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## Communication #22-17 SJC Response to Other Complaints

### Synod Judicial Commission Response to the *Other* Complaints (Mr. James Faris, Bloomington RPC session, Ms. Christina Riepe, and Mr. Dan Dillon)

#### Introduction

“Do not complain, brethren, against one another, that you yourselves may not be judged; behold the Judge is standing right at the door.” (Jam. 5:9)

On March 7, 2022, the Synod Judicial Commission (SJC) began a proceeding it had hoped and prayed to avoid for months, the trial of Mr. Jared Olivetti. The SJC had gone to great lengths to remain impartial and unbiased in case the investigation into “this matter” resulted in trial. This endeavor to remain impartial and unbiased existed at the outset. It continued through the investigation phase and the mediation period. It factored into our communications with (or non-response to) various entities. To some outside the Commission this latter regrettably was read as uncaring or aloof. But we were committed to safeguard the integrity of the entire judicial process, which, if it came to it, would be necessary for both parties in a trial scenario. Thus, the SJC stands by the integrity of our process and steadfastly holds to the fact that those being investigated were held innocent, even when they became the “accused,” until proven guilty. Following three days of testimony, the SJC found Mr. Olivetti guilty on all three counts. Three observations are worth noticing regarding this verdict.

1. Mr. Olivetti, having attended the pre-trial hearing, *refused to participate* in any further process leading up to the trial or the trial itself—despite multiple requests, personal pleadings, and reasoning. With clear understanding, Mr. Olivetti consciously and intentionally broke his vows, refusing to submit to the courts of the Church, rather than face his accusers.

2. The verdict and censure were *unanimous*. The SJC is composed of men from diverse backgrounds and a variety of expertise and experience across the denomination. They also represent over 200 years of elder leadership. A unanimous decision speaks volumes that the evidence was not only clear and convincing, but compelling on multiple levels.

3. The evidence revealed a web of misleading communication, spreading of misinformation, manipulation of facts, and what we have come to see as multiple tendrils of malfeasance. It is without question that Mr. Olivetti is a gifted man in several regards. Many are fiercely loyal to him as a person. The evidence presented, however, revealed that his gifts of persuasion and influence were too often used for his personal gain and to the endangerment of the congregation.

There have been many people harmed, some severely, over the course of several years related to “this matter” at Immanuel Reformed Presbyterian Church (IRPC). It is the noble, necessary, and biblical duty of the church to seek the repentance of wrong-doers and, ultimately, the reconciliation of all parties. The *Book of Discipline* in our *Constitution* provides the framework and alternatives for the pursuit of peace in the church. This framework and these provisions have been the guide and template for the work of the SJC from the beginning of our assignment.

### **General and Clarifying Remarks on the Complaints**

1. The SJC has never heard or received a response to, or defense against, the accusations. All objections and complaints have been about the members of the SJC, the appointed investigators, or the process that was rigorously followed (as outlined in the *Constitution*). The critical missing link is a response to the accusations.

2. The SJC was not chartered to investigate the actual cases of minor-on-minor sexual abuse. Rather, the complaints to the 2021 Synod were focused on the shepherding responses to the cases of sexual abuse. This matter is one of the shepherding of God’s people—protecting, guiding, correcting, and caring.

3. Complainants seem to “know” or may “presume” (based on popular narratives) on the motives of the investigators and Commission—as if the standards of two or three witnesses (from outside the investigators) is not still required. In addition, the complaints use vague language (“seem,” “appear”) rather than evidence or facts to support their complaint.

4. The inability of the local session or the GLG Presbytery to bring the matter to conclusion was the reason why the Synod took original jurisdiction. (We speak further to the topic of our relation to such a “flood of complaints” in our response to the Bloomington complaint.) The in-depth investigation into the evidence and testimony of witnesses must still meet all the biblical and Constitutional standards. In the end, it was not the investigators (turned prosecutors) who determined the outcome. The burden of proof rested on them, and the body of evidence and testimony given to the SJC is what decided the case.

5. The body of complaints submitted to Synod about the work of the 2021 Synod Judicial Commission completely ignores the immense volume of evidence and the long list of persons aggrieved over the several years of these events at IRPC. The mountain of evidence and testimony attests to the pain, harm and damage done over several years at IRPC due to Mr. Olivetti’s misdeeds. The various records of the session were helpful to the GLG Presbytery’s Immanuel Judicial Commission (IJC) as they then expanded on that body of evidence from the session. The investigative work of the IJC was commended by the 2021 Synod Judicial Committee (of the day) for having brought “valu-

able insight to the case." The various records of the IRPC session and the investigative work of the IJC was expanded by the investigators appointed by the SJC resulting in the accusations and judicial processes carried out by the SJC according to our *Constitution*.

6. To disregard the investigations of these courts and the evidence and the testimony gathered through the enquiry of three levels of RPCNA courts is to turn a blind eye to the real wrongs done and real victims harmed in this matter. To "move on" without tending to the wounds suffered during the course of this matter is to allow them to fester and to threaten the very life of the church. To "move on" without reconciliation is to ignore the teaching of our Lord who emphasized the exercise of love for our neighbor through meekness, mercy, and peacemaking (Matthew 5).

7. Our *Constitution* provides a disciplined methodology by which grievances may be put forward and addressed by the church. These provisions have been applied by three courts, and the denominational processes have been followed carefully in this most recent effort by the SJC. Those who have not seen the evidence, nor heard the testimony, simply are not able to judge fairly whether justice has been served.

8. The SJC finds that the body of evidence and testimony of 19 witnesses are clear and convincing. The absence of the defense in the trial only multiplied the impact of this evidence and testimony. There was no challenge to it. Many opportunities were given both inside and outside of the trial process to provide a defense in the case, but all were spurned. After hearing the testimony and seeing the evidence, the SJC deliberated prayerfully, and then agreed unanimously on the verdict and censure in the case. The SJC could not ignore the evidence and the testimony, and we are compelled to believe that anyone who examines the same would reach the identical conclusion. There is, now, the great need for repentance and reconciliation, which is the prayer and the emphasis of the SJC in the explanation of the censure and the path forward we've described. May God fully reconcile the body of Christ in the aftermath of this matter.

