

privileges, or from the exercise of office, or from both, until final action in the case has been taken, provided there is no unnecessary delay in its prosecution.”

We want it to be clear that such a requirement is in no way prejudging the case. We gladly note there are already provisional elders in place, and that GLG is scheduled to meet when Synod adjourns, and thus can address the needs of the congregation immediately. Therefore,

- 4) Given the gravity of the accusations against the IRPC elders we recommend that Synod require them to refrain from the exercise of office until their case has been decided.
- 5) That Synod direct GLG to work with IRPC to arrange for stated supply as soon as possible.
- 6) That the judicial committee be dismissed.

Respectfully:

Titus Martin

James Tweed

John Edgar (chairman)

Roel Ophoff

Gabriel Wingfield

**2021 Communication #21-16: Great Lakes/Gulf
re. Immanuel—Redacted Complaint vs. GLG by Faris,
Hanson, Hart, and Holdeman**

We write to complain against the appointment of special prosecution by the Great Lakes/Gulf Presbytery (GLG) for Nate Pfeiffer, Keith Magill, David Carr, Jared Olivetti, and Ben Larson, elders of the Immanuel Reformed Presbyterian Church (IRPC) at the Spring 2021 meeting of the Presbytery. These actions were taken when the Presbytery adopted Immanuel Judicial Commission (IJC) Recommendations 1, 3, 5, 7, and 9, as made on Saturday, March 6, 2021.¹ The vote came on Saturday after several hours of meetings in executive session over Friday and Saturday. We ask that the RPCNA Synod overturn the call for special prosecution and these appointments of prosecutors. Even if the prosecution is no longer in place by the time Synod meets, we ask the Synod to consider the complaint and rule the appointment out of order.²

¹ As shown later in this complaint, the motions did not actually come from the IJC, but only from two members who labeled their motions as coming from the IJC.

² Much of the Presbytery debate on this matter was held in executive session. The report of the IJC was also asked to be kept confidential, but it was posted on the Presbytery’s website for all elders to see, not merely delegates. Further, the IJC released an 11-page report to the IRPC congregation. Our complaint will reveal material expressed in executive session, but we will redact those portions in the public version by blackout. We regard the 11-page report and material revealed outside of executive session as public, as well as the minutes of Presbytery that were read publicly at the spring meeting. For the sake of discretion, we will append only the 11-page report and the original IJC report to the unredacted version of this complaint.

We write this complaint with great sorrow at the tragedy of the abuse that took place at IRPC. The pain of those who have suffered directly is great, and we affirm their suffering. We acknowledge that people are suffering in different ways. We pray that the Lord will build them up in the Lord Jesus Christ and care for them in their need. Our *complaint* comes as it relates to the response of the IJC and the Presbytery in addressing the abuse, and we hope for greater care for victims to come as a result.

The GLG voted for the special prosecution after being misled by the report from the IJC. Fundamentally, the IJC was originally tasked to investigate the situation involving child-abuse at IRPC and to give recommendations.³ The IJC noted that it did not find evidence of a cover-up, but it did find other areas of concern that led them to recommend the resignation of all of the IRPC elders. However, while giving the impression of providing a balanced report to the whole Presbytery, they became an essentially-prosecutorial body without notifying the Court of their new direction.

The IJC report to Presbytery, which we believe is more accurately described as a prosecutorial brief, was presented as merely the fruits of an investigation. Only when questions were asked on the floor of the Presbytery did a fuller picture begin to emerge. Though more light was shed on the “*victim-centered*” report that actually only represented the interests of a few victims, the informally-accused IRPC elders were still at a great disadvantage. Critical information the IJC failed to share did not come to light for members of the Court until a week after presbytery. Members of the Court were being pressured to make decisions without all information that could reasonably have been available if the IJC had presented it. By omitting data that would represent the interests of other victims in the case and that would support the case of the IRPC elders, the IJC exercised undue influence leading the Court through an unjust process. This misled the Presbytery, which made an unjust decision that is greatly damaging to many people, including victims, IRPC elders, the congregation, and the wider church. Only by carefully listening, reading, and putting pieces

