

Great Lakes Gulf Presbytery Judicial Commission to Immanuel RP Church

Spring Presbytery, March 4-6, 2021

Introduction

Thank you, for calling us into service of our Lord, Jesus Christ, and His Church. It is an understatement to say these are trying times in the life of IRPC, but we know that Jesus Christ cares for His Bride despite our many weaknesses, frailties, trials, and sins. We have kept to passages before us as we have conducted our work unto the Lord and in service to His Church: Galatians 5:22-23 and 1Timothy 5:19-22.

The Commission's remit

The AIC appointed the Judicial Commission on December 29, 2020

“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 might 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 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.”

The Commission understands its remit as consisting of 1) investigating and 2) making recommendations to Presbytery. We did not believe that our remit included adjudication, thus this Commission brings before the Presbytery 1) a report of its investigation, and 2) certain recommendations for the court's consideration.

In so far as the Commission's remit contemplates recommendations to the Presbytery regarding best practices concerning child safety practices, the Commission will require additional time to complete this task. In so far as the Commission's remit calls for the Commission to help facilitate repentance and reconciliation, the Commission's work is just beginning, and the Commission will require additional time to devote to this work.

The Commission's schedule of interviews

The Commission's practice has been to conduct interviews only in the presence of two or more Commission members. During the Commission's investigation, members of the Commission met with the following:

January 2, present at IRPC Church Family Meeting
January 5, Jared Olivetti
January 14, a concerned IRPC family
January 30, IRPC session.
February 4, Keith Evans
February 9, the Advisory Committee
February 11, [REDACTED]
February 13, victim families
February 13, session of RPC Lafayette
February 18, a victim family

February 20, individual members of IRPC session
February 23, Josh Greiner
February 23, a concerned party
February 23, Keith Magill
February 23, [REDACTED]
February 25, a victim family
February 26, a victim family
February 27, [REDACTED]
February 27, IRPC session and pastor
February 28, IRPC session and pastor

The Extent of the Commission's Investigation

The Commission was asked to investigate several things. We limited our investigation to child abuse that had happened to baptized members of Immanuel Reformed Presbyterian Church (IRPC), though we did follow up and direct others concerning their various other questions and concerns.

The Commission's remit speaks of a "degree of problems" but informally we understood that we were being petitioned by former members of IRPC to investigate an alleged cover-up by the IRPC Session concerning child sex abuse. There were a series of accusations that were brought before the Pastor and Ruling Elders to promote transparency in our investigation. Our investigation did not lead us to believe that there was a cover-up. However, other serious concerns have come to light that we need to bring to the court.

When all the factors surrounding this case are taken into account an observable pattern of violations against God's law emerge. There are many details of the last 21 months that have been considered, with various opinions, perceptions, and interpretations. We are seeking to bring the most significant details into view which we believe provide that observable pattern, or what is called "the totality of the circumstances" by Black's Law Dictionary.

We see an observable pattern of violations by the Pastor and Ruling Elders of IRPC in the following four areas, (1) undue influence, (2) conflict of interest, (3) lack of care and urgency, and (4) lack of proactive child protection.

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, a great deal of emotional harm. However, an unexpected source of harm has come through the various mishandlings of the Session. This report seeks to draw attention to this theme.

The Commission's operating philosophy of a victim-centered approach

At the outset of the investigation the Commission explained that we were taking a victim-centered approach in our investigation. This meant that the Commission's concern was for the confirmed victims to receive care and counseling, that justice would be met, and that priorities would flow in this order: (1) 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.

This is not to say that we do not care for the spiritual needs of the one who abused others. We believe that the Session is to be commended for their thoughtful and comprehensive discipline and we pray that it would be a means of grace for the one who abused in this case.

The Scope of Abuse

[to be read at the meeting on the floor report]

Timeline of Events

Satan was permitted to attack this growing and thriving congregation through a minor (M0) seeking to groom several victims into sexual behavior and abused younger minors both on the church premises and other locations from Spring 2019 to (March) 2020 (approximately a year). The following timeline gives the details of incidents in chronological order. Please note the distinction between when an incident occurred versus when it was discovered.

<u>Key</u>	
M0:	minor who offended
F1-6:	abused victim family

2019

The spring of 2019 is the first known instance of child sex abuse by M0 against F1. This was not discovered until August 28, 2020 by confession of M0.

On 07.15: First known instance of abuse by M0 against victim in F2 at a church family member's home during a Psalm sing. Not disclosed until April 20, 2020, by the victim.

In October, it was reported to both M0's father, [REDACTED] and another youth group leader, that M0 was seen reaching down the back of the pants of a victim from F5. M0's father reported this to a parent in F5 and they worked through this together.

10.06: M0 propositioned and inappropriately touched chest, on top of clothes, of victim in F4. Disclosure was made that evening by victim. Parents of M0 and F4 worked through this incident together. New rules were established for M0, who was watched by parents very closely for the next 6 weeks while at church. M0's father disciplined M0 and reported to F4 that M0 "has confessed everything, seems to be broken over it, and appears to be open to God's work in [their] life through this time of trial"¹ The Pastor also offered that it was appropriate for this family to seek counsel from another elder in the church if needed. Other acts of abuse unknowingly took place before and soon after this incident.

2020

2020.04.18: M0 emailed youth from F6: "btw consider this [waving hand emoji] to be me touching you. can i tell you something weird? F6 texted: "Absolutely not. I need to be done with you ok stop emailing me ok do not talk to me at all ok do not even email me back ok [angry face emoji]. M0: "ok". In April 2020, a youth leader saw the youth from F6 mouth to M0 over a video call, "I love you". This was reported to M0's father, but not F6.

04.21: A victim came forward to their father and reported being abused by M0. F2 came to the father of M0 to report that abuse had taken place. This extent of the abuse ceased on March 8, 2020, by God's grace, due to the cessation of in-person gatherings at the church building in line with COVID-19 precautions.

04.22: The fathers of F2 and M0 met. They committed to each other to call reports into DCS, wept together, and prayed. It has been confirmed that DCS reports concerning M0 were made that day.

04.23: The IRPC session met and began implementing many right steps:

1. All relevant information regarding this case was shared with the members of the Session.
2. They made sure that DCS reporting took place.
3. The parents had met together to collaborate and pray.

¹ A5 report with 2019.10.08 email

4. The Session appointed an investigator.
5. They affirmed the shepherding elder's role for F2.
6. Biblical Counseling (Keith Evans) was set up for M0.
7. It was soon after confirmed that Faith Counseling (Josh Greiner) was set up for F2.²

It is also important to note that based on the record,

1. the Pastor reported general details of the case to the elders without the other party being present. F2 appears to be absent. The Commission asked if F2 was invited to come and talk together with the elders. F2 was aware that the elders would be brought in but did not ask to be involved.
2. the Pastor was left to shepherd [REDACTED] along with Keith Evans.
3. the Pastor was himself receiving informal counseling support from Keith Evans. There was not an explicit affirmation of the shepherding elder's role [REDACTED] family.³

We note a few details between May and July 2020

- The investigation progressed slowly by Nate Pfeiffer. In his own report before the congregation on Jan, 2, 2021, he confessed, "Families and individuals received regular, ongoing spiritual care from inside and outside the congregation... There were periods of time in those months that I did not know how to proceed. Instead of asking for help and involving other elders, I allowed the investigation to languish."⁴
- 05.12 Nate Pfeiffer and Zachary Blackwood interviewed M0 with father present. This interview is too long to report overall. One pertinent data point is that the youth of F6 is named as being touched on the bottom inappropriately and intentionally. F6 is not informed or cross examined.
- F2 received counsel from Faith. On 05.11, as both families were trying to navigate who to talk with about the case, M0's father did not want F2 to disclose to the Faith counselor who had abused the victims. Later, on 11.24 the Pastor confessed that this was wrong, unwise, and that he was speaking defensively. This should not have been said. He should not have interfered with this counseling.⁵
- Greiner was seeking to hand off F2's counseling care to the shepherding ministry at IRPC. On 07.15: F2 asked the Pastor if they could disclose who committed abuse since the counseling was moving to place the family back into the church. The Pastor explained that it was not necessary to keep this hidden from the counselor. He encouraged F2 to tell their story to the counselor.⁶

The Commission contends that Christ visited this Session through Faith Counseling Center to bring intervention and direction in this case.