9. Mr. Olivetti's complaints (and those attached with it) cause concern due to his refusal to participate in the trial and, hence, keep his vows to submit to the courts of the Church. His participation, by meeting his accusers face to face, and interacting with the evidence brought against him, was vital to help the Commission assess the merits of the prosecution's case (per Prov. 18:17), which was the result of their investigation. We desired to know the truth of the accusations, and for Mr. Olivetti to assist us in this solemn and important duty. "Laying aside falsehood, speak truth, *each one of you*, with his neighbor." (Zech. 8:16; Eph. 5:25) Mr. Olivetti has had multiple opportunities to work with the counsel

of both his Presbytery and the Synod Judicial Commission. He has refused to cooperate with the court of the Church but is using the process of the court of the Church to dismiss the court of the Church; it is use and abuse of the *Book of Discipline*. His complaint is a direct challenge to the competency and authority of the RPCNA to hold such a trial.

10. This leads us to a final remark. A concerning reality in the complaints received by the SJC is a deconstruction of the provisions of our *Constitution* and the ecclesiastical judicial process. The defendant and his counselors are taking the position that they need not participate in the judicial process—bypassing the court altogether; that one has the right to decide whether they will or will not participate in the courts of the church and, if not, to make a popular appeal of injustice or impropriety—even without evidence of such. The greatest harm of this approach is that it allows a party in the case to ignore the evidence, the accusations, and the testimony of witnesses in order to get a court decision that would help them avoid ever having to answer the charges. This is not Presbyterianism, and it is certainly not the system of government adopted and enforced by the RPCNA. It is the fair consideration of evidence and witnesses, in a disciplined process along with the pursuit of repentance, reconciliation, and peace, that is envisioned by our standards. Deconstruction of the process disables the pursuit of those biblical objectives.

### **Complaint of Mr. Faris' (and Others') with SJC Response**

Mr. Faris' complaint, with many other attached signatories, was submitted to the SJC on April 7, 2022. The SJC has answered the Olivetti complaint Mr. Faris appends to his own, and so we do not interact with it here. The Commission does not believe that consideration of Mr. Faris' annexed but anonymous complaint "Issued by Lay Immanuel Reformed Presbyterian Church Sheep" on February 17, 2022, is a sound procedure.

**COMPLAINANT(S) Point 1:** "We write to complain against the trial of and verdict against Jared Olivetti by the Synod Judicial Commission (SJC) on March 10, 2022. We ask that the trial and verdict be voided. In its place, we request that a full, fair, professional, and independent investigation be commissioned in the matter involving Jared Olivetti and the ruling elders of the Immanuel Reformed Presbyterian Church."

#### **SJC RESPONSE:**

1. The SJC denies that the trial of and verdict against Mr. Jared Olivetti should be voided, as well as the request that in its place [there be] a full, fair, professional, and independent investigation commissioned. The Commission considers that Synod believes that members of its own court are able to judge matters affecting its members and courts. The Commission believes that such

an investigation occurred, and highly doubts that another investigation will result in anything different than what was uncovered, considered, and concluded in the course of our work.

2. The SJC doubts that, given the (former) IRPC ruling elders' confession of sin to their accusations, and their signed mediated agreement toward reconciliation under the SJC's mediation process, that they are any longer properly to be involved in "a full, fair, professional, and independent investigation" as is requested in the complaint.

3. The SJC has addressed the elements of this complaint concerning "a full, fair, professional, and independent investigation" (and we would add Mr. Olivetti's term "impartial") in our response to his Complaint at Complaint A, Points 1-2 and at our response to his part I. recommendation. An even fuller address of the topic is found in our response to Mr. Olivetti's Appendix 4 and under X. Complaint.

**COMPLAINANT(S) Point 2:** "The SJC proceeded with the trial, in which there was no defense, against many reasonable objections and concerns. These concerns are evidenced in Jared Olivetti's complaint (March 23, 2022), Bloomington RPC's petition to the Great Lakes / Gulf Presbytery (March 3, 2022), and a letter from members of the Immanuel RPC (February 27, 2022). All are attached. We cannot attest to all of the details of these documents, but they raise significant concerns."

#### **SJC RESPONSE**

1. The SJC regrettably but necessarily proceeded with trial because of Mr. Olivetti's refusal of the same. The Commission appealed to him many times to participate, but he would not. This is the sole reason why "there was no defense". The *Constitution* recognizes that a trial legitimately continues in the absence of the accused, given its statements that, "If the first summons is not obeyed, the court shall issue another, allowing such extension of time as it deems proper, and serving notice that if the individual does not appear it will proceed in his absence." Again, "If the accused does not reply, the court shall proceed to try the case in his absence." (*Book of Discipline*, E-11, II.2.4, 5) Further, "The witnesses shall be examined in the presence of the accused, unless he has failed to appear." (*Book of Discipline*, E-13, II.3.5) (The SJC does not believe that a sound interpretation thereby forgoes a trial in the absence of the accused, lest it be employed habitually to avoid justice.) The SJC regrettably recognized Mr. Olivetti, then, as a "failed" defendant; his "failure to answer," was rooted in his having "failed to appear." (*Book of Discipline*, E-13, II.3.5)

2. The complaint is against the trial and verdict of Mr. Olivetti based upon the three documents stated above. The first document is Mr. Olivetti's complaint filed on March 24, 2022. The SJC considers that basing a complaint on

the complaint of a person in defiance of a court of the RPCNA in violation of his ordination vows seems unwise at best.

3. The SJC draws attention to the admission of the complainant(s), “We *cannot attest to* all of the details of these documents, but they raise significant concerns.” Synod must decide on the morality and merits of sustaining any complaint on the basis of personal perception and not known truth. “Concerns,” even if “significant,” do not thereby become sound bases for a sustained complaint.

**COMPLAINANT(S) Point 3:** “Based on these writings, there appears to be credible evidence demonstrating bias in the ecclesiastical investigations of this case that has led to an incomplete investigation, misconstructions of the facts, an environment of unreasonable and inaccurate media coverage, and social media commentary. Further, the threat of media reporting, public defamation, and reprisals in workplaces and communities have kept many from testifying and appending their names to documents to tell other sides of the story. This environment coupled with the credible evidence of bias casts a cloud over these proceedings and any judgment that follows. An independent, professional, and unbiased investigation is the only way, at this point, to create an environment where truth can be discovered and understood with reasonable confidence. Further action may then be taken by the courts of the church to address the findings of this investigation.”

**SJC RESPONSE:**

1. The SJC notes (akin to its Response 3 immediately above in reference to, “We cannot attest to...”) that the language of “*There appears to be credible evidence of...*” does not lend itself to credibility. Synod must decide on the morality and merits of sustaining any complaint that comes on the basis of perception and not known truth.