³ The remit of the IJC from the Presbytery Ad Interim Commission, on December 29, 2020 was as follows: “It was moved, seconded and passed to establish a five-man Judicial Commission to investigate the degree of problems of child abuse at Immanuel RP Church, determine what counseling and any help that any perpetrators and victims, along with their families, and the Session and congregation may need, and whether parties involved are cooperating with civil authorities (since the Department of Child Services and the Tippecanoe County Sheriff have been involved). They are also to give recommendations to Presbytery in the following areas: (1) legal, (2) ecclesiastical, and (3) pastoral. In addition, we call upon the churches and members of the Presbytery who are becoming aware of this situation to practice grace, mercy, and patience. We would give assurance that much ministry has already taken place and the establishing of a Judicial Commission is for the purpose of ensuring good and just ministry in the future.”

together would members of the Court begin to fully understand the biased nature of the report, a bias that seems to have flowed from the IJC's approach.

The IJC's Victim-Centered Approach. The IJC asserted from the outset of their report that it took a "victim-centered approach." We are glad for an approach that at least asserted a desire to care for victims of abuse. Our *complaint* will show that we do not believe victim-care was faithfully or consistently applied in the case. But we do affirm the value and Biblical warrant of the heart of victim-centered principles articulated by the IJC.⁴

However, the IJC's remit extended far beyond the features of a victim-centered approach. Most centrally, their task focused not simply on victim/abuser matters, but on the issue of the shepherding relationship between IRPC elders and their congregation. The shepherding matters were indeed the center of the IJC's time and effort. Victim-centered approaches to justice apply well in caring for abuse survivors.⁵ But when addressing the shepherding matters, key distinctions are critical. In the relationship between the abuser and victims, the horrific sin was already known and acknowledged. In the relationship between session and congregation, offense was present, but the existence of grievous sin on the session's part was not established. Even where shepherding sins can be established, they are by nature of a different category than areas of sexual abuse, for which victim-centered approaches are designed.

And so as the IJC employed a victim-centered model to handle the core conflict, they moved away from a Biblical, Christ-centered model of justice with which they were tasked by the AIC. Leviticus 19:15 reads: "You shall do no injustice in court. You shall not be partial to the poor or defer to the great, but in righteousness shall you judge your neighbor." The repeated call for cities of refuge in the Old Testament shows the need for justice centered on properly evaluated situations from all perspectives, and the non-assumption of guilt, even when one appears guilty. Such a model is reflected in the *RPCNA Book of Discipline*, and it appears not to have been followed in the IJC's victim-centered approach.

4 These included—per their public report to the IRPC: (1) the immediate protection of potential victims; (2) counsel for the victims; (3) admission of guilt or confession of the abuser; (4) fruit-bearing repentance of the abuser; (5) reconciliation.

5 Note that in categories of legal and judicial proceedings, the victim-centered approach model appears in categories of sexual abuse, sex trafficking, and other such horrors. As one example, see the Department of Justice discussion of the model here: www.ovcttac.gov/taskforceguide/eguide/1-understanding-human-trafficking/13-victim-centered-approach/#:~:text=Key%20Term%3A%20The%20Victim%2DCentered,services%20in%20a%20nonjudgmental%20manner. In dealing with the actual offense of sexual abuse in this case, such a legal model might be valuable. But the victim-centered approach model here appears to have been applied by the IJC in reference to the ensuing conflict between the IRPC session and some under its care, which is a different topic than sexual abuse itself.