07.20: Greiner was made aware that [REDACTED] was not identified for almost 3 months of counseling. 07.23: Greiner followed up with a meeting with the Pastor. It was the Pastor's understanding that the church was not aware of the case, Presbytery was not aware, the minutes will not reflect the case (details would be classified away from both church and Presbytery), and the elders did not want to know pertinent explicit details of the case.⁷

On 07.24: Faith sent a letter to the Immanuel elders, demanding two immediate actions, (1) get outside help from their denomination, and (2) the M0's family disclose the case to Faith Christian School (FCS) since a

² IRPC Session Docs

³ IRPC Session Docs

⁴ IRPC Session Docs

⁵ 2020.11.24 Recording

⁶ See Greiner notes, Family F2 notes

⁷ 2020.07.23 Recording

family member was enrolled for the upcoming school year. At that time, F2 told the elders that they were not in agreement with Faith's demands about disclosure to FCS but supported Presbytery's involvement.⁸

07.25: in communication between Zachary, Nate, and Josh Greiner, Josh provided rationale for immediately involving Presbytery. He then encouraged the elders to consider their lack of transparency:

1. What could be the long-term effects to your church and your Pastor if (when) this story becomes public? The Church universal has been plagued with stories of mishandled abuse over the years. While each of those is different, one of the more common aspects of it what we are seeing here—the abuse that was committed in the church building during church times, was kept secret by the leadership. But one day does come out and when it does, it is really bad.
2. What would happen if another abuse situation happened? Imagine the shock to that family if they found out that the elders of the church were aware of previous abuses and did not notify the congregation.
3. What if there is another family that has been abused under similar circumstances that has yet to be revealed? Perhaps a child told a parent, but that parent chose not to do anything for any number of reasons, but upon hearing this report would now chose to believe that child or bring that situation to the light? While I am not saying there is any proof that more abuse has occurred, there are plenty of examples from recent history that when abuse is revealed, more abuse is found.⁹

07.26: In response to the demands of Faith Counseling, the IRPC session, as the AIC, passed a motion “That a committee of three be formed to advise the IRPC session as they deal with a sensitive matter. The committee members will be chosen by the IRPC session.”¹⁰ Greg Fisher was serving on the AIC and voted on the motion. Still, he was not aware of the case nor involved in selecting the Advisory Committee.

The Commission would draw attention to a few details here regarding the Session's role as the AIC:

1. While the Session struggled between acting according to the urgency set before them and simultaneously avoiding a conflict of interest to act in their capacity as an AIC to give permission to themselves as a session to hand-pick their own advisors, they decided to act within a conflict of interest. With hindsight many of the elders would have sought Presbytery's help on this question.
2. While it is true that they “asked Presbytery to get involved” it was not understood by Faith that IRPC gave themselves permission to form a committee, nor that a committee only advises and has no accountable authoritative oversight of the local body. Faith was insisting on a means of accountability that could act judiciously if that overseeing body thought that IRPC session was sinning.

07.27: Two elders met with Mr. Greiner to inform him that Presbytery is involved and to challenge Faith's demand to disclose the case to FCS. After this meeting, according to the record, Faith's concerns over secrecy and a “cover-up” were not appreciated by the IRPC elders because their charges were thought to be unfounded. It was also pointed out, even by Greiner, that they are Baptists who do not understand the inner-working of Presbyterianism. Since Faith was accused of being disgruntled against IRPC because many people left Faith to join IRPC, this was interpreted as being “vindictive”.¹¹

07.28: a second letter from Faith was received with demands for five immediate actions:

⁸ 2020.07.24 Faith letter #1

⁹ 2020.07.25 email

¹⁰ 2020.07.26 AIC Minutes

¹¹ 2020.07.28 Recording, Slack Channel 2020-07-24 through 2020-07-30

- (1) Fully comply and cooperate with CPS and law enforcement.
- (2) Communicate precise and comprehensive details of what occurred, where, how often, and by whom to every member of the elder team.
- (3) Communicate precise and comprehensive details of what occurred, where, how often, and by whom to the Presbytery.
- (4) Communicate precise and comprehensive details of what occurred, where, how often, and by whom to every member of the church family.
- (5) The father of the abuser should resign his position at the church, along with any other church leaders who already had knowledge of these facts and failed to ensure that the actions described above had already been taken.¹²

In response to the first letter, the Pastor met with FCS administration, complying with their second stipulation. FCS told the Pastor's family that unless IRPC did all that was being required of them, they would not permit their family member to attend their school.

07.29: Faith also confronted Keith Evans, accusing him of participating in concealment to the risk of potential victims in the congregation and warning him that they would be filing an ethics complaint against Keith with ACBC. 07.30: the IRPC session acknowledged Faith's ending of counseling F2. 07.31: Keith spoke with Faith representatives (Greiner and Green) to clear up the situation. Faith was satisfied with Presbytery's involvement and yielded the case to the court.

While the IRPC session was offended by what they would characterize as Faith's heavy-handed approach, they do believe that this interaction provided "a wake-up call" which helped them to get the Presbytery involved immediately. This also reinforced their desire to inform the congregation of this child abuse case. The Commission believes that there is much merit to these actions that were needed before this point.

As to the question of resignation, this Commission believes that it is commendable that the IRPC session saw the need for the Pastor to recuse himself at times from the decisions concerning this case. Yet, this recusal was not a complete or comprehensive removal, unless invited, from the discussion and decision-process of this case. In other words, while limitations for the Pastor were recognized, yet they did not go far enough, nor were consistently maintained to protect the Pastor's reputation and the integrity of session action and investigation.

Upon F2's request, on 07.29 the Pastor went to F2's house to pray with this victim. Being in conflict between the apparent insensitivity to presume a role of shepherding as the offender's father and a real desire to serve all of F2, the Pastor chose to go and speak to and pray with the victim. The Commission believes that it would have been more sensitive and appropriate to have had another elder come along and to have taken the lead in the visitation.

The Advisory Committee was selected, including Adam Niess (Ch.), David Hanson, and Wade Mann. They were asked to (1) provide general counsel and oversight on these matters, (2) aid in the process of repentance and reconciliation, (3) provide counsel regarding balancing the need for transparency and privacy, and (4) review recommendations from the investigation.

08.05: due to Faith terminating counseling with F2, they began counsel with Keith Evans.

08.10: Nate Pfeiffer gave the investigative report to the ruling elders, bringing the Session up to date. Later on, the church family meeting of Jan 2, Pfeiffer acknowledged, "Waiting until this point to bring the rest of

¹² 2020.07.28 Faith letter #2

the elders up to date was a serious lack of wisdom on my part. Looking back from today's vantage point, I should have recognized the need for their involvement sooner."¹³ As early as August, Nate reports that "Session appointed Keith Magill to take on moderating responsibilities for all related matters and The Pastor recused himself from session discussion and decisions on these matters."¹⁴

08.10: Session asked Nate if he had informed F6 yet, to which he replied no. On 08.21: the Pastor was asked if he had informed F6 yet, to which he replied no.

