential problems, and documenting aspects of the Commission's work which may enhance the biblical effectiveness of the disciplinary process in the future, all with an eye toward instructing the church from the IRPC case.

*Session, Bloomington Reformed Presbyterian Church*

*Wes Archer, CJ Davis, Ken de Jong, Richard Holdeman, Philip McCollum, Stephen Shipp*