The IJC's Application of Victim-Centered Approach. Consider how the IJC's model created a major and pivotal distortion: they implicitly redefined the term *victim*. In the IJC report *victim* originally meant those who were victims of sexual abuse in the congregation. But as the report unfolds, the IJC focused their concern on those most aggrieved by the session's actions in handling the situation. Being *victim-centered* meant taking up the offenses of those most aggrieved against the session. The pivot or conflation of abuser-victim and session-congregation appears in page 2 of the public report to IRPC. They write:

The harm that we have discovered is first understood in the heinous nature of the abuse itself. Harm has also come to the families of both victims and the offender who all grieve over the pillaging of sin. There has been time loss, expenses, harm to reputation, loss of privacy, [and] a great deal of emotional harm. However, an unexpected source of harm has come through various mishandlings of the Session. This report seeks to draw attention to this theme.⁶

Here, the source of harm for victims includes offender and the session. While the session is not identified as the abuser, immediately from there the commission proceeds to the header: "The Commission's operating philosophy of a victim-centered approach." The victims being discussed there become those who have experienced both sexual abuse and those aggrieved with the session. The large portion of the commission's work focuses on the discovery of the elders' sins, which implicitly reframes the victims as those grieved with the session. In so doing the IJC failed their remit and failed the other victims, the elders, and the congregation.

Failing the victims: In numerous ways, the IJC's application of a victim-centered approach failed victims. The victim-centered approach appears to have led them to exclude from their narrative victim families not aggrieved as greatly with the session. Indeed, it seems the IJC only truly gave attention to the responses of victims whose stories fit the narrative they wanted to present to the Presbytery. Other victims somehow fell out of their victim-centered approach, because such victims did not claim themselves to be victims of the session's shepherding. Subtly, it seems that the IJC redefined the term *victim* in this process. Only during and after GLG's spring meeting did it become evident that the IJC had represented the interests of only a small number of victims, not the majority of them. These realities were exposed in small part during the Presbytery meeting and then in personal discussions later, and most evidently in a congregational meeting of IRPC a week later in which the IJC gave the

⁶ Page 2 of the IRPC report.

congregation a follow-up report.⁷ The IJC's partiality to some victims not only misled the Presbytery but also left other victims abandoned by the IJC as well as being open to greater harm and shame, an issue which will be addressed later in the *complaint*.

The IJC's dramatic step of calling for the resignation of all the IRPC elders as the appropriate censure also seems to have flowed—at least in large part—from the fact that resignation was the desired censure of the two most aggrieved victim families of the six total victim families.⁸ It is not a guiding principle of Scripture that the most aggrieved party chooses the limits of censure according to their desire as the standard of justice. Here, the victim-centered approach proved insufficient at best, because it dealt only with the desires of a few victims.

Further, in presenting their report, the IJC asked only certain aggrieved parties to be present in the executive session of Presbytery. The bias of the IJC has become even more clear in that they listened only to the victim families whose concerns fit their narrative. Only some were invited to address the Presbytery. Other victim families, who wished they could have spoken on behalf of the IRPC elders, were not invited to do so. Thus, the Presbytery was given a very incomplete picture of the realities at IRPC. Not only that, the IJC's failure to accurately represent the perspectives of all victim families forced some of these families to reveal their own identities publicly in order to support the elders at a meeting of the congregation a week after Presbytery. These families never would have been forced to self-identify in public if the IJC had accurately and appropriately acknowledged their position and perspective. The IJC seems to have been more interested in prosecuting the elders than serving all the victim families. The irony here is that the IJC claimed to promote a victim-centered approach, and yet now has brought great harm on these victim families by failing to care for them well and by forcing them to be exposed to greater indignity as they seek justice.⁹ Another irony is that the IJC offered critique of the IRPC

7 A Zoom link was provided to IRPC members to see the proceedings of the Presbytery after the executive session ended. A significant amount of information continued to be relayed outside of the executive session making a number of matters at least implicitly clear to observers. Those who watched were able to see what victim families had been present for the executive session. Thus, the previously unrepresented victims were able to see how they had been overlooked and dismissed by the IJC once they stated that they had no interest in pursuing action against the elders because matters were resolved, from their perspective. They were offended that they were not enabled or invited to speak up for the session and to testify on its behalf.