2. The SJC denies any “credible evidence of bias” in its investigation or process. Furthermore, the SJC believes that the complainant’s claim that the media environment prohibits a useful investigation, and then to recommend another investigation, is contradictory. Even civil courts have environments of bias and wild media reportage; yet the ordained court system goes about its jurisprudence properly amidst it, ending with a verdict that is lawful and binding. The Commission claims that the judicial process was the proper method especially in view of “the environment” described in the complaint. The Commission reiterates its earlier statement: the Commission considers that Synod believes that members of its own court are able to judge matters affecting its members and courts. The Commission believes that such an investigation occurred, and highly doubts that another investigation will result in anything different than what was uncovered, considered, and concluded in the course of our work.

3. The arguments of this complaint only lead to obfuscation and an unending appeal outside of the courts of the Church, so as to imply that the RPCNA is not qualified to handle this matter.

**COMPLAINANT(S) Point 4:** “The judgment made against Jared Olivetti by the SJC came by hearing evidence against this troubling backdrop. This calls into question the integrity of the SJC’s judgment. Proverbs 18:17 warns, ‘The one who states his case first seems right, until the other comes and examines him.’”

**SJC RESPONSE:**

1. The SJC judgment in the case of Mr. Jared Olivetti was *not in any way* made “hearing evidence against this troubling backdrop”. The Commission strongly rejects this and affirms that it deliberately avoided familiarity with all media reportage and social media/conversation. Of course it knew of the troubled climate in Indiana, but it avoided most communications (except those necessary to answer) in order to preserve impartiality. As is mentioned in its opening paragraph in response to Mr. Olivetti’s Appendix 4, “The SJC had gone to great lengths to remain impartial and unbiased in case the investigation into the matter resulted in trial. This endeavor to remain impartial and unbiased existed at the outset. It continued through the investigation phase and the mediation period. It factored into our communications (or not) with various entities. To some outside the Commission it regrettably was read as uncaring or aloof. But we were committed to safeguard the integrity of the entire judicial process, which, if it came to it, would be necessary for both parties in a trial scenario.” To be clear, the SJC’s decision in Mr. Olivetti’s case was made on the basis of the sworn testimony of witnesses, presented evidence, and against the backdrop of its own *RPCNA Constitution* as it pertained to the responsibility at hand, and *not* against the Lafayette, Indiana area’s “troubling backdrop”.

2. The SJC itself has used the complainants’ choice of Proverbs 18:17 in reference to Mr. Olivetti’s non-participation in both the mediation process and the trial. The Commission had every hope that Mr. Olivetti would be “the other [who] comes and [cross-] examines.” The Commission also notes that the chief complainant (Mr. Faris) did not continue to represent Mr. Olivetti as lead counsel (which he was at the pre-trial hearing). It does not know why, and perhaps there is good reason, but the gradual departure of all Mr. Olivetti’s four counselors is a topic the Commission still does not understand, and wishes was kept in place. While Mr. Faris certainly has the right to complain of the Commission’s decision against Mr. Olivetti, it believes that Mr. Faris’ departure as counsel, later to re-enter as complainant, has not helped as it may have otherwise.

**COMPLAINANT(S) Point 5:** “The cost in time and dollars of an independent, unbiased investigation would surely pale in comparison to the great

damage that may well be done if this judicial case is allowed to stand in these circumstances. Each victim, wrongdoer, family member, and friend in the original case would also be shepherded most faithfully through such work. Healing and restoration cannot begin in the integrity of the judgment is second-guessed by reasonable minds, both within and outside our denomination."

**SJC RESPONSE:**

1. To task yet another investigation may perpetuate greater damage and undo the conscientious work that has already been done if the judicial decision is *not* allowed to stand.

2. The SJC would encourage the Synod to see that its Commission responsibly has fulfilled its remit, has acted within the guidelines of our subordinate standards, and has done its work conscientiously and prayerfully as an "abundance of counselors" (Prov. 11:14); it should be received by all, seeing "the integrity of the judgment". It urges the Synod to accept the verdict given, despite personal opinion, and to take up the path of together calling Mr. Olivetti to repentance, reconciliation, and restoration.

3. The SJC notes that its response to Mr. Faris' and the other complainants' Appendices are answered in its response to Mr. Olivetti's complaint or otherwise (e.g., Bloomington RPC).

The SJC recommends that the Synod not sustain the complaint.

*Respectfully and humbly submitted,*

*Members of the 2021 Synod Judicial Commission,*

*Bruce Backensto*

*John Bower*

*Brian Coombs*

*Tom Fisher*

*Kelly Moore*

*Tom Pinson*

*Keith Wing, mod.*

*[Micah Ramsey, Andrew Silva, alternates]*

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**Complaint of Bloomington RPC Session with SJC Response**

The complaint of the Bloomington session was submitted to the SJC on April 7, 2022. *The complaint calls for a critical review of the SJC's work in its entirety.* This main burden is expressed in these statements, "It is right and good that their work be critically reviewed in order to sharpen our understanding of the processes of discipline, identify weakness in such processes, and learn how better to care for one another across the denomination...We believe that aspects of our experience with the Immanuel case should be examined in order to harvest greater clarity and improved approaches that might prove helpful in future cases of a similar kind...We ask that Synod critically review the Commission's work by means of an independent committee or other agent, with the goal of correcting any injustices found, identifying any errors in the pro-



cess, sharpening specifications where vagueness in the *Constitution* is found to prevent potential pitfalls, and documenting aspects of the commission's work which may enhance the biblical effectiveness of the disciplinary process, all with an eye toward deriving instruction for the church from this difficult case."

The SJC considers that there is nothing broken with its Constitutional approach, to fix it. The complaint offers no evidence of things amiss or out of order to warrant such a critical review. The Commission knows of no other such request or complaint commonly made with other committees or commissions in the course of their work; and so, to call for this about our work strikes us as suspect. The Commission notes that of the complaint's 8 points, the vocabulary of "appear/s" (points 1, 2, 6, 7), "seem/s" (points 5, 6, 8), and "concern" (point 4) is peppered throughout and demonstrates the subjectivity of the complaint and not one against **real** instances or facts.

The SJC deeply appreciates the Bloomington session's acknowledgment of our difficult labors. However, we do not think that the difficulties we faced, or the way the session describes the direction, manner, or result of our work, needs critical review as proposed. Therefore we interact with each of the session's points of complaint.

**COMPLAINT 1.** "It is unclear to us whether the SJC appreciated the breadth or depth of concern that exists within the GLG presbytery about the Presbytery Judicial Commission (PJC). Instead, the SJC appears to have accepted the PJC's work as the starting point for its own investigation—even though the PJC's handling of its own investigation was one of the primary reasons for the flood of complaints that led Synod to intervene."