08.23 F2 wrote to the Session with 2 main concerns (1) their information had been shared with others in the church outside of the Session, and (2) they felt ignored by the Session, providing various suggestions to the elders to increase communication and care.¹⁵

On 08.28: M0 reported a new victim family, F1, increasing the concern and grief of the elders and M0's family. This incident was reported to DCS. That evening the Advisory Committee met with the Session (absent the Pastor). They offered several recommended actions:

1. The one who was caught abusing others in the church (M0) is to be identified to the congregation.
2. The Pastor immediately enters a leave of absence.
3. M0 is to be removed from all church functions (including in-person worship and youth group) during the time of discovery.
4. The Pastor is to step down as moderator (with the appointment of an interim moderator), and he is to fully recuse himself from all discussions and decisions concerning this case.
5. M0 is to be disciplined by the Session.
6. The Session is to make the Presbytery aware of this Advisory Committee since AIC Minutes had not yet been published from the July 26 meeting.¹⁶

This rationale was provided for the leave of absence and announcement of M0's abuse:

1. This would provide protection for the Pastor to prevent becoming emotionally compromised.
2. This would prevent a conflict of interest for the Pastor.
3. This would provide time for the Pastor to care for M0 and family, which is in accord with the qualifications of the ministry.
4. This would provide time to focus on reconciliation with the injured parties.
5. This is in accord with best practices in the world (ill. Administrator is given leave if a scandal breaks in their family, during the time of discovery).
6. Thinking of this news breaking in the congregation, they will respond according to the Pastor and Session's present actions.¹⁷

The Pastor had not had the privilege of receiving this list from the Committee or from the elders.

On 09.01: Hanson, Niess, Blackwood, and Pfeiffer met with the Pastor and F2 to promote repentance and reconciliation. To that end, F2 provided several questions in a previous email for the Pastor. It was acknowledged by M0's father that he could affirm one of F2's points; he "failed to take sufficient and reasonable action to protect the members of the church from [M0]". He added that he could have done more to shepherd M0. This was a difficult meeting because an offense had become evident between F2 and the

¹³ IRPC Session Docs

¹⁴ IRPC Session Docs

¹⁵ 2020.08.23 email

¹⁶ Per Advisory Committee's report and JC's interview with AC on 2021.02.09

¹⁷ Per Advisory Committee's interview with JC

Pastor. Both families reported to DCS about the abuse mutually involving both parties. However, the DCS report issued an “unsubstantiated” status to this case involving M0 and F2. It was recommended by F2 that these men study and answer the following points to help both parties move forward together:

1. That the Pastor agree that M0’s DCS case should be substantiated.
2. That the Pastor take additional/reasonable steps in order to bring about a result of substantiation (i.e., make it the state’s fault that M0’s case is unsubstantiated by giving them the evidence that is needed).

A subcommittee was formed, including Nate Pfeiffer, Zachary Blackwood, Adam Niess, David Hanson, and Keith Evans, to help bring reconciliation between these families by examining the statements above.

Because there were various contrary definitions of “substantiation” being offered, the subcommittee agreed upon the following question, “Should M0’s parents make an explicit confession on M0’s behalf to DCS regarding the sin of abuse?”

On 09.02, the Session met with M0’s family, with David Hanson present. A letter was signed by all of the session members, detailing a path forward through a “time of discovery to bring to light any and all additional victims.” It included several steps:

1. A letter to IRPC, informing “the congregation of the identity of the aggressor for adequate discovery to occur... to ensure that these sins are fully uncovered and dealt with now not later”.
2. Placing M0 under church discipline. “This will include the requirement that [M0] not attend IRPC worship services or official ministry events” throughout the time of discovery and finalization of recommendations.
3. A note to IRPC to not pull away or shun the [REDACTED] family but to draw near and extend love.
4. An urge for the Pastor “to take a 2-month voluntary leave [REDACTED] [REDACTED] providing many of the Committee’s rationales.
5. The elders make 8 commitments during this 2-month leave.¹⁸

At the end of this meeting, M0’s family asked if the session was open to input. They answered, “yes”.

The next day, 09.03, the Pastor responded to this “time of discovery plan” with the help of Keith Evans, wherein he carefully laid out “a different path forward” that addressed mutual concerns. He pointed out that the process of discovery with the congregation should have already happened, but not by identifying M0.

1. A minor cannot be expected to bear the burden of the entire church knowing their sin. Your proposal is illegal in many states.¹⁹ The state is more intent on protecting M0’s future than the church.
2. Naming the one who abused could promote suggestive conversations within families (“did so-and-so ever touch you”), contrary to expert counsel.
3. Not naming M0 will allow you to conduct a broader discovery, possibly exposing other areas of our weakness, similar to “the situation of informality and nonexistent childcare in our congregation” as part of the problem.
4. You cannot predict the varied responses within the church. “I believe that if I were a member in a congregation where the Session told me about sex crimes of a [minor], I would be indignant at their

¹⁸ 2020.09.02 email

¹⁹ The Pastor received this information from Dr. Duncan Rankin who said that it is illegal in Tennessee to identify a minor who sexually offends. Dr. Rankin states’ “The instinct to just hold an informal meeting after church & tell everybody is a legal & moral minefield. Get legal advice from a lawyer & follow the letter of the law, holding a formal qualified privilege meeting to do something like this.” (slack between Pastor and Zachary Blackwood)

lack of care for him. I would be angered at having to carry that burden of knowledge which the elders ought to be carrying.”

A different discovery path was then proposed, “one that seeks to answer our joint concerns.”

1. Inform the congregation of the situation, general timeline, and location.
2. Session and M0’s family work out an agreed-upon safety plan and restitution to victims.
3. Provide access to whatever help, resources, and protections are available to the victims. Provide shepherding for M0 (which has not happened) and a mentoring relationship.
4. Provide a path of repentance for M0. M0 has been kept from being allowed to seek forgiveness. M0 has not received church discipline. The elder’s suggested path functionally excommunicates M0 without due process.
5. To protect from conflicts of interest, the Session should ask AIC to appoint a partial and interim moderator for these matters. “I would plan to recuse myself from those meetings, only being present when invited.”
6. To plan for a sabbatical or leave soon to provide for the rest and help the Pastor needs. In the meantime, a list of suggested alleviations was provided.

Before citing 2 Cor. 2:7, there is a carefully and clearly worded statement at the closing of the letter. “If, in the end of your considerations, you don’t feel that our proposed path forward is viable or fully just, might we suggest discussing together an exit strategy from Immanuel? I don’t say this as a threat or blackmail in any way. We can sincerely say that our desire is to stay and continuing ministering as part of this wonderful body.”²⁰

The Pastor was not aware at the time that the Session’s original suggested path was developed with the help of the Advisory Committee. On that evening, 09.03, the ruling elders and the advisory committee met to deliberate between the two paths of congregational discovery. The Advisory Committee still believed their path to be the correct one. The elders chose to take the direction laid out by the Pastor. The collective testimony of the Advisory Committee is that at this point, with hindsight, it appears that the session decided to deal with the case in house, apart from the committee’s counsel.

On 09.04, Ben Larson drafted a letter to the congregation for discovery. He provided this draft to F1, F2, and M0’s family to involve them in the discussion and to provide feedback before sending this to the church. This Commission acknowledges that to give equal access and voice to both parties in the narrative and decisions regarding this case is an excellent practice. If this were practiced consistently it would have removed the offenses of undue influence and conflict of interest.

