

Communication #22-09 GLG Olivetti Complaint vs. SJC
Complaint of Jared Olivetti to Synod
March 24, 2022

To the Moderator and Clerk of Synod,

On March 10, 2022, I filed notice with the Synod Judicial Commission (SJC) of my intent to file a formal complaint regarding the following two actions: (1) The convening of the March 7, 2022 trial; and (2) holding the trial publicly via streaming. As it pertains to the first part of the complaint, I request that the Synod sustain this complaint, overturn the SJC's decision to convene the trial, and annul the results of the trial (*BOD*, 2.4.4). As it pertains to the second part, I request that the Synod sustain this complaint, rebuke and dismiss the SJC.

Re: convening the trial

Summary: The Synod should annul the results of the trial as unbiblical and unconstitutional, as laid out in Appendix 1 ("Motion to Dismiss").

- The investigation and subsequent charges lacked appropriate procedural safeguards, committing what our constitution deems "gross irregularities." For example:
 - The investigators lacked independence and presumed guilt.
 - The investigation was incomplete and inaccurate. (We have repeatedly asked for an independent, professional investigation and been repeatedly denied. See Appendix 2 for one of these requests.)
 - The accusers failed to follow Jesus' rule in Matthew 18.
 - The SJC was not qualified to adjudicate the matter. See Appendix 4 ("3-22 Olivetti letter to SJC"). In an email to our counsel on 12/2/21, Mr. Wing expressed frustration at the perceived tone of a previous document, and then stated, "At least in some sense, the defense put themselves in a bit of a hole..." This indicated to us that the SJC was disposed against us early in the process. See Appendix 5 ("12-2-21 Email from Mr. Wing").
- The charges failed to meet the requirement of reasonable specificity.
 - The *Book of Discipline* (II.2.1) requires that "a charge... shall name the specific offense, the time, place and circumstance of its commission." The charges failed to do this. Even now, after the conclusion of the trial, it is unclear to me what I am being called to repent of.
 - The accusations alleged character defects instead of transgressions, character defects which the accusers could not prove and which the defense could not fairly refute.
 - In allowing such charges, the burden of proof was placed solely on the shoulders of the accused, which is both unbiblical and unconstitutional.

- Both the prosecutors and the SJC refused to consider prior repentance. In their announcement of the verdict, the SJC called for my repentance, omitting that I have repented deeply and often over the past two years.
 - The primary purpose of discipline is repentance. When repentance happens, "...there must be forgiveness and reconciliation, and the matter shall be closed. You have won your brother." (*BOD*, I.3.3) Instead, my repentance has been ignored or, when acknowledged, subject to doubt and judgment.
 - The Shepherding Committee's Report (Appendix 3) confirmed our repentance and rejoiced that we had been won as brothers.
 - At both the Presbytery and Synod level, investigators/prosecutors failed to attempt any reconciliation in good faith. Disregarding Matthew 18 and our Constitution (*BOD* II.2.2), charges were made, received, and adjudicated without anyone meeting with me as a brother in Christ to win me to their point of view.

For all these reasons, the just action is to annul the trial. As I have said many times, I remain willing to submit to an impartial, professional investigation into this matter.

Re: the public nature of the trial

As pointed out in the SJC's own communications, the *Book of Discipline* requires protection of the accused: "The court shall seek to protect the sinner from undue exposure and those under its oversight must not engage in gossip or improper curiosity." (III.4.3.a) The decision to make the trial public failed to meet this biblical and clear call. In support:

- The need for an open trial was never explained. The SJC received multiple communications from me pleading for them to protect me and my family by holding the trial in executive session. My request was refused without explanation.
- The openness of the trial potentially failed to maintain the laws of confidentiality in the state of Indiana. (See Appendix 6, "Letter from Olivetti legal counsel") Please note that clear reference to one of my children was made outside of executive session.
- Allowing members of the RPC of Lafayette to watch a trial against a pastor of another congregation is neither logical nor consistent. In contrast, other victim's families, interested parties, and pastors in our presbytery who had far greater involvement in this matter were excluded. This is concerning, as several of the members of the RPCL have engaged in slander and gossip against me and my family.
- In an email to the entire denomination on March 3, the SJC noted that the relationship between the Immanuel and Lafayette congregations is

heavily strained. By any logic or biblical thinking, making the trial public could only lead to more division, not less. It was inexplicably unwise and damaging.

- Due to the severity of attacks against me and my family, in the civil courts, local and national news, and social media, the trial itself was extremely likely to cause greater harm to our family. Time will only tell the extent of the damage that has resulted to my family from this process.

For these reasons, the Synod should rebuke the SJC for its decision to make the trial public.

In support of these requests, please read and consider fully the appendices.

I remain thankful for God's grace shown to us through our congregation and those outside Immanuel who have labored to help us by coming alongside.

"Commit your way to the Lord; trust in him, and he will act. He will bring forth your righteousness as the light, and your justice as the noonday."
Psalm 37:5-6

Jared Olivetti

cc: Tom Fisher, clerk of SJC

Keith Wing, moderator of SJC

Table of Appendices

- 1 Motion to dismiss** (page 362) - This was a brief prepared by our ecclesiastical counsel and presented by all accused parties to the SJC at a pretrial hearing on 11/30/21.
- 2 Proposal for an alternative way** - (page 379) This was a letter sent by the accused through their counsel to the SJC on 12/6/21, laying out a biblical alternative to their proposed path.
- 3 Shepherding committee report** (page 382) - This report from the shepherding committee appointed by presbytery, lays out the accused's repentance, and encourages the church to see them as brothers who have been won. It was emailed to presbytery on 6/14/21.
- 4 Olivetti letter to SJC** (page 387) - This letter was sent the week before the trial, laying out to the SJC my reasons for not attending the trial. I received no response whatsoever.
- 5 12-2-21 Email from Mr. Wing** (page 390) - This email was sent by Mr. Wing to our ecclesiastical counsel. In it, Mr. Wing expresses his frustration at the perceived tone of our "Motion to Dismiss" (see above) and states that the defense had put itself in a "hole" by using "inflammatory language." This is offered to show one way in which we saw the disposition of the SJC against the accused.