**SJC RESPONSE:**

1. The SJC did regard the materials gathered by the GLG Judicial Commission to be worth using, especially since much of the material came directly from the Immanuel session itself. The SJC did so in no small part because the Synod Judicial Committee that reported to Synod gave a strongly positive assessment of the investigative work of the GLG Commission and noted that two of its members were professionally qualified to investigate such a situation. At the time of the Judicial Committee's report, no member of the Great Lakes-Gulf presbytery, including the complainants, expressed any dissent regarding the Committee's favorable assessment of the quality of the GLG Commission investigation or indeed, regarding any aspect of the Committee's conclusions. It therefore should not have surprised anyone that their conclusions guided the start of our own work as a commission. While we have been deeply troubled by the discord that we know has taken root in the presbytery, we believe we acted responsibly based on the information that was before us. Moreover, it is unclear why the many documents gathered by the GLG Commission in the course of

their work should have been discarded by our investigators. The fact that they used the GLG Commission's materials does not mean that they simply took up that commission's findings as well; they did their own additional work and their own analysis.

2. With regard to the "flood of complaints", the SJC is aware of only three complaints made to the 2021 Synod. One of those complaints was signed by 51 members of IRPC (about a third of the congregation), but it was a single complaint. It is further noted that the majority of information presented during the trial was the testimony of 19 witnesses over 20 hours or so. The work of the first investigation conducted by the IRPC session and the work of the second investigation conducted by the GLG Presbytery IJC (PJC) both relied very heavily on the testimony of witnesses and the review of various documented evidence. It is the testimony of the witnesses that is crucial to any case against an elder of the church (I Timothy 5:19), but it is that same testimony that must not be ignored. It is the testimony of the witnesses that validated the accusations, and is the testimony of the witnesses that informed the SJC in making determinations at the conclusion of the case.

**COMPLAINT 2.** "The SJC's choice of investigators casts a shadow over the process by including one with the strong appearance of bias. One of the prosecutors was in communication with a member of the PJC, volunteered himself as a prosecutor of the Immanuel elders at Synod, took part in the SJC's investigation, and then served as a prosecutor after submitting charges against the elders to the SJC. Meanwhile, three months before Synod, he authored a piece on Gentle Reformation describing past abuse he suffered and declaring: 'I'm so tired of hearing one story after another of the failures of leadership to respond to sexual abuse in the church. I'm also angry.' The process thus has failed to remain above reproach."

**SJC RESPONSE:**

1. This complaint alleges improper motive and discrimination. It impugns the spiritual and moral character of the investigators (not just one), even though the complaint goes on to focus on one of them. The four investigators represent four RPCNA congregations and two presbyteries. The SJC-appointed investigators represent 94 years of experience as elders/shepherds in Christ's church. While most of the criticisms have been towards one investigator, the complaint impugns all four investigators, for it implies the other three investigators had no influence or accountability for the one, or they were complicit in discrimination. This is simply false. The four Teaching Elders selected to investigate, all in good standing with outstanding reputations, are men who have dedicated themselves to serving the church above and beyond what could be reasonably requested.

2. That the one investigator—three months prior to being selected as an investigator—expressed anger at heinous sin, is not a disqualification. Our Lord's treatment of the religious money-changing leaders in the temple is a case in point. The complaint implies that having an anger towards sin prevents one from being objective. This is a false conclusion, and we believe misapplied to an investigator. It is ironic, and unwarranted, that the complaint suggests four highly qualified Teaching Elders within the RPCNA, who themselves have remained above reproach, have made for the SJC process to fail to remain above reproach.

3. The SJC does not find that the often referred to comments about one investigator months before appointment as an investigator presume guilt; they can also be seen as strong desire to know, and have known, the real truth of "this matter". The SJC reviewed these and other matters with this investigator beginning in late June 2021 and found that a mutual interest to protect the Commission's impartiality already existed; we found this investigator's desire and rationale to serve Constitutional and sustainable. Relatedly, the SJC notes that the investigators are not one, or two, but four. We know of no evidence, nor have heard, that the common complaints about one investigator are to be applied to all four; thus we believe the Bloomington session complaint is morally unsound at this point.

This SJC response is, in part, drawn from its response to the Olivetti complaint (Complaint A. Point 1, and in address of its Appendix 4 (I. Complaint, SJC Response, Points 2-3 and Point 7)).

4. The rationale of the complaint is weak. The referenced actions of one investigator are factual but the SJC believes they are misinterpreted from the standpoint of the complainants' own bias.

**COMPLAINT 3.** "A significant number of IRPC members, as well as those appointed as provisional elders, attest to real reconciliation and renewed confidence in their former leadership. Yet it is unclear whether this on-the-ground reality and statements to its effect were made available to the SJC's proceedings with respect to Mr. Olivetti. Instead, the SJC, following the PJC's recommendation, made the extraordinary decision to deprive a hurting but spiritually thriving flock of every one of its shepherds, including Mr. Olivetti. This was contrary to the recommendation of the Presbytery's Shepherding Committee that the session be permitted to continue serving in office. Reversing the decision after the pre-trial hearing, the SJC, without advanced notice, suspended Mr. Olivetti again. The reasons for this sudden change remain unclear. To the onlooker, the timing is curious: It is difficult to discern any official lines of input into the Commission's deliberations that would have brought to light new information requiring a sudden suspension of this sort."

**SJC RESPONSE:**

1. The SJC affirms that this is only a part of the real picture. Some were, and still are, disaffected and aggrieved by offenses from Mr. Olivetti; they engaged him about “this matter” but were in time given no response.

2. The Commission denies that it followed a PJC (IJC) recommendation “to deprive” the IRPC “of every one of its shepherds, including Mr. Olivetti”. We do not agree that the SJC was responsible for the January 2022 resignations of Mr. Olivetti and the ruling elders. We made no such decision, thus, we regard this statement as untrue, though the complainants undoubtedly have embraced this narrative. To be clear, the SJC was not only surprised at their resignation, but it itself had also reversed a decision to have the elders refrain from the exercise of office in order not to deprive IRPC of local shepherding, as petitioned at the pre-trial hearing. As our minutes show, the SJC never asked for the resignations of any of these men, although it did act to require Mr. Olivetti to refrain from the exercise of office based on the seriousness of the charges made against him. It made its November 22, 2021 decision to require that the officers refrain from exercise of office based on its assessment of the situation after its investigation and presented accusations. The IRPC had provisional elders and a newly, duly elected elder in service under the Presbytery’s care when the SJC elders were required to refrain from the exercise of office.