8 See page 3 of the 11-page follow-up report of the IJC given to IRPC on March 13, 2021.

9 Per pg. 2 of the IJC report to the congregation, the first principle of the *victim-centered approach* for the IJC was the "*immediate protection of potential victims.*" Perhaps

session for the sin of partiality. Yet here, we discover an overwhelming display of favoritism on the IJC's part.

Further, the IJC showed little regard for the reality that one of the IRPC elders assigned special prosecution is also a victim.¹⁰ In their disciplinary process, no consideration seemed to be given to the complexities faced by a member of a victim family seeking to shepherd himself and others through the process as an elder. This family was not invited by the IJC to speak to the court in the status of victims. Only the elder's decision to self-identify during his public repentance allowed their story to be somewhat told (self-identification was also made to the congregation at the congregational meeting the week after Presbytery).

_____ This individual—speaking through his own grief—gave public statements of repentance at Presbytery of his failures in the case, failures that occurred while he himself was in the highly complicating and tragic position of being of a victim family. Little to no acknowledgment came from the IJC of any of this reality. Again, given the IJC's self-identified guiding statement that they operated in a victim-centered way, this action seems incongruous. Indeed, it seems that the IJC was victim-centered in only a highly selective way.

Failing the elders: The victim-centered approach tipped the scales against the IRPC elders from the beginning. Through a victim-centered approach, the IJC became the voice of those professing to be victims, or aggrieved, against the elders. The IJC focused its record of offenses on those pertaining to work of the elders. They focused on the weighty matters of elder-member offense, reconciliation, and so on. These are massively important matters, but ones where the victim-abuser model ceases to provide the proper framework. Because the IJC took the side of victims aggrieved by the session, the elders began to be framed in the category of the abusers in the victim-centered model.

Failing other parts of their remit: The IJC noted the need for spiritual care for the one who abused others. However, the IJC provided almost no care or shepherding for that person or family. Their victim-centered approach proved too narrow to do that.

Ambiguous and Unanswered Points in the IJC Work. Further, there were two exceedingly important points left ambiguous or unanswered in the written report:

this phrase immediately references protection from abuse; it is now apparent the IJC failed to protect these victim families from further harm and potential shame caused by self-identification and inability to be protected and cared for by the IJC itself.

¹⁰ The family represented by this discussion agreed to this information being shared in this forum.

1. The IJC failed to make clear that their case was built on evaluating decisions of the elders that flowed from a highly complex question: if and how to make known the fact and/or identity of a person who had committed abuse in a congregation when that abuser is a young minor. The IJC—in the letter to the IRPC congregation—indicated as part of accusation #1 that the IRPC session “*showed deference to the interests of the offender.*” One example of such apparent deference appears to be the IRPC September decision to not publicly reveal the identity of the offender.¹¹ Another example of this apparent deference would be the decision to allow the offender to attend *youth group*. Forbidding the offender to attend *youth group* would lead to functional identification. Note that two of the aggrieved families in the report highlighted their concern over *youth group* attendance as a primary concern. _____
_____.¹² Some families may not have agreed with the IRPC elders’ decisions, or even felt these decisions warranted the elders’ resignation. They may have felt hurt and been upset by the decisions, but no authoritative body has yet said that the IRPC session was fundamentally wrong on their decisions related to this question. Even the RPTS counseling professor, Keith Evans, helped to craft the IRPC session’s initial strategy. It seems that many of the accusations directed against the IRPC elders flow from actions downstream of their decision not to identify the abuser by name. The complexity of this foundational question was not adequately acknowledged by the IJC which itself could not answer the question. The wider church clearly needs to seek and publish more wisdom in how to handle such questions. The IRPC elders wrestled with a complex situation and sought to follow the *Book of Discipline’s* instruction: “Discipline should be exercised with prudence, discretion, humility, and in full dependence upon the guidance of the Spirit of God, with love for both the Lawgiver and the lawbreaker” (*BOD* I.1.5). Further, and importantly, the abuser’s formal censure was a rebuke, a level of punishment which the IJC commended as “*thoughtful and comprehensive.*”¹³ The *Book of Discipline* I.4.1.b-c makes explicit that a rebuke is not required to be published to the congregation, whereas a suspension is. Thus, no RPCNA disciplinary standards were broken by choosing not to reveal the abuser’s identity publicly. Perhaps the IRPC session’s answers were or were not wise, but

11 As an example of this critique, the public report to the IRPC cites a letter from two members of the Immanuel Advisory Committee which points to the non-identification as an issue of concern.