09.06 The letter to the congregation for discovery was sent out. Overall, this is a helpful letter. However, the language “a serious sin has come to light” implies that the timing of events is in week as opposed to months.

09.07 the AIC minutes were published from July 26 where the AIC permitted themselves as the IRPC session to appoint their own Advisory Committee.

09.08: The Pastor approached Zachary about M0’s participation in youth group (YG). The family thought it would be good for M0 to attend and the Pastor was willing to let all of the YG leaders know about the situation and the safety plan for M0. Zachary picked up this conversation with the other elders in the slack channel without the Pastor. On 09.09: Zachary informs the Pastor that the elders decided that it would be

²⁰ 2020.09.03 emails

best for M0 not to attend YG “until the other [YG] leaders had a chance to be informed and decide whether they are able and willing to enforce the safety plan for M0, so we don’t think he should attend this evening. 09.09: the Pastor meets with the YG leaders, discloses M0, the abuse, and the safety plan for M0. One leader volunteered to watch M0 the entire time. The YG leaders unanimously agreed to allow M0 to come. 09.11 a concerned parent approached Zachary, not wanting to send their kids to YG due to the very short time between congregational discovery of a case of abuse (09.06) and M0’s participation in YG (09.09). Zachary asks for forgiveness of the ruling elders for moving forward and having the Pastor disclose to the YG leaders before gaining as much input as possible.

09.11: the IRPC session was resigned from the AIC at Presbytery.

09.18: With the Pastor recused, the Session rebuked M0 in a clearly Biblical and shepherding way. Each elder gave Scriptural admonition and a gospel call to M0. M0’s parents were exceedingly thankful.

By 09.25: a written safety plan for M0 was approved and soon given to the YG leaders and reviewed with M0. On 09.30: with this agreed upon safety plan in place, M0 first attended YG since abuse had been exposed. He was to be chaperoned the entire time present at YG.

On 10.10: David Carr drafted a second letter to IRPC to update the congregation and shared it on Slack. After sitting there without interaction, the Pastor took it upon himself to rewrite the letter. This is not recusal. The letter was sent to the church on 10.18, communicating (1) the session’s gratitude for the response of the congregation to the disclosure of abuse, (2) a report that no new instances of abuse have been uncovered, and (3) the offender is being supervised and “active measures are being implemented to prevent any more instances, both from the offender in question and from anyone else.”²¹ This Commission has asked about these comprehensive “safety measures,” and have been informed that the “safety plan” is for the abuser exclusively, and does not include supervision of the entire youth in the church.

On 10.18: F2 noted several children in the IRPC fellowship hall without supervision. They stayed 30 minutes to supervise the youth of the congregation to make sure that they were safe.

On 10.22: F2 sent an email with 3 concerns (1) two months ago they communicated that they felt ignored by the Session, yet nothing has changed, there has been little response to the letter apart from Zachary and Nate (the Carr’s and Magill’s did invite this family to get together); (2) concern that M0 is attending youth group without disclosure to parents which appears to be unsafe, putting potential victims at risk. (3) the second congregational letter said that active measures are being implemented, but they provided examples of youth together without adult supervision.

On 10.24 the Session responded by being in total agreement with this family’s concerns.

- We have requested the deacons to form a standing safety committee. Among the responsibilities of this committee will be to develop and oversee the implementation of clear procedures to supervise all the children during all church activities.
- Further, while we remain in our current building, one of the elders will be personally responsible for making sure there are no unsupervised children in the basement or fellowship hall. (In fact, one of us spotted this issue Sabbath evening, cleared the basement, and closed the door.)

²¹ IRPC Session Docs: Group Slack: second congregational letter

The Session also writes about the safety during youth group. It is important to note that the Pastor wrote this email (at Zachary's request for "someone" to write a response to the family), placing him in a conflict of bias to defend his desire to see M0 attend youth group. He says:

- "We have taken your concerns to heart and will reevaluate the decision about who should be informed of the identity of the offender. In the meantime, you can be assured that a very strict supervision policy is already in place for youth group activities; we believe the children at youth group are not in danger from the only known offender. And we are aware of the need to be vigilant to prevent additional similar offenses."

On 10.25: F2 stood outside watching children play with no other adults present. An elder came and spoke to F2 for 10 minutes, then indicated that he was supposed to be watching kids, did a lap around the building, then went back inside. A deacon also came out, briefly talked with F2, then returned inside to supervise in the fellowship hall.

Josh Bright informed the Commission that on 10.25: he asked Zachary how the deacons could be supporting the elders. Zachary replied that, "one elder was assigned to patrol the basement, the fellowship hall, and outside every week, but they had a session meeting that evening. I did my best to cover all three areas, but quickly realized the impossibility of the task. The next Sunday (Nov 1) I worked to enlist any other deacons who came to evening service to help me." On 11.10 Josh installed a new keyed locking knob and "on subsequent Sabbaths, until we started attending Lafayette services, made sure that it was locked after classes. Even with that area closed off, I felt that two adults (even adults who knew the nature of the abuse) were insufficient to monitor a large fellowship hall and 360 degrees of property including woods and a valley."

On 10.29: Zachary texts to Nate on Slack

- Zachary: Hey Nate, a loose thread on this is [youth of F6]. According to our list of recipients, they should have at least received our letters. F2 is asking to make sure F6 have been adequately informed, since F2 thinks F2 might have seen M0 in the basement with one of them. Seems like it would be worth having a call with them, both to make sure they're aware of what M0 has admitted to with F6 and have asked their kids if they know of any other incidents. Is that something you would be willing to do? I know the Pastor said he hasn't talked to them about this at all, so it's possible they aren't even aware of anything with M0 and F6.
- Nate: I can, but I do not think it is a necessity. We have every reason to believe that it was consensual, so I don't feel like there is any urgency.
- Zachary: I don't think it is urgent, but also doesn't feel right to leave them in the dark about this. Even just to follow up on the letter would seem to be worthwhile, since it's possible they haven't had those conversations, or have and haven't told us. I certainly would want to be informed if I was the parent, even if it was consensual.

On 11.04: Mr. 's Hanson and Niess wrote a letter to the IRPC Session, absent the Pastor since he has recused himself from the investigation. Mr. Mann attached an addendum. In this letter, these 2 men of the advisory committee shared their concerns and suggestions at the present time. (1) the safety plan for M0 was insufficient, leaving only one chaperone for M0, and leaving M0 to remain within eyeshot of the chaperone. M0 has been given too much freedom in light of M0's recent sins. A stronger stance is required. (2) Your love for your Pastor may be clouding your vision and negatively affecting your judgment in this matter. It could be rightly said that you are favoring the abuser over the victims. You allowed your Pastor to alter your decision to name the offender. Because your Pastor opposed the idea you halted an immediate leave

of absence but still plan to provide a future sabbatical. We believe that in these decisions you have complicated the matter and may very well make things worse in the future.

The addendum by Mr. Mann states, “I’ve encouraged Adam and David to send this letter because of their consciences on these issues. I decided not to sign it because there are a few specifics in the above letter that are expressed more strongly or comprehensively than I would state them. However, I do generally agree with the concerns they have expressed.”

On 11.04: F2 expressed to the Session their felt obligation to inform some people who send their children to YG. Zachary told this family that they could inform certain individual families at YG about the presence of abuse, but not to identify the offender. Session discussed this without the Pastor and responded that “...we do not believe it is necessary that we inform all the parents. We do believe it was necessary and appropriate for all the youth group leaders to be informed of, not just the presence of a sexual abuser, but [M0’s] identity as well.”