**COMPLAINT 4.** “Extensive as the investigations supplied to the SJC have been, some at IRPC have expressed concern that the SJC’s investigation was not exhaustive, reportedly omitting key witnesses. We are unsure how this may have come about, but it is clear that defense witnesses were not available in the eventual trial of Mr. Olivetti.”

**SJC RESPONSE:**

1. The SJC notes that this “concern” of “some” IRPC members that the SJC’s investigation (though it itself was not the investigators) “reportedly” omitted key witnesses is neither true nor a sound basis for complaint. Yet the Commission answers that “defense witnesses were not available in the eventual trial of Mr. Olivetti” because the defense himself refused participation in the trial process. The SJC does not see that it can be a proper subject of complaint in the absence of the defense party’s failure to participate in due process, being not a matter of availability but unwillingness.

2. No defense witnesses were available because, despite being asked to name defense witnesses as early as the November 30, 2022 pre-trial hearing, the defense never identified any such persons. Further, Mr. Olivetti declined the opportunity to cross-examine any of the five witnesses who testified through video depositions; they could have been deposed by video testimony, as was done in some witnesses’ testimony for the Prosecution. But there was no Defense party, period.

**COMPLAINT 5.** “From the communications and processes that we have been able to observe, it would seem that relatively few measures have been taken for pastoring the abuser or the abused or IRPC as a church or IRPC’s elders as the SJC fulfilled its commission to look into “this matter.” Rather, the process has focused largely on removing from office those who responded, successfully it seems, to the abuse—those who, with the benefit of hindsight, found mistakes and sins, and who repented and made public confession.”

**SJC RESPONSE:**

1. It is the SJC’s understanding that many people left last year’s Synod with differing assumptions about what the SJC would be responsible for in its work. The commission did consult with Synod’s moderator before commencing its work. It was never our understanding that we were commissioned to function in any of the roles assumed by this statement. We were, indeed, surprised and disappointed to learn that the GLG Presbytery’s Shepherding Committee had been disbanded, but we believed that the presence of provisional elders on the Immanuel session indicated that proper provisions were in place to care for the congregation. With regard to the many communications received from Immanuel members over the course of our work, although we initially attempted to respond to early communications, we had also agreed early on that our ability to function as an impartial jury, if needed, would be impaired if we became involved in hearing individual people’s concerns directly.

2. Further, it is completely unreasonable to suppose that a single commission could have done the work of looking into “this matter” and simultaneously have provided the kind of care that the complainants describe in the timeframe under consideration. The SJC does not believe it is its place or calling to pastor the abused and abuser. This is properly for the IRPC church leadership, where the membership resides for these persons. Likewise it sees the oversight of the congregation is properly under the care of the GLG Presbytery. As of this writing, the SJC’s mediated agreement with the former IRPC ruling elders is moving forward with good fruits in coordination with its counsel, Mr. Rob Keenan. Alongside this, the Commission is working with the IRPC elders in helping them to understand the matters before them as they relate to Mr. Olivetti’s censure, repentance, and restoration.

3. At another level is the unfortunate reality that the SJC makeup, residing locations, and already-had responsibilities alongside its work as a Commission prevent us from addressing all the components of “this matter”. We regrettably, but honestly, cannot do everything that one might like to have done with “this matter” whether it pertain to others’ or our own desires. We necessarily have addressed the core of “this matter” and its immediate, related features.

4. The SJC notes that a “successful” response on the part of the IRPC leadership was not as the complainants surmise; the teaching elder was found guilty of various offenses relative to biblical qualifications for office, and the ruling elders confessed guilt before their accusations, and successfully are being restored in a mediation process.

**COMPLAINT 6.** “At points, the proceedings appear to have downplayed the demands of Scripture and to have substituted non-Scriptural standards in their place. The SJC seems to have preserved the PJC’s non-Scriptural equation of repentance with resignation. It seems not to have broken free of the victim-centered approach pursued by the PJC, which, in its technical definition, is prejudicial. With its decision to suspend the remaining IRPC elders from ministry, the SJC appears, rather, to have preserved the PJC’s tendency to transfer responsibility for the sins of the abuser to the session.”

**SJC RESPONSE:**

1. The SJC notes that the complaint does not mention what Scriptural demands were downplayed, or what non-Scriptural standards were followed instead. As we have stated before, Mr. Olivetti’s repentance was found to be incomplete and at points short of Scripture and the *Confession*.

2. As noted before, the SJC did not seek anyone’s resignation. Our judicial decision to suspend the ruling elders was based on our understanding of what they confessed to in the mediated agreement. The SJC did not ever urge or require the IRPC pastor or elders to resign. We required Mr. Olivetti (only) to refrain from the exercise of his office in the approach to his trial. All four elders soon thereafter resigned; this was more severe an action than the SJC ever had considered. It was only after the former ruling elders admitted specific sins in their acceptance of the mediated agreement that we enacted a censure of suspension, in light of the transgressions to which they admitted.

3. With regard to the claim that we pursued a “victim-centered approach,” it seems essential to define terms. Our understanding of a victim-centered approach is that it is one in which the wishes of the victims are given priority. Thus, the Special Judicial Committee reviewing last year’s complaints noted, “when it comes to judicial consequences, the desires of those sinned against must ultimately be held to be irrelevant. Courts must deal with crimes and sins as they deserve before God, in accord with impartial justice. Otherwise, we run the risk of devolving to a vengeance-based justice and may pit victim against victim (Leviticus 19:15; Romans 12:19; 13:4; 1 Timothy 5:21).” We concur entirely, and we deny that we followed a “victim-centered approach.” While the sins committed against individuals (who, in the case of Mr. Olivetti’s trial, included victim families and non-victim families) were relevant to our adjudication of the seriousness of the offenses, we did not base our judgments on the desires of the victims.

**COMPLAINT 7.** “To outward appearance, the proceedings thus far have inconsistently maintained the spirit and the letter of the *Book of Discipline*. The animating spirit of the *Book of Discipline* is a desire for repentance and reconciliation. The former elders of IRPC believe that they have pursued repentance and reconciliation. The elders’ lapses in judgment, doubtless clearer in retrospect, appear to have met with real humility: The elders confessed and repented and took credible steps toward reconciliation with those willing to speak with them. Communications from the SJC seem to suggest that, for the three ruling elders, in the days immediately preceding their trial, the Commission ultimately was persuaded that a pathway toward reconciliation was possible and that a trial was not necessary. Perhaps it will become clear when minutes are reviewed, but it has not become evident (within the time allowed for a complaint) why a similar approach was not taken with Mr. Olivetti.”