12 _____

13 Page 2 of the public report to the IRPC.

it is unjust to impose censure for past actions that, even still, have not been ruled inappropriate simply because the most aggrieved disagree with the decisions. Additionally, we would note, rhetorically, that if an error in judgment on this matter of disclosure is worthy of resignation, then not only the IRPC elders should resign, but Prof. Keith Evans should resign as well because he was involved in crafting the approach. Again, we are not suggesting anyone should resign on this basis, but it is curious that the IJC did not make consistent recommendations. _____

2. The IJC failed to clearly acknowledge several key facts _____: abuses within the congregation ceased to exist after the elders became aware of the problems and took action to stop them, the appropriate civil authorities had been contacted by the elders according to local legal requirements, and the elders had been repenting of missteps along the way in the process of shepherding the flock to the best of their ability in a complex situation. Not every person may have thought the steps were adequate, but the fact is that abuses were stopped by the elders' actions or at least did not continue after the session became aware and acted.

The IJC's Approach to Releasing the Report and to the Presbytery Meeting. The IJC released a draft of their report to the IRPC elders two days (Saturday, Feb. 27, 2021) before it was released to the Presbytery, at which time the IRPC elders also received the final report (Mon., March 1, 2021). Until that time, the IJC asked IRPC elders investigative questions as a group and as individuals. No indication was given that they would be disciplined, let alone called to the drastic step of submitting their resignations. Many of the accusations of the IJC's written report against the IRPC elders alleged sins that previously had not been addressed with the IRPC elders. _____

Obviously, the timing of the IJC's report and foreboding counsel for the elders to resign left little time for thought or preparation on the part of IRPC elders before presbytery. Further harming the reputation of the IRPC elders, the IJC sent its biased report to all of the men on the Presbytery email list in advance of the meeting; large numbers of those men were not delegates at the spring meeting and were not present. _____

In anticipation of the proceedings, the IRPC elders originally were told they would have seven minutes each before the Court to respond to the report.

After the report was sent to Presbytery (but before Presbytery met), the IJC informed them that they would have only three minutes (due to a lack of time to hear all their statements). After having arrived with prepared three-minute speeches, _____ . While the men indeed were given more time to share, it was now apparent that the IJC was not anticipating any kind of material or detailed response to the IJC's work. Such would be impossible to do in 3 minutes. Instead, the IJC wanted the IRPC elders to agree and resign.

The next day, two of the five members of the IJC presented motions for special prosecution. The motions were labeled in writing as motions of the judicial commission. In reality, motions for special prosecution actually did not come from the IJC, but only from Shawn Anderson and Jason Camery. No minutes exist of the IJC meeting between Presbytery sessions because the IJC did not meet. Since Presbytery, personal testimony of the two elders confirms that only these two IJC members met together. Intentionally or unintentionally, these men exerted undue influence on the Court. This reveals a pattern in the IJC, as their minutes also reveal that their entire report to Presbytery was not approved by the IJC. Obfuscated by this reality is that the IJC was not unanimous in the motions for special prosecution.¹⁴ Members of the Court voted believing that the motions for special prosecution came from the IJC when in fact, they did not. This error alone on the part of members of the IJC may well warrant the rescinding of the motions made for special prosecution.