They explained why they let the congregation know of abuse in general for prayer and further discovery. “Simply put, even in schools there is not a requirement that parents of other kids be informed of the presence of this type of abuser. So we do not believe there is an extra duty to inform youth group parents. We simply cannot protect everybody from every conceivable physical danger. If we are to believe the statistics, it is likely there are unknown abusers present at most church activities. The way to protect against these dangers is simply to be vigilant and teach kids about what is appropriate and inappropriate.”

On 11.06: F2 replied to the Session about their rationale for informing the YG parents if M0 is permitted to attend YG. (1) M0’s abuse habitually took place with others in the same room, (2) Discovery is better made when people are more aware. M0 was at YG last year and incidents of abuse could have taken place. This is why you informed IRPC of abuse.

The letter concludes on a note about whether informing individuals about the presence of an offender is a personal liberty, and if not, then the request for an explanation of how this falls under Session’s authority.

11.08: F2 reports, “Immediately after evening service the kids were playing outside and there were some adults outside for a while. At some point it was just me alone outside for about at least 30 minutes while I watched children playing alone outside in the back / side of the building (basketball hoop area) while all other adults were inside. Because parents were unaware of the seriousness of the issues and believed that active safety measures were implemented, I felt like I needed to stay as late as possible watching all of the kids outside. I left with my kids after the last parents came to gather their children to leave.”

11.10: Zachary conceded to F2 and another that a retraction needed to be made about the active safety measures. No retraction was ever made.

On 11.10 the subcommittee (Blackwood, Evans, Hanson, Niess, & Pfeiffer) provides a rationale for why the Pastor ought to make an explicit confession on M0’s behalf to DCS regarding M0’s actions against F2. The family of F2 was given a draft of this letter in order to provide feedback. The Pastor commented in email, “I trust that this document is not being given to F2 as written, as it contains inaccuracies that need to be corrected.” The families met with the subcommittee on 11.11 to talk through the rationale.

On 11.12: the Pastor stated that while the meeting was mostly helpful and clarifying, he was frustrated that F2 received the rationale document but glad for progress toward a good end. This Commission thinks that this is an example of good access to both the victims’ (F2) family and M0’s family. Further, we see Christ’s wisdom and care through these 5 men in the subcommittee in their counsel to the Pastor.

11.16: Zachary to Nate on Slack

- Zachary: Got several questions from F2 this morning, including whether F6 have been talked to yet. Have you been able to talk to them yet?
- Nate: I have not talked with them yet. I'm still not clear why they're pushing that so much. I'll do it at some point.

11.18: M0's father sent a letter of confession to DCS and had Zachary send it to Detective Butts. Further, the father sent an email to F2, explaining, "I spoke with Caitlin Jackson at DCS at length today; I believe they understand the situation and what we're trying to accomplish. We decided to send them M0's written confession as well and expressed to them a willingness for them to interact with M0 to confirm that confession (we sent this by email to Caitlin; feel free to confirm with her or Zachary)." Because the Pastor was not telephoning in a new report to DCS when he spoke to Mrs. Jackson, and because there was not a case presently open, this was a moot action. Therefore, DCS would forward this letter to law enforcement.

F2 asked M0's father to postpone dropping off a letter of confession because they wanted it to be clear that upon receiving it, they would be compelled to turn it over to law enforcement, believing that this is what civil law requires. They did not want M0's family to feel tricked or betrayed by bringing a confession without this expectation. 11.19 The Pastor drops off M0's confession letter to F2's house.

On 11.24: there was a meeting between F2 and M0's family. F2 asked for another family to come as support, Keith Evans was also present, along with David Hanson to moderate. This was a 3-hour meeting. The Pastor carefully and clearly confessed to his sins in the case early in the meeting, seeking forgiveness. At this point he stated, "I wish that I had explicitly prevented [REDACTED] Regardless of not knowing what was said, this has clearly had negative effects on our relationship. Although my conceding to his counsel was, I believe, in good faith... to have M0 confess when arrested, [REDACTED] [REDACTED] It is not Christlike for me to blame him or to avoid that responsibility. I want to affirm that you desire for justice and to affirm [victim] suffering is good and Biblical, not to whatever extent [REDACTED] needed that, I bear that responsibility.

The main questions in the meeting were over a lack of justice due to the unsubstantiated DCS report. Consensus was not reached at this meeting over (1) whether M0's father complied with DCS, and (2) whether the Pastor did all that he could have done to love and advocate for the victims that M0 abused. At one point, F2 speaks to the Session's unexplainable behavior unless they are under the Pastor's influence. When asked for examples he says (1) there was no leave of absence for the Pastor, (2) the Presbytery is not brought in early on in the case, (3) M0 is permitted to be at YG, (4) the letters to IRPC are vague.

On 12.03: F2 met with the Session (absent the Pastor) along with another supportive family and Keith Evans. Many new things were disclosed by Keith Evans as he and the elders' dialoged about the extent of M0's abuse. This dialog was had in the presence of F2 and the other supportive family. While this information is pertinent to the Session and appropriate to discuss apart from F2 and other family, the Commission believes this to be a breach of discretion on the part of the Session and Keith Evans.

The Session admitted that this meeting with F2 was long overdue. F2 shared their concerns about the Pastor and the ways in which the elders failed to love F2. The elders gave much time for F2 to speak. This meeting lasted 4 hours.

On 12.04: A Judicial Commission of the Presbytery was requested.

12.09: The Advisory Committee offered to M0's family, F2, and IRPC session a proposal of binding mediation in place of the requested Presbytery Commission. The Committee would listen carefully to the

parties' expressions of unresolved issues, grievances, and desired resolutions. The Committee would then deliberate together and state clearly what they believe should be done.

On 12.10: Hanson, Evans, and M0's parents met with the purpose of Evans to confront M0's father of deceit in the 11.24 meeting. M0's father answered Evans' accusation, then confronted Evans on his breach of confidentiality on at the 12.03 meeting with Session, F2, and the supportive family. Evan's confessed his sin, asked for forgiveness, and clarified points of counseling information regarding M0.

Things quickly escalate from this point forward. The Commission would like to highlight only a few pertinent details:

- 12.14: F2 declined the Advisory Committee's proposal of binding mediation.
- 12.13: a new DCS case was opened concerning M0 and F2. M0's family had decided not to have M0 speak with DCS. This was an offense to F2 because it was contrary to the Pastor's commitment to having M0 speak with DCS if a new case was opened. M0 was offended because F2 was trying to get DCS involved in a case that had already been determined only to get the outcome they wanted. There were no new incidents to report. The DCS case has been substantiated.
- 12.18: Josh Bright resigns as a deacon with rationale.
- 12.19: a letter of discovery was emailed by the [REDACTED] to the IRPC, including those without children and adherents. This letter included abuse details, setting/location of abuse, timeline of abuse, current safety, and legal issues. This letter is a great offense to M0's family and seen as agitating by some of the elders.