**SJC RESPONSE:**

1. It is not the SJC, but the three ruling elders, who came to be persuaded that “a pathway toward reconciliation was possible and that a trial was **not** necessary.” Communications from the SJC always have spoken to the possibility and forward path of mediation. Unlike Mr. Olivetti, and after his trial, it was the three ruling elders who then took up the mediation process as they should have months prior. The complaints are much in error by speaking of the SJC as newly persuaded by mediation for the ruling elders, and that Mr. Olivetti was denied “a similar approach”. The same approach was taken with Mr. Olivetti, but he **never** became engaged with the process of mediation, despite the fact that the SJC extended the mediation deadline repeatedly.

2. The former ruling elders currently are engaged in mediation for those offenses outlined in their accusation, to which they have confessed as true.

**COMPLAINT 8.** “In the case of Mr. Olivetti, the process of moving toward a trial seems not to have included careful forethought about how to establish a path toward reconciliation and restoration. The verdict statement summary of charges, as communicated, were fatally vague: asking Mr. Olivetti to admit guilt for violating most of the Ten Commandments, as well as undermining the peace and unity of the church. Those charges, so far as they are known to us, are ones that could apply equally to each orthodox presbyter. The SJC not only removed Mr. Olivetti from office but also barred him from the communion table and did so without offering guidance on how to be restored. Restoration, had it been the goal, would have provided a focal point. The question would have been the particular sins that remain as a barrier to restoration. In this case, the charges as publicly presented by the SJC were expansive and a path to restoration difficult to discern, thus calling into question whether the Book of Discipline’s requirement that charges be sufficiently specific has been satisfied.”

**SJC RESPONSE:**

1. Pertaining to Mr. Olivetti in relation to mediation, the trial, reconciliation, and restoration, please see above answer. The Commission notes the complainants' phrase, "as far as they are known to us," along with their other statements of "seem" and "appear," demonstrates that they are at a disadvantage in lacking full information. The Commission *does* know what they do not, having carefully weighed the evidence and testimony in a judicial trial.

2. The SJC heard sworn testimony and evidence in a judicial trial that demonstrated Mr. Olivetti's guilt to be for offenses that reached beyond the common or ordinary; that those offenses were committed in the capacity of his ordained office and "as such, incurred a stricter judgment" (Jam. 3:1). The Commission restates what it did in response to Mr. Olivetti's complaint: "The SJC finds that the accusations pertain to character defects, not in a general sense as common to all believers, but as pertain specifically to biblical qualifications for church office. The Commission considered what Mr. Olivetti here calls 'character defects' as biblical transgressions and of a nature that could have disqualified him from office, if proven. The Commission notes that these accusations were proven in a legitimate trial."

3. The SJC had many responsibilities still to shoulder, and tasks to perform, in the aftermath of Mr. Olivetti's trial. Within the next month it had developed, documented, and distributed an appropriate, particular, and clear path forward for Mr. Olivetti in terms of his repentance, reconciliation, and restoration. It communicated this to Mr. Olivetti and the IRPC elders. The SJC has begun meetings with the latter party. Defining a path of restoration requires knowing what a person's transgressions are. Prior to Mr. Olivetti's trial, the commission permitted itself minimal contact with the evidence, so that the material would come before us for the first time in the trial and we could act as an impartial jury. The SJC could not know beforehand what its judgments would be as to Mr. Olivetti's culpability; thus, it could not have formulated beforehand its plan for restoration. We now see that many of Mr. Olivetti's transgressions were not discrete acts, but repeated decisions to do certain things over periods of months. Thus, the formulation of a plan of restoration was complex, and has taken time. We have formulated a path to restoration, and as of the writing of this response, are seeking to work with the IRPC elders in pursuing it.

The SJC recommends that the Synod not sustain the complaint.

*Respectfully and humbly submitted,*

*Members of the 2021 Synod Judicial Commission,*

*Bruce Backensto, John Bower, Brian Coombs, Tom Fisher, Kelly Moore, Tom Pinson, Keith Wing, mod. [Micah Ramsey, Andrew Silva, alternates]*



### **Complaint of Ms. Christina Riepe with SJC Response**

Ms. Christina Riepe communicated to the Synod Judicial Commission (SJC) on April 6, 2022, the following four actions of the SJC, her objections to them, and her requested next steps. The SJC response's follow each objection, as well as our recommendation to each complaint.

#### **COMPLAINANT Riepe 1.**

**Action:** Continuing with an internal investigation

**Objection:** The RPCNA is not qualified to handle child safety cases

**Request:** That an independent, professional organization start from scratch, conduct an objective investigation, and give recommendations to this case as well as provide recommendations to the RPCNA for reasonable, clear, and consistent child safety policies

#### **SJC RESPONSE:**

1. See # 2 above under "General and Clarifying Remarks on the Complaints"

2. ***The SJC recommends that this complaint not be sustained.***

#### **COMPLAINANT Riepe 2.**

**Action:** Continuing internal investigation based upon Presbytery's investigation

**Objections:** 1) Mentioned above, the RPCNA is not qualified to handle this investigation, 2) the investigation carried out by Presbytery was sloppy and inconsistent in its methods and 3) there were such strong feelings against Presbytery's investigation from multiple parties.

**Request:** That everything regarding Presbytery's investigation (and the investigation the SJC built off of it) be discarded and replaced by the independent investigation

#### **SJC RESPONSE:**

1. The GLG Presbytery investigation is a reference item, not germane to the matters (trial and verdict) at hand. Not only is this complaint not relevant, but too broad and vague to be of value. There is no specific reference as to how the investigation was sloppy or inconsistent. How was the method flawed? Without specific points or examples these are simply arbitrary statements. The investigation carried out by the GLG Presbytery was lauded as being very good and comprehensive by the 2021 Synod Judicial Committee of the Day. That there were strong feelings is not a criterion for a complaint. There were strong feelings from multiple parties who believed the investigation was thorough and consistent, as well. Neither argument proves anything.

2. ***The SJC recommends that this complaint not be sustained.***

**COMPLAINANT Riepe 3.**

**Action:** Speed with which we went to a trial

**Objection:** Pursing a trial was brought forward without adequate attempts at mediation and without adequate time to prepare for a trial.

**Request:** That the SJC repent of their urgency to take a follower of Christ to trial without adequate attempts at mediation and insufficient time and effort to attain all the facts. That in the future, Synod have clearer, more realistic timelines for when trials can occur.

