

## **2022 Communication #22-13 GLG Dillon Complaint vs. SJC Complaint to the Synod of the Reformed Presbyterian Church of North America**

Dan Dillon (Immanuel RPC member) submitted this complaint to Synod 2022: Kenneth J. De Jong and Matt Wilburn (serving on the IRPC session) were informed. David Hanson (AIC chairman for the GLG) was informed, as well as Adam Kuehner (GLG clerk) and Tom Fisher (Synod's Judicial Commission clerk) and John McFarland (clerk of Synod) on May 12, 2022. On that date, Mr. Dan Dillon summarized: "... *For the record: The complaint was submitted to my Session on April 20 and acknowledged 4/21. On 4/23, Sam Carr of the IRPC Session stated that 'We will be forwarding your complaint to the Synod.' The complaint was submitted to Messrs. Wing and Fisher on April 23. Mr. Fisher acknowledged receipt the same day. On April 26, Mr. Fisher stated the complaint had been duly filed, and 'this evening the commission authorized me to inform you we believe it is best for your complaint to move forward as it stands. We don't anticipate taking action that would result in your withdrawal of it, so you should continue to pursue filing with Synod as well.' — Dan Dillon ...*" On that same day, Tom Fisher replied: "*Dear Mr. Dillon: ... I affirm your complaint was properly filed with the SJC. ... It sounds as though the IRPC Session has now forwarded your complaint to [GLGP], so ... GLG's AIC can forward it to Synod.*" Adam Kuehner (GLG clerk) wrote that same day, confirming that by filing the complaint with the SJC, it is now [properly] before Synod. Synod Clerk McFarland verified that on May 14, and published this May 17.

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GLGP's AIC clerk wrote on May 21 that the AIC met May 18, approving the forwarding to Synod the Dillon Complaint. "*AIC, having received [a communication] from Mr. Dan Dillon of the Immanuel RPC ... observes [this paper is] in order, submitted in appropriate language, submitted in the appropriate timeframe. [This] communication is hereby transmitted to Synod.*"

—Richard Blankenship

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April 20, 2022

Dan Dillon; member, Immanuel Reformed Presbyterian Church, West Lafayette, IN

In accordance with the provisions of Section 2, Chapter 4, of the *Book of Discipline*, I issue this *Complaint to Synod* concerning the actions of the Synod Judicial Commission (SJC) appointed to try the case of Jared Olivetti against his accusers. Two specific complaints are made, both of which are described and supported in turn. After the complaints, in the spirit of constructive engagement, I propose remedies for the consideration of Synod.

The complaints concern the Trial Decision Announcement [*Announcement*] of March 11, 2022, and related matters. After announcing that Jared Olivetti was guilty on each of three counts brought against him, the *Announcement* states:

“After further prayer and considerable deliberation, we find that the censure of Deposition is appropriate. [Therein follows a description of what deposition entails] He is additionally excluded from the privileges of Church membership, including participation in the sacraments until penitence and new obedience on his part has shown him worthy of the exercise of those privileges, and until this Court restores his ordination by prayer and laying on of hands making him then eligible for re-election to an office.”

The SJC provided a correction to the *Announcement* on March 28, 2022. It is included here for the sake of completeness, but does not materially affect the Complaint:

“By deposition, we remove Mr. Olivetti from his ordination and office of elder. We declare the relationship to the congregation in this capacity is dissolved. He is forbidden to exercise any of the powers or duties of the office anywhere in the Church of Christ, and until this Court restores his ordination by prayer and laying on of hands making him then eligible for re-election to an office. He is additionally excluded from the privileges of Church membership, including participation in the sacraments until penitence and new obedience on his part has shown him worthy of the exercise of those privileges.”

**Complaint No. 1.** The suspension of Mr. Olivetti is unjust because it fails to meet the standard required by our *Constitution*. The standard of the *Constitution* is ... “*This [i.e., suspension] becomes necessary when members are guilty of gross sin or of persistent neglect*” (BoD I:4.1c). Nowhere does the *Announcement* provide a statement of the gross sin or persistent neglect committed by Mr. Olivetti. It states that Mr. Olivetti is guilty of certain charges, but provides no basis—not even in summary form—that his guilt involves gross sin or persistent neglect. Given this situation, an objective reader must conclude that the suspension has no basis and is therefore unjust.

Someone may respond that the Trial Decision Announcement is not the Trial Decision itself; i.e., the SJC has provided it basis for suspension to Mr. Olivetti alone and decided not to provide the basis for suspension to rest of the RPCNA. However, under the *Constitution*, note the following about when suspension accompanies deposition:

“Deposition ... This is the disciplinary removal of an ordained officer of the church from his office. It may also be accompanied by suspension from church privileges. This censure shall be imposed for serious offenses in doctrine or in conduct that obviously disqualify the person for exercising office. The sentence shall be pronounced by the moderator in constituted court, and in the name of Jesus Christ. *The court shall also make the people under its oversight aware publicly of the fact of and reason for the suspension.*” (BoD I:4.1d; *emphasis added*)

It seems clear that the SJC believes that, in this matter, the Immanuel RP Church (IRPC) members were under their oversight. Its members were allowed to attend the trial remotely, but only under strict requirements, including signing in each day and affirming each time that it would operate under its strictures. Latter parts of the *Announcement* directly address IRPC. Yet, the court did not make IPRC aware of the reason for the suspension. This, too, leads to a conclusion that the suspension has no basis and is therefore unjust. Note that this complaint does not depend upon the guilt or the innocence of Mr. Olivetti; it only complains about the censure. I do not believe myself to be in a position to judge Mr. Olivetti’s guilt or innocence, beyond what he has already confessed.