The Commission understands that this letter is charged with (1) a lack of wisdom, (2) missing information, (3) a distraction from worship, and (4) a divisive course of action. These must be weighed with the following considerations:

1. There is merit to the urgency that is felt by the lack of supervision of the youth of the church due in part to half-hearted promise of 10.22: that the elders will be personally responsible for making sure there are no unsupervised children in the basement or fellowship hall while IRPC remains in the current building. The Session placed this stumbling block before these victims.
 2. F1 wrote to the session, reporting that they read this letter, "with tremendous relief to their soul". They had pled with elders in tears to bring the abuse case to the congregation. Citations are given to Achan glorifying the Lord in confessing his hidden sin (Josh. 7), and Prov. 28:13 "Whoever conceals his transgressions will not prosper, but he who confesses and forsakes them will obtain mercy." F1 declared their relief to the Session.
 3. This letter led to the discovery of F6, having not received prior session communication.
 4. Zachary emailed the following to F2: "I wanted to say briefly that there are a lot of things I am thankful for about the letter you sent last week. I am thankful for your care and precision, and obvious effort to say what was true, and share your concerns clearly. I am also thankful that more information has been given to the congregation and am hopeful it will result in better care for the children of our church. I wish that the session had sent out that letter so that you didn't have to, but as I said a while ago, I am praying that it will do great good for our church."
- 12.20: the Session (absent the Pastor) communicated with F2, "We met this evening preparing to repent to you of our sins towards you and your family. We would like to meet with you tomorrow evening if possible, at 8:30pm to seek your forgiveness in person. We are all available. We envision this meeting to focus solely on this important step. We are open to a longer discussion as needed on various other dimensions but would request to schedule that after the week of Christmas.

- 12.21: F2 responds with a list of actions that the Session could take to demonstrate repentance before verbal confession. In a separate email, F2 requests transfer of membership to the RPC of Lafayette.
- 12.21: F6 finds out for the first time that child abuse had taken place on church property. They confirmed that their youth had inappropriate interactions with M0. They soon found out that the Session knew this and had failed to inform them.
- 12.23: The Pastor drafts a Session announcement of a Church Family Meeting scheduled for January 2, 2021 to provide information and transparency about this case. The day will be accompanied by corporate prayer & fasting. The letter is emailed out 12.24.
- 12.31: Zachary sought prayer request for victims and families from F1 and F2 prior to Jan 2 meeting

2021

2021.01.01: The Session sent the following motion to F2 and supportive family,

- “We ask that if you choose to attend, that you honor our meeting with the congregation tomorrow. We do want you to hear the things we have to say. We recognize that you have ongoing disputes with both us and the M0’s family and have asked and received a presbytery commission to intervene. We all (session and M0’s family) intend to fully cooperate with this commission. Our request would be for you to hear us out and direct your concerns past, present, and future to the commission rather than making public statements to the congregation.

01.01: This Commission was appointed by the AIC. Zachary Blackwood invites us, on behalf of the Session, to join them at their church family meeting the next day. Shawn Anderson, Bob Burchfield, and Jason Camery can attend.

01.02: IRPC hosts a church family meeting. The following is an outline of the meeting:

1. Introduction (Keith Magill)
 - Scripture is read, communications are reviewed, the committee and commission are reviewed, prayer is given.
2. Presentation: XXXXXXXXXX
 - M0 is identified. Rationale for naming M0 is given. A plea for care and prayer is made.
3. Timeline (Nate Pfeiffer)
 - The timeline given in the Discovery Letter is supplemented. Confession was made for unwise assumptions at the beginning of the investigation. Nate also said that he was paralyzed by the investigation, not asking for help but allowing the investigation to languish. The Session has admitted that they failed to encourage Nate’s progress.
4. Confession of Sin by Session (Ben Larson)
 - The session failed to respond promptly in relation to the seriousness of the incident.
 - The session failed to maintain all of the steps laid out in their child protection policy.
 - They failed to take action to enforce the safety plan.
5. Planned Sabbatical (David Carr)
 - The Pastor has not had a sabbatical since 2004.
 - Given the particular ministry burdens of 2020 (over 60 new members, overseeing the acquisition of a new church building, navigating COVID, *no mention of M0*) the Session wants to provide a 3-month sabbatical, Jan 18 to April 18.
 - The Pastor’s family will not participate in church activities, with the possible exception of youth group.

6. How shall we respond to these things? (Keith Magill)
 - Deep Grief especially for the victims and for M0
 - Compassion for the victims and their families as well as towards the ‘abuser’
 - Care for the victims and for the abuser, citing Gal 6: 1.
7. Soul Care (Zachary Blackwood)
 - Prayer for the victims and family, M0 and family
 - Resources to educate your families.
 - Invitation to those who want to serve the hurting to approach the session.
 - How to minister to offender and family – session reaffirms love for M0
8. Church family Q&A

This went on for some time with varied responses from the congregation. While it is difficult to summarize the discussion in this Q&A, there have been a few items brought to this Commission from the IRPC congregation which we have sought to clarify and address.

1. It was asked why Josh Bright resigned. David Carr answered that his resignation did not provide a rationale and he was free to answer the question since he was present at the meeting.
 - On Jan 12, David Carr sent an email out deeply apologizing for providing the wrong answer. He attached Josh’s resignation letter to the email. He asked for forgiveness in misrepresenting Josh.
 - This led to another contentious email by [REDACTED] on Jan 17, calling David’s wrong answer a lie. He further highlighted that none of the present elders took the opportunity to clarify this error.
 - On Jan 23, the Commission urged the session and the members of IRPC to not communicate with each other on this topic.
2. It has been asked why the Pastor has been sent on a Sabbatical as opposed to a leave of absence.
 - Originally, the advisory committee recommended an immediate “leave of absence” with their rationale given in this report.
 - According to the Slack channel, the session chose to use the term “sabbatical” to convey the need for the Pastor to get some time for rest and revitalization. While this was an accurate need, shared by the Pastor and supported by the elders, the record indicates that the session intentionally texted and agreed that speaking of an upcoming sabbatical right around the 09.06 congregational letter would only encourage people to “connect the dots” between the Pastor’s family and the abuse case.
 - At the Jan 02 Church Family Meeting, once the Pastor connected the dots for the congregation, some believed that “a leave of absence” was needed for the sake of [REDACTED]. There were questions about “a leave of absence” and the rationale from the advisory committee was shared at that Jan, 02 meeting. The Session explained that a sabbatical is needed personally for Jared’s tremendous output and load of ministry. There was further concern from the elders that leave of absence would convey a “punitive” response to the Pastor for M0’s sin. A sabbatical would communicate need for revitalization.
 - Some in the congregation stumbled over the use of the term “sabbatical” because it was felt that this term avoiding a straightforward, open, and honest approach, but it minimized the Pastor’s responsibilities and duties to [REDACTED], and it undermined his responsibilities and duties to the church in prioritizing his family’s needs.

- This Commission sought to clarify the impression made by using “sabbatical” instead of “leave” with the Pastor, and some of the elders who did not appreciate the different meaning at the time. Within days, the Pastor explained that he believed that the Lord did provide a leave during COVID restrictions. [REDACTED]
[REDACTED] By Jan 2021, the Pastor needed physical and mental rest. He needed a sabbatical.
- While we understand the Pastor’s present thought about this question, he did not appreciate a distinction in these terms. Therefore, his present reasoning was missing from the Jan 2, 2021 meeting.
- This Commission agrees with the Advisory Committee, and the Session that according to Titus 1:6-7 an office bearer needs to prioritize [REDACTED]
[REDACTED] We plan to address this in the upcoming meeting with the congregation.

Since the January 2 meeting, this Commission has been involved in the investigation of this case as well as sending various communications updating the session and congregation of our progress.

Regarding Keith Evans

We must take a moment to address Keith Evans’ involvement in this case. There are several things that Mr. Evans did right:

1. He willingly took up the task to provide Biblical warning and gospel call to offender.
2. He fervently responded with grace and clarity to the conflict between Immanuel and Faith.
3. Upon the Pastor’s suggestion, Keith was able to bring Biblical help to F2.
4. When this Commission confronted Keith on overstating the case, he responded contritely within a 24-hour period. He was ready to take responsibility for his words and actions in a way that demonstrated an endeavor to walk in repentance before the Lord.