These repeated procedural errors reveal that members of the IJC have seriously breached the standards of the *Book of Discipline* for judicial process. The *Book of Discipline* states: "The entire disciplinary process should be carried out with reverence, prayer, gentleness, carefulness, love, fairness, humility, and perseverance by those who will someday give an account to God for their work" (*BOD* 1.6.7). As has been shown, carefulness and fairness were sorely lacking in many ways. _____

Ethical Concerns with the IJC Work. We now add five more ethical concerns over the IJC's behavior that further reveal their breach of *BOD* 1.6.7 and the deep offense their work has caused:

1. The IRPC elders issued statements of confession and repentance for their sins which were not recognized by the IJC and forgiveness was not granted. _____
2. The IJC called for resignation but failed to show adequately why the alleged sins (many of which were confessed and for which forgiveness

was sought) required resignation from their charge as elders. They simply argued that an observable pattern of sins rendered the elders unable to be called *blameless* (1 Tim. 3:2). The desires of the most aggrieved victim families seemed to drive the IJC to press for resignation as evident in that the IJC so carefully noted the desired censures of the different families in the 11-page report to the congregation. The argument was made that these were unintentional sins or sins of ignorance that necessitated removal from office, but it was never demonstrated this severe (and potentially harmful for the congregation) punishment actually fit the offense. Because the IJC did not demonstrate the need for immediate removal, it is clear that BOD II.1.1 was not fulfilled: "... Formal process shall not be instituted unless evidence is presented that the means of reconciliation referred to above (Section I, Chap. 2) have been tried. Before such process is instituted it is proper for the Court to seek a solution of the case without formal trial."

3. _____ . No provision is found in the *RP Constitution* for such an approach; it seems untenable to require resignation (which is necessarily voluntary) to remain qualified, while resignation would in some way indicate an acknowledgement of being unqualified. It seems that a new form of discipline was invented which is not in our *Book of Discipline*. Similarly, it seems strange to establish voluntary resignation as the only acceptable indicator of repentance; again, this notion is an innovation as far as we can tell.
4. Of no small significance, two of the investigators, who later were appointed as special prosecutors, have a conflict of interest with Jared Olivetti. They already name Jared Olivetti and insinuate his sin in their complaint against the Presbytery in the Michael LeFebvre case.¹⁵ That case is now pending. Mr. Anderson and Mr. Camery cannot be unbiased when they have already made claims against Mr. Olivetti. Again—with no small irony—men who allege the IRPC elders failed to properly recuse themselves appropriately in certain instances have failed to recuse themselves.
5. The IJC facilitated the resignation from Presbytery youth oversight of the two IRPC elders who served thus. The Presbytery then left the youth leadership vacant. There was no plan presented to fill the position, other than to trust the leaders who were forced to resign for reasons of apparent lack of trust to find people to run the still-scheduled GLG youth events. If the protection of youth were truly the priority of the IJC, they

¹⁵ See 2020 Synod Complaint #20-05 *Anderson vs. GLG*.

would have spent time and energy to ensure that adequate leadership would be provided or would at least have recommended that Presbytery youth events be ceased until adequate leadership could be found. A week after presbytery the issue was rectified by the *ad interim commission*, but only after the concern was raised by someone else.

A brief summary of the unethical ways in which the IJC acted include exercising influence of an undue, excessive, and improper nature, which involved conflicts of interest, and which showed favoritism to the interests of some victims, while disadvantaging other victims. Ironically, these are almost identical to the very sins the IJC alleges the IRPC elders to have committed and which they believe are worthy of at least resignation. The IJC alleges the IRPC elders did not follow through well on the work they were assigned, and yet the IJC did not follow through on its remit to give a report of their investigation to the Presbytery that would be reasonably be presumed to be balance but instead gave a one-sided report that led to the hurt of many, including even the victims.

It is natural to ask “*why?*” Why would the IJC present such a totally one-sided report in place of its remit? Why would a balanced report have been insufficient? We do not know why. IJC’s inherent belief that such bias was necessary is quite concerning, whatever the reason.

