

## **Recommended Policy Statement on Sexual Misconduct for Local Churches of the Baptist General Conference**

### **Purpose Statement:**

As a people who believe strongly in biblical mandates to follow God's will in all things, we affirm that sexual misconduct is morally and ethically wrong. It constitutes abuse of vulnerable people. It represents a misuse of the power and authority given to God's shepherds. It sullies the church's representation of the character of Jesus Christ, and is an abomination to the heart of God. [Cf. Isaiah 42:1-4; Ezekiel 34; Amos 5:21-24; I Timothy 3:1-7; 4:12; 5:1-2; II Timothy 2:24-26; I Peter 5:1-6.]

Baptist polity determines that every local church is an autonomous, self-governing entity. The Baptist General Conference is a voluntary association of autonomous, independent churches, and has no ecclesiastical or legal authority over its member churches. Therefore, the denominational structures cannot dictate or determine the inner workings of the local church. However, in the light of both biblical mandates and legal and financial liabilities faced by all churches in regard to this topic, the Board of Overseers of the BGC recommends to every local BGC church that a policy and structure be put in place to deal with sexual harassment and misconduct.

It is not our purpose to foresee all potential situations or variations, but we intend to provide for the local church the minimal basic elements needed. Laws vary from state to state. Insurance carriers also have varying policy statements to recommend. Each local church should construct a final draft of this statement in a way that fully considers the pertinent local legal and insurance-carrier stipulations. Modifications will be needed in accordance with the church