Because of this, it is with some grief and much hope that we report that in receiving Keith Evans’ report, we found several discrepancies where the case was over-stated or speculated.

1. The Commission was told that there were four potential perpetrators in IRPC. Upon further investigation, this is what the Commission discovered:
 - M0: when confronted, M0 admitted to acts of abuse from the beginning of this case.
 - There was a second minor abuser. That abuse was isolated within their family and did not occur on church property. A report was made, counseling received, the offender graduated, session is aware, a safety plan for the offender is in place.
 - A third abuse case happened years ago, was reported to DCS, counseling received, the offender graduated, session made aware at the time. This is not a present perpetrator.
 - A fourth potential offender was investigated. There is not a fourth offender.
2. The details surround an incident were overstated so that initially we were operating under a different timeline of this case. The imprecise reporting was recognized and acknowledged the moment the statements were read to Keith.
3. It was reported to us that a past situation had been wrongly handled. This placed undue accusation upon an elder. The Commission was able to clear this up and see that the matter was appropriately handled, even with a lack of experience or knowledge in abuse. Forgiveness is presently being sought by Keith.

4. There was also an unnecessary disturbance of victims and concerned parties by collaborating with them over the details of the case that were not fully investigated and confronted in his professional capacity.
5. The Commission asked Keith to go back to other parties and confess overstating the case in various ways. We are presently involved in mediating these interactions.
6. The Commission thinks that greater offense has taken place between the pastor of IRPC and Mr. Evans. Some of it is on a personal nature, some of it, a professional nature. It was very difficult to try to address and identify steps of repentance in the limited time and scope of our investigation. The Commission would like to make sure that mediation, agreed upon by both parties, is provided in order to pursue steps of repentance.

Because of these details, we believe that Mr. Evans allowed his personal interests and sense of betrayal to affect his professional role in this case, to the offense of M0's family, the undue disturbance of the victims, and the distraction of the Commission.

We want to reiterate our appreciation of Keith's initial response to our assessment, as well as our confidence in his commitment to bring present lessons in the case to future opportunities of instruction and counsel.

Please see our recommendations below.

Among the qualifications of the elder in 1Tim. 3:1-7 and Titus 1:6-9, we see the need to be “above reproach”. Calvin teaches, “When he says, that a bishop must be ἀνέγκλητος, *blameless*, he does not mean one who is exempt from every vice, (for no such person could at any time be found,) but one who is marked by no disgrace that would lessen his authority. He means, therefore, that he shall be a man of unblemished reputation.²²” Chrysostom teaches that, “*If any be blameless*, that is, if his life be free from reproach, if he has given occasion to no one to assail his character.²³”

This commission would point to the record to identify several areas of blame and culpability.

What are the particular sins that we see committed in this case?

1. A pattern of violating the fifth commandment.

1.a. There has been regular influence of an undue, excessive, or improper nature that has been exercised, providing an advantage in the case before us.

In an article on Undue Influence, Will Kenton wrote, *Undue influence occurs when an individual is able to persuade another’s decisions due to the relationship between the two parties. Often, one of the parties is in a position of power over the other due to elevated status, higher education, or emotional ties. The more powerful individual uses this advantage to coerce the other individual into making decisions that might not be in their long-term best interest. In exerting undue influence, the influencing individual is often able to take advantage of the weaker party.*²⁴

- The Pastor took advantage of his access in slack to participate in some of the discussions and decisions of this case.
- The Pastor took the initiative to rewrite the session’s second letter to the congregation.
- Failing to recuse himself, the Pastor took the initiative to write the session’s response to F2’s 10.22 email of concerns. We grant that F2 sent their email to the Pastor.
- On 12.23, the Pastor initiated a slack conversation about session’s second response to the victim’s disclosure letter and the idea of a congregational meeting. Though we grant that the Pastor did not plan the whole Church Family Meeting, he provided six thoughts to get the group started in dialog.
- The Commission asked each of the elders if their decisions in this case were made without the Pastor’s influence, to which each of them said “no”, except in the drawing up and delivering discipline to M0.

1.b. There has also been a series of conflicts of interest that were not understood, ignored—or worse veiled—providing an advantage in the case before us.

In an article on Conflict of Interest, Troy Segal wrote, *A conflict of interest occurs when an entity or individual becomes unreliable because of a clash between personal (or self-serving) interests and professional duties or responsibilities. Such a conflict occurs when a company or person has a vested interest—such as money, status, knowledge, relationships, or reputation—which puts into question whether*

²² Calvin, J., & Pringle, W. (2010). *Commentaries on the Epistles to Timothy, Titus, and Philemon* (p. 291). Bellingham, WA: Logos Bible Software.

²³ John Chrysostom. (1843). *The Homilies of S. John Chrysostom, Archbishop of Constantinople, on the Epistles of St. Paul the Apostle to Timothy, Titus, and Philemon* (pp. 283–284). Oxford; London: John Henry Parker; J. G. F. and J. Rivington.

²⁴ Taken from <https://www.investopedia.com/terms/u/undue-influence.asp> Accessed Feb. 25, 2021. See also, Black’s Law Dictionary, “Undue Influence”

*their actions, judgment, and/or decision-making can be unbiased. When such a situation arises, the party is usually asked to remove themselves, and it is often legally required of them.*²⁵

- This Session acted as the AIC to give themselves permission as a Session to hand pick their own advisors. This action of the AIC was not published before the Presbytery for 6 weeks.
- MO's father had access and used his voice to the discussions and decisions of this case through a slack channel, which was not granted to victim's families.
- [REDACTED] ought not to have been able to write letters to the church, or victims, or plan church family meetings surrounding this case.

1.c. There has been a series of omissions to protect and provide the safety that is necessary for the soul and body of those under their charge.²⁶

- This Session failed to inform the congregation of the nature of abuse that took place, the timeline, the location in an appropriate amount of time, hesitant for over 4 months.
- This Session did enact a safety plan for the offender, but they failed to provide an updated child protection policy relevant to seriousness of this case for all of the congregation.
- By Oct 24, this Session committed to personally making sure that no youth would be unsupervised in the basement or fellowship hall. This was not the case as recent as February 20, 2021.
 - One elder pointed out that while they were faithful to supervise the youth in those locations at first, making sure there was always an elder specifically watching these areas, they were not consistent in their implementation.
 - Another elder wrote that there is a team actively working to revise the child protection policy, but it took us far too long to get there.
 - Three elders individually told the Commission that they never committed to such a large endeavor of supervising youth, though a plan is needed.
- The entire session neglected their duty to properly inform F6's family of inappropriate touch when discovery was made (May 12, 2020). It would take more than 7 months (Dec 20, 2020) when another family told F6's family of this incident. Because they were not informed, they were prevented from properly caring for their mistreated youth.

The Bible is clearly opposed to the sin of showing partiality, or bias.

- James 2:1 My brothers, show no partiality as you hold the faith in our Lord Jesus Christ, the Lord of glory.
- Deut. 1:16-17 And I charged your judges at that time, 'Hear the cases between your brothers, and judge righteously between a man and his brother or the alien who is with him. You shall not be partial in judgment. You shall hear the small and the great alike. You shall not be intimidated by anyone, for the judgment is God's. And the case that is too hard for you, you shall bring to me, and I will hear it.'
- Lev. 19:15 "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.

Based on the above, the commission believes that a pattern of partiality has been exercised in this case.

²⁵ Taken from <https://www.investopedia.com/terms/c/conflict-of-interest.asp> Accessed Feb. 25, 2021.