**SJC RESPONSE:**

1. This complaint follows a false narrative. The below timeline of mediation<sup>1</sup> proves that this complaint stems from misinformation. Mr. Olivetti has

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1 Timeline of Mediation (found also in the SJC response to Mr. Jared Olivetti's complaint, Appendix 4):

i. On January 17, 2022, Mr. Keenan contacted the defendants to continue to encourage them to engage in the process of mediation.

j. Between January 17, 2022, and March 7, the date set for the trial for Mr. Olivetti, Mr. Keenan had multiple phone or Zoom calls to encourage the defendants to engage in a process of mediation. During these calls, there were repeated verbal expressions of willingness to engage, but never any commitment actually to do so.

k. On January 20, 2022, in a formal letter to the defendants, the SJC reiterated their desire to have the parties engage in a process of mediation which could offer alternatives to a full and formal trial.

l. On January 26, 2022, in a formal letter to the defendants, the SJC again strongly encouraged the defendants to engage in a process of mediation.

m. On February 8, 2022, the Prosecution offered paragraphs of alleged fact (115 for the pastor, 143 for the elders) to help the Defense better understand the accusations, and to further the mediation process. Mr. Olivetti's response was that it was not what was envisioned when the mediation process began. Instead he wanted an apology from the Prosecutors.

n. On February 10, 2022, the SJC Moderator arranged a call with the defendants and Mr. Keenan, to urge them to engage in the process of mediation. They were reminded of their lack of good faith and of leading the SJC on while continuing to refuse to engage in the process of mediation.

o. After the call with the defendants on February 10, 2022, the Moderator had two more discussions with one of the ruling elders (who was asked among the defendants to represent the defendants), and at least two emails, where pleas were offered for them to engage in good faith discussions with urgency since the trial for Mr. Olivetti was only a few weeks away. The pleas were met with "I'll talk to the others," but a commitment to do so was still lacking.

The SJC extended the deadline to complete the mediation process on three occasions while seeking full engagement on the part of the Defense. The pattern of behavior on the part of the Defense was to participate in calls and to send letters and emails asking for mediation, but they were never willing to commit to an actual mediation meeting involving the Prosecution and Defense together. Mr. Keenan, facilitator of the desired

known the details of this matter for over two years. He has had several individuals, a GLG Sub-committee, as well as the GLG Presbytery, attempt to hold him accountable. Mr. Olivetti has, in essence, been defending himself for some time. The SJC instructed the Prosecution to provide Mr. Olivetti not only with the “game plan,” but the “plays” that the Prosecution would bring against him. Mr. Olivetti was provided a template no Defense is ever afforded. Mr. Olivetti was charged November 18, 2021, and his trial was had on March 7, 2022. We strongly deny that Mr. Olivetti did not have time to prepare for a trial.

**2. The SJC recommends that this complaint not be sustained.**

**COMPLAINANT Riepe 4.**

**Action:** Verdict

**Objection:** The verdict given to Pastor Olivetti is inconsistent with the facts that are known. The SJC disregarded any testimony by the shepherding committee and other evidence of steps of repentance and disciplined without appropriate process or assessment. To discipline someone who is repentant is evil. Either the SJC is privy to information the public is not or the SJC verdict is lacking in both justice and righteousness.

**Request:** That the SJC retract the verdict including church discipline until a full independent, professional, and objective investigation and report have been completed. That the SJC repent of their unjust discipline.

**SJC RESPONSE:**

1. What these “known” facts are has not been shared. The SJC would humbly suggest that Ms. Riepe is only aware of the “facts” she has heard from others. Through the testimony given at trial, the SJC truly did hear information that was not known to the public. The SJC strongly denies that it disregarded evidence or testimony.

2. It is not evil to censure a repentant person; our *Book of Discipline* indicates that even in a case where there is biblical confession and repentance, proper closure may include a censure (E-4, I.3.3.) In her remarks, Ms. Riepe is unwittingly impugning the righteousness of our own teaching regarding biblical discipline.

3. Regarding the Shepherding Committee’s conclusions, while the SJC believes the Shepherding Committee did good work in helping the elders to develop further statements of repentance, that committee’s full remit from the presbytery was, “to help the existing local IRPC elders follow through with steps

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mediation process, reported, “Many attempts were made, and the Prosecution was willing each time to engage in mediation discussions. However, the Defense was NEVER willing to participate in the meetings.”

of repentance as laid out on p. 22 of the report [of the GLG IJC].”<sup>2</sup> The steps of repentance specified for the shepherding committee included having each elder (1) write statements of confession of particular sins, (2) resign, (3) develop a plan of restitution for the victims, (4) write letters of confession to the victims, (5) take part in a process of study of proper handling of abuse cases. However, prior to its dismissal, the Shepherding Committee seems to have focused largely on the first directive of its remit. While the ruling elders have written statements of confession to particular individuals in some instances, in Mr. Olivetti’s trial there was evidence that he has not substantively pursued such action. In fact, one witness testified that Mr. Olivetti specifically refused to put his confession in writing when asked to do so.

***The SJC recommends that this complaint not be sustained.***

*Respectfully and humbly submitted,*

*Members of the 2021 Synod Judicial Commission.*

*Bruce Backensto*

*John Bower*

*Brian Coombs*

*Tom Fisher*

*Kelly Moore*

*Tom Pinson*

*Keith Wing*

*[Micah Ramsey, Andrew Silva, alternates]*

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### **Complaint of Mr. Dillon with SJC Response**

Mr. Dan Dillon, a member at Immanuel RPC, notified the SJC of his intent to complain soon after its trial and verdict of Mr. Jared Olivetti. He submitted his complaint to the SJC on April 20, 2022. Mr. Dillon’s complaint covers two topics: 1) The suspension of Mr. Olivetti is unjust because it fails to meet the standard required by our Constitution, and 2) The SJC failed to properly execute discipline by failing to maintain the peace of the Church and effectively deter others from similar offenses.

**COMPLAINANT 1.** The suspension of Mr. Olivetti is unjust because it fails to meet the standard required by our *Constitution*.

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

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<sup>2</sup> Minutes of the 2021 Annual Spring Meeting, Great Lakes-Gulf Presbytery (RPCNA), IJC Recommendation 12

**SJC RESPONSE:**

1. The formal accusations that were presented to and approved by the SJC flow from the summary to the specific—from accusation to counts and then to specifications (circumstances). These accusations were judged to be in conformance with the requirements of the *Constitution*, but the burden to prove the accusations remained on the accusers, and not the defense, throughout the judicial process. As further testimony to the details that would be presented in the trial, the Prosecution provided a complete mapping of all the evidence into the accusation framework so that the Defense would know what evidence supported which aspect of the accusations. (Our SJC counsel considered this very gracious, acknowledging that such deference is rare in civil courts.) So much of this evidence had already been a part of the investigative record and was very familiar to the accused.