**Complaint No. 2.** The SJC failed to properly execute discipline by failing to maintain the peace of the Church and effectively deter others from similar offenses.

According to our *Constitution*, there are several purposes for church discipline:

“... Five purposes of church discipline are: primarily, to reclaim a sinning member; *then to deter others from similar offenses; to maintain the honor of Christ and the purity and peace of His Church; to maintain the truth of the gospel; and to avoid the wrath of God coming upon the church.*” (BoD I:1.3; *emphasis added*)

Besides providing no basis for the suspension, the *Announcement* provides no explanation of the verdict, beyond the fact of the verdict. Here is the complete statement:

“Mr. Olivetti was charged as follows: Mr. Jared Olivetti’s conduct in relation to the sexual abuse case at Immanuel Reformed Presbyterian Church since at least 2019 to the present, has not safeguarded or maintained the qualifications for the eldership contrary to the biblical requirements of 1 Timothy 3:2,4,7; Titus 1:6-7 in violation of [several of the Ten Commandments and RPCNA vows]. We found him guilty on each of the three counts: (1) ‘... Mr. Olivetti has not conducted himself in a way that is above reproach ... resulting in distrust and dis-

unity within the church and failing to promote its peace, purity, and progress.' (2) '... Mr. Olivetti has not managed his own household well,' and (3) 'Mr. Olivetti has not conducted himself in a way that has protected or maintained a good reputation ... threatening dishonor on the name of Jesus Christ, the Reformed Presbyterian Church of North America, Immanuel RP Church, and himself.'" [Note: The ellipses in this paragraph are in the original.]

These statements are so vague as to of no use in deterring others from similar offenses. The above statement provides categories of offenses, but not the offenses themselves. How can officers or members of His Church learn from this statement about what to do or not to do in future? In fact, it may only discourage others from pursuing the office of Teaching Elder. Who among us has not failed to behave in a way that is above reproach? Who of us has not failed to manage his household well? Who has not failed to conduct oneself in a way that maintains the honor of Christ? By providing such broad categories, without explanation, qualification, or proportion, the *Announcement* may provide a chilling effect on those pursuing office in the church.

Further, the failure to provide detail may lead some to believe that the SJC acted in an arbitrary or capricious manner. Note, I am not saying that the SJC *has* behaved this way. I am saying that the *Announcement*, considered by itself, leaves the SJC with little defense against accusations of arbitrariness or capriciousness, thereby failing to maintain the honor of Christ and disturbing the peace of the Church.

Our *Constitution* recognizes courts must act with discretion:

"In giving information to the people under its oversight regarding any censure, the court should use discretion in determining how much to reveal to those under its oversight of the details of the case. Only that which is necessary and proper should be stated, and then normally only to the members. The court shall seek to protect the sinner from undue exposure and those under its oversight must not engage in gossip or improper curiosity."

... and even without this explicit provision, I am *not* complaining that courts need to provide excruciating detail. And in sensitive cases, no details should be provided. I have *no* desire to know the details of the charges, evidence or conclusions related to the accusation that Mr. Olivetti has not managed his household well. A summary explanation is more than adequate. But all of that notwithstanding, to provide *no* details about the censure (beyond its mere existence) seems to fall far, far short of what is required in this high-profile case. Note that this complaint does not complain about the verdict, *per se*, only

the lack of detail in the *Announcement*. As noted above, I do not believe myself to be in a position to judge Mr. Olivetti's guilt or innocence.

**Brief remarks before proposing remedies**

Please note that two complaints are slightly different: That the suspension is unjust and the explanation of the deposition lacks sufficient detail. I note that there have been complaints that the charges against Mr. Olivetti were too vague. I am not in the position to complain about this because I have not seen the charges. But I note that my complaint, about the lack of justification and appropriate detail in the *Announcement*, is consistent with a complaint that the charges lack sufficient detail.

Further, I am not complaining about any hurt against me. Instead, I am grieved at the SJC's *Announcement* because of the potential harm against the RPCNA that may have occurred or may yet occur because of the issuance of the *Announcement*. I harbor no ill will against the members of the SJC. They have had—and still have—a difficult task ahead of them. I don't complain about their motives, only their behavior in issuing the *Announcement*.

And so, with a great deal of love and respect for all involved, I file this statement about how my heart grieves for my church. I humbly acknowledge that I may be wrong!

**Proposed remedies**

I request that Synod appoint a new Commission to review the records of the SJC to determine if they have recorded their basis for the censure of deposition and suspension in the trial records. If Synod agrees with this remedy, I further request that Mr. Olivetti's suspension be immediately lifted until the work of the new Commission is completed.

1. If the SJC has recorded its basis for both deposition or suspension in the trial records, I request that the SJC, under the supervision of the new Commission, reissue the *Announcement* with sufficient detail to meet the standards of the Constitution. If the *Announcement* is reissued, I request that the current *Announcement* be voided and the reissued *Announcement* be considered a definitive action of the SJC, i.e., an action subject to further Complaints.
2. If the SJC has not recorded its basis for deposition and/or suspension in the trial records, I request that the group of men review the trial records and make its own judgment as to the appropriate censure. The entire judgment of the SJC should be voided and the judgment of the new Commission should be considered the definitive action, and such action should be subject to further Complaint.

I appreciate consideration of the Complaint and look forward to the response of Synod.

*In Christ, [SIGNATURE on mailed PDF] Dan Dillon*