In addition to the behavior of the IJC that led to the unjust action of the GLG, there is one additional reason we *complain*. The special prosecutors were appointed without any charges being filed, even in general terms, as required in *BOD II.1.4*.¹⁶ The action was illegal. Since no charges were stated, they could not “*conform in all other respects to the rule for specific accusations ...*”¹⁷ The failure to state the charges for each man, even in general terms, has led to great uncertainty as well as unnecessary and damaging rumors. The only thing publicly known prior to presbytery was that the IJC was tasked to “*investigate the degree of problems of child abuse at Immanuel RP Church.*” The only other thing

16 “A court may begin process on the ground of public report (*fama clamosa*) by appointing a special prosecutor. This public report is different from an idle rumor in that it is widespread, persistent, commonly known, and has the appearance of credibility. The charge will be stated in more general terms, but will conform in all other respects to the rule for a specific accusation (see below in chapter 2, paragraph 1). To avoid any process on the grounds of gossip a committee may be first appointed to investigate the rumors. A person who considers himself slandered may request an investigation. The court may exercise its discretion in granting or refusing the request.” *BOD II.1.4*.

17 “In order to institute a formal judicial process, the accuser or the special prosecutor shall sign and submit a charge in writing. It shall name the specific offense, the time, place, and circumstances of its commission. It shall also provide a list of the witnesses and of all papers to be offered in evidence.” *BOD II.2.1*.

known to the public after the spring meeting is that the Presbytery appointed special prosecution.¹⁸

The next week, on March 11, the AIC issued the following statement that brought some clarity. Questions were told to be directed to the AIC.

“Great Lakes/Gulf Presbytery is the regional court of the Reformed Presbyterian Church of North America (RPCNA) that has jurisdiction over ministers and churches from Michigan to Florida. At its meeting on March 4-6, 2021, the Presbytery heard a report from a judicial commission. This commission had been appointed to investigate Immanuel Reformed Presbyterian Church, West Lafayette, IN, regarding concerns related to the leadership’s exercise of congregational oversight. The Presbytery has appointed special prosecutors to institute judicial process.”

Still, no charges were given, even in general terms. Calling for the dramatic step of wholesale resignation of a session and prosecution if resignations are not issued without stating the charges is a formula for rampant rumors and the damaging of many reputations. Further, the lack of general charges leaves the prosecutors a blank slate to charge the men for any issues they could uncover about the men. This is unjust, illegal, and further reveals the lack of “*reverence, prayer, gentleness, carefulness, love, and fairness*” present in the work.

Moving Forward. If the work of the IJC is allowed to stand or to become the norm, our presbytery and denomination will suffer greatly. The opportunities for undue influence on the part of commissioners is far too great. If the decisions of Presbytery are allowed to stand, we will have opened the door for vague investigations that will facilitate charges being filed selectively. Almost any error found, in the judgment of commissioners willing to seek out the desires of the most aggrieved parties at the expense of considering other relevant data, will be used to convince presbyters such drastic action as resignation is needful. We

18 The IJC did issue an 11-pg. summary of its fuller report to the Immanuel congregation on Sat., March 13, 2021. The IJC encouraged members not to spread that report, but it was not given in executive session. There, more fully than anywhere, a public statement of accusations against the IRPC elders was made, though they were not framed as charges. The four accusations in that report are: (1) Exercising/allowing regular influence of an undue, excessive, and improper nature, involving a series of conflicts of interest, which showed deference to the interests of the offender, while disadvantaging the victims in this case. (2) Failing to notify the congregation of the abuse case adequately and promptly. (3) Neglecting to maintain a promised child supervision plan for the members of the congregation, providing some with a false sense of security, while offending others by not keeping their word. (4) An overall lack of urgency and care promoted disunity within the church body, fostered distrust of the elders, denied the victims equal access to the deliberative process, and caused them actual injury.

find ourselves on a trajectory, as a Presbytery, of seeking purity by tearing down anything that seems impure as a first reaction rather than first seeking to build up and strengthen on the foundation of repentance and humility.