²⁶ See Westminster Larger Catechism 129.

2. A pattern of violating of the sixth commandment.

2.a. There has been a failure to respond with the urgency and care fitting the gravity of the circumstances.

- There are several times that the Session maintains a posture of being dragged and pulled, forced and fought into action versus taking initiative. Some of the examples below are done late or done half-heartedly permitting spiritual gangrene to set in.
- This Session waited over 4 months before informing the congregation of the nature of abuse, along with a timeline and location.
- The entire session neglected their duty to properly inform F6 of inappropriate touch. This was discovered by F6 from another family, adding insult to injury.
- Nate stalled the investigation, not asking for help or reporting on the case to the session until the Presbytery Committee arrived in August 2020. The Session has admitted culpability, not encouraging Nate's progress, or offering assistance.
- The Session has not written letters to all of the victims.
- The Session waited for 7 months to visit and pray with F2.
- The Session waited for 4 months to request a meeting with F1.

2.b. Due to the actions of this court, victims have not only appeared to be harmed, but have actually experienced injury.

- Due to the presence of partiality, both disunity within the body and distrust between laymen and leadership have been promoted in the church community.
- By the victims not receiving equal access and voice in the discussions and decisions of this case, the weakest and most vulnerable in your midst were excluded and disenfranchised.
- When the Session (even unintentionally) showed deference to the offender's family, they undermined God's Word which is impartial and seeks the justice of the marginalized.
- Immanuel RPC suffers a poor reputation in the Lafayette Community, as one who protects offenders and ignores the abused. Whether right or wrong, you have contributed to this narrative.
- In those times that the Session's lack of urgency and care is present, the victims and their families are being dismissed.

3. A pattern of violating of the ninth commandment.

3.a. The Session failed to recuse the Pastor from discussions and decisions of the case, yet you aggravated this offense by giving the impression that a full recusal was taking place.

- On July 30, 2020 [IRPC Docs]: according to the Timeline of Investigation for Commission prepared by Nate Pfeiffer, "We had a session meeting and selected the men from presbytery to be our counselors. I called all three men and by the end of the day, all three men graciously agreed to serve us. From this point forward, Jared recused himself from portions of session meetings dealing with this situation."
- On Aug 29, 2020, the Advisory Committee recommended that the Pastor should not be moderator or participate in session discussions of the issue.
- On Sept 4, 2020, the Pastor made the following proposal to the session, "Fifth, to protect me and the elders from conflicts of interest, the session should ask AIC to appoint a partial and interim

moderator who will oversee any session meetings in which any of these matters are considered. I would plan to recuse myself from those meetings, only being present when invited.”

- On Sept 4, 2020, [IRPC Docs]: according to your timeline of events, “Jared recuses and excuses himself from Session meetings where the abuse situation is discussed. Keith Magill moderates.”
- On Sept 18, 2020: Minutes of Session, “6.b. Motion carried to request Ad Interim Commission to appoint Keith Magill as moderator of IRPC session for meetings covering matters from which Jared desires to recuse himself and not be present. This would include the power to call those meetings on his own.”
- On Sept 19, 2020, per AIC Minutes, “3. It was moved, seconded, and passed to approve the Immanuel RP Session’s request to appoint Keith Magill as a temporary moderator of the Session for meetings covering matters from which Jared Olivetti desires to recuse himself. This would be in force until at least the Spring 2021 meeting or Presbytery.
- On Dec 29, 2020 Session wrote an email, updating the Advisory Committee about the planned Church Family Meeting, attaching an outline of that meeting. The Pastor was not included in that email, implying his recusal in the planning of this meeting.
- On Jan 1, 2021: Minutes of Session, under point 6, the Pastor was recused from the meeting. Then under point 7, the Church Family meeting was planned. But the Pastor initiated discussion and was involved in the planning of this meeting based on Slack texts.
- On Jan 2, 2021, at the Church Family Meeting, Nate made clear in his timeline that in August 2020 The Pastor recused himself from the session, from discussion and decisions. Zachary said that, “The session did do our best to not have Jared involved in this. We changed the moderator, resigned from the AIC, etc.”

3.b. It was inappropriate and a conflict of interest to act in your capacity as an AIC to give permission to yourselves as a session to hand-pick their own advisors, and then to give the impression to Faith that a broader court of accountability was involved to authoritatively counsel and direct you.

3.c The session has caused confusion and mistrust over the language “sabbatical” instead of “a leave of absence”.

What does repentance look like?

1. In writing before the Presbytery, each man of IRPC session will
 - a) confess his particular sins.
 - b) acknowledge the harm done by those sins.
 - c) affirm by list the righteous acts of the victims.
2. Each man will resign from his charge, acknowledging the gravity of the sin committed and harm caused.
3. In cooperation with this Commission, the repentant will come up with a plan of restitution for the victims.
4. Each man will write letters to the victims confessing their sin and acknowledging the power and call of Christ in the Gospel.
5. As this Commission oversees the future education and welfare of the church in proactive CPP and handling abuse cases, each repentant man will take part in this process of study and presentation to his capacity and ability (see recommendation 12).

Recommendations:

1. That this report be given in executive session.
2. That the petitioners be permitted to remain present while in executive session.
3. That each member of the IRPC session be given up to 7 minutes to address the Presbytery regarding their response to this report
4. A TGB be formed by this Commission with the 2021 Presbytery Moderator to assist Immanuel RP Church in this time of repentance and renewal.
5. That the Commission be granted authority to help the elders follow through with steps of repentance
6. The Presbytery will hold the credentials of Jared Olivetti (TE) and commit to not transferring his credentials to another charge, Presbytery, or denomination until this Presbytery is satisfied with the evidence of the fruits of repentance consonant with these recommendations. This withholding will be reviewed by this Commission in an ongoing basis. Mr. Olivetti may seek to place on the agenda of any stated Presbytery meeting, a review of his status and this “withholding” policy.
7. Presbytery needs to determine whether Ben Larson
 - a) RESIGN or
 - b) Take a LEAVE OF ABSENCE from youth ministry until the Commission is satisfied with the evidence of the fruits of repentance consonant with these recommendations.
 - c) until IRPC has received a child protection policy and a laid procedure to address child abuse.
8. Presbytery needs to determine whether Zachary Blackwood
 - a) RESIGN or
 - b) Take a LEAVE OF ABSENCE from youth ministry until the Commission is satisfied with the evidence of the fruits of repentance consonant with these recommendations.
9. The Commission with the TGB plan a congregational meeting for March 13, 2021 with Immanuel RPC. The Commission will address accusations, rumors, concerns, and other questions and comments from the church. At this meeting, in writing before Immanuel RP Congregation, each man of the IRPC session
 - a) confesses his particular sins.
 - b) acknowledges the harm done.
 - c) lists the righteous acts of the victims.
10. Having acknowledged his sinful offenses, Prof. Keith Evans is to be admonished by this court for allowing his personal interests to affect his professional role in this case, to the offense of M0’s family, the undue disturbance of the victims, and the distraction of the Commission.
11. The Commission and TGB will apply for a consultation with Grace Abuse Response Ministry to make sure that our plan is thorough and that nothing is being missed. The Commission, with the TGB’s input, will be able to act upon the recommendations from Grace that they find reasonable and performable.
12. This Commission is given the authority to produce or oversee the following:
 - a) a model Child Protection Policy along with other peripheral resources to promote Biblically proactive strategies to protect and educate the church (for example, sex education, porn awareness, body safety education), and
 - b) a model policy for handling child sex abuse cases (both adult and minor offenders) with laid out recommendations for when to identify or not identify a minor who offends.