2. Several opportunities were given Mr. Olivetti to discuss with his accusers (at trial) or with SJC's mediator (in mediation before trial) a specific list of 115 paragraphs to be referenced at trial, and for the greater clarity and stewardship of the trial, stipulated beforehand.

3. The SJC notes that the Accusation of Sin, read at the outset of the trial proceedings, and the three distinct charges whose burden was met in the trial, were announced publicly. Specific reference was made that the charges pertain to the maintenance of the qualifications for church office. The Commission considers that the censure of Deposition, read according to its Form in the public announcement, is implied according to its description earlier in the *Book of Discipline* (E-5, II.4.1d) and "imposed for serious offenses in doctrine or conduct that obviously disqualify the person for exercising office." The Commission considers that Mr. Dillon evidences a working knowledge with the *Book of Discipline* to see and accept this. It maintains that it has met the *Book's* requirement for Mr. Dillon to see that this is as he cites, "The court shall also make the people under its oversight aware publicly of the fact of and reason for the suspension."

4. The SJC replies to Mr. Dillon that per its oversight to Mr. Olivetti in the matter of his suspension component to Deposition, it has informed him and the IRPC session of the reasons for it both personally (March 30, 2022) and in writing (April 28, 2022).

**COMPLAINT 2.** The SJC failed to properly execute discipline by failing to maintain the peace of the Church and effectively deter others from similar offenses.

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

"Five purposes of church discipline are: primarily, to reclaim a sinning member; then to deter others from similar offenses; to maintain the

honor of Christ and the purity and peace of His Church; to maintain the truth of the gospel; and to avoid the wrath of God coming upon the church." (BOD I:1.3; emphasis added)

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

"Mr. Olivetti was charged as follows:

Mr. Jared Olivetti's conduct in relation to the sexual abuse case at Immanuel Reformed Presbyterian Church since at least 2019 to the present, has not safeguarded or maintained the qualifications for the eldership contrary to the biblical requirements of 1 Timothy 3:2,4, and 7; Titus 1:6-7 in violation of [several of the Ten Commandments and RPCNA vows].

We found him guilty on each of the three counts: 1) '...Mr. Olivetti has not conducted himself in a way that is above reproach...resulting in distrust and disunity within the church and failing to promote its peace, purity, and progress.' 2) '...Mr. Olivetti has not managed his own household well,' and 3) 'Mr. Olivetti has not conducted himself in a way that has protected or maintained a good reputation...threatening dishonor on the name of Jesus Christ, the Reformed Presbyterian Church of North America, Immanuel Reformed Presbyterian Church, and himself.'" [Note: The ellipses in this paragraph are in the original.]

These statements are so vague as to of no use in deterring others from similar offenses. The above statement provides categories of offenses, but not the offenses themselves. How can officers or members of His Church learn from this statement about what to do or not to do in future?

**SJC RESPONSE:**

1. The SJC denies that its post-trial announcement has failed "to deter others from similar offenses, failed to maintain the honor of Christ and the purity and peace of His Church". The Commission is convinced that a firm deterrence was thereby implied to all, that Christ's honor for officers was likewise a clarion implication, and that the peace of His Church (already fractured over "this matter") would have a solid base on which to be settled thereafter.

2. The SJC further responds to Mr. Dillon that the charges of which Mr. Olivetti was convicted do not pertain to him as ordinary and common offenses but in terms of a "stricter judgment" (Jam. 3:1) as relate directly to office and qualifications.

3. By deposing Mr. Olivetti from office, the SJC seeks to maintain the honor of Christ and the purity and peace of the church since Mr. Olivetti has been determined to be in violation of his vows as well as violation of God's law. While many more specifics could have been provided for our rationale in the verdict, one additional way the SJC must maintain the honor of Christ and the purity and peace of the church is by guarding against sins forbidden in the ninth commandment including, "speaking untruth, lying, slandering, backbiting, detracting, tale bearing, whispering, scoffing, reviling, rash, harsh, and partial censuring; misconstruing intentions, words, and actions; flattering, vainglorious boasting, thinking or speaking too highly or too meanly of ourselves or others; denying the gifts and graces of God; aggravating smaller faults; hiding, excusing, or extenuating of sins, when called to a free confession; unnecessary discovering of infirmities; raising false rumors, receiving and countenancing evil reports". There is a possibility of over-sharing and with respect to Mr. Olivetti's family and others involved in the trial, including minors, much of the specific information related to specific cases is not appropriate to the public. Mr. Olivetti is aware of all his specific sins, charges, and the basis for the SJC's decision. As for the question of, "How can officers or members of His Church learn from this statement about what to do or not to do in future?", the SJC respectfully points members of Christ's Church to the Holy Scriptures, all which are given by inspiration of God to be the rule of faith and life (*WCF* 1.2). Second, we point members to the Westminster Larger Catechism, questions 102 through 148. Third, we refer anyone still unclear on what it means to live a life separated unto Christ, to seek the care and counsel of their local session.

**The SJC recommends that this complaint not be sustained.**

### **SUMMARY**

With sobriety and sincere mourning the SJC received clear and convincing, often compelling, evidence to find Mr. Olivetti guilty of the charged offenses. The SJC did not come to these conclusions hastily or with premeditation. It was not without thought to the complaints it had previously received. It was not without due diligence to the *Constitution of the Reformed Presbyterian Church of North America*. It was evidence, which Mr. Olivetti refused to confront or deny, that bore our decision to depose Mr. Olivetti from office. The SJC respects the complaints offered, but earnestly and with genuine fear, maintains the importance of upholding this decision. The genuine fear is that the actions of misinformation and obfuscation, that have divided both a congregation and a Presbytery, not be given a foothold to divide a denomination. It is a fear that one is not able, as a law unto himself, to be given permission to refuse to submit to the Courts of the Church.

“All discipline for the moment seems not to be joyful, but sorrowful; yet to those who have been trained by it, afterwards it yields the peaceful fruit of righteousness.” (Heb. 12:11)

“Obey your leaders and submit to them, for they keep watch over your souls as those who will give an account.” (Heb. 13:17)

*Respectfully and humbly submitted,*

*Members of the 2021 Synod Judicial Commission,*

*Bruce Backensto*

*John Bower*

*Brian Coombs*

*Tom Fisher*

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