We believe that the one good way to lead sufferers and, indeed, the whole church, forward is by helping elders to grow where they have erred. Yes, where there have been serious sins such as cover-up, or the promotion of sin, more serious actions may be taken. But, why, we wonder, were not lesser punishments proposed, at least at first in this case? The elders were not the abusers. There was no cover-up. Why not rebuke, instruct, and put other provisional elders in place to monitor, nourish, and hold accountable those who are serving well in many other ways? Jesus calls us to pray that he would raise up laborers for the harvest. If he has called us to pray that they be raised up, then let us not make our initial instincts be to tear down the ones he has raised up.

The nature of the IJC's recommended approach also called for the whole session to resign, which, in light of the nature of the alleged errors, we would find to be a dereliction of duty on the Presbytery due to the immense needs of the local congregation. Again, there may be cases where every elder of a session should resign. But it should not require a highly biased report to convince the Presbytery to move toward that goal if it is indeed the need. At the very least, a more patient approach is warranted here. Rather, we would be better served to build up to purity. The Immanuel elders, by their own confession, sinned in various ways. Since the spring meeting of Presbytery, the AIC has wisely appointed a three-man shepherding committee to help the elders through their steps of repentance.¹⁹ The Judicial Commission had stated to the congregation their desire to see the 2 Corinthians 7:5-13 steps of repentance take place.²⁰ The congregation has now affirmed by vote of confidence their desire to work with the elders through their process of repentance. Between the public repentance of the elders and the appointment of this committee, this 2 Cor. 7 process appears well underway. Let us focus our Presbytery efforts now on deep prayer for these elders and encouragement of those in the Presbytery now tasked to support them and guide them through their ongoing repentance.

A different approach could have brought much more fruit here. Our Presbytery has spent great energy by the commission putting together a one-sided report that then necessitates so many hours to respond to and unpack. Those same hours could have been invested in shepherding elders through repentance or into developing materials or communicating lessons that could have helped the whole church.

¹⁹ Footnote March 11 minutes.

²⁰ Page 11 of report to congregation.

So, in summary:

1. We request the AIC of the GLG to put a stay on the work of the special prosecution and perhaps even consider the merits of reconvening the Presbytery to change its action in light of the additional information revealed since the Spring meeting of Presbytery.
2. We *complain* to Synod against the actions of the Presbytery to appoint special prosecution based on the arguments presented here for the previously unapparent, unjust process leading to these motions. We ask that the appointment of special prosecution be overturned and that any prosecution between the time of this *complaint* and the meeting of Synod be ruled out of order.
3. With heaviness of heart, we ask the Synod to recognize the real failures in procedure and in approach caused by the IJC, and in particular, the two men who brought the motions on Saturday morning. These brothers in Christ who brought the judicial motions, though perhaps well-intentioned, have failed in many ways to follow *BOD* 1.6.7: "The entire disciplinary process should be carried out with reverence, prayer, gentleness, carefulness, love, fairness, humility, and perseverance by those who will someday give an account to God for their work." At this point, their extensive failures render them too compromised to lead us forward in the judicial process. For their sake and the sake of the denomination, we believe it best that their removal as special prosecutors be made permanent and that they not be permitted to begin again as prosecutors, counsel to prosecutors, or jurors in any cases connected to these matters with the IRPC case. We do this in love for these men, in hope that these men recognize their failures and the weighty impact of them. But we also ask this, so that in view of *BOD* 1.6.7, that our denomination may trust that any ongoing processes related to IRPC are being handled in accord with our standards.
4. We ask the Synod to affirm the good work of the AIC on March 11, 2021, in appointing a committee to counsel the elders through steps of repentance. We trust God to work through that process unless it becomes obvious that further disciplinary action is warranted.

Respectfully submitted:

James Faris

Joel Hart

David Hanson

Richard Holdeman

Appendices (not included in our redacted complaint):

1. Minutes of the 2021 Great Lakes-Gulf (GLG) Spring Meeting of Presbytery, pp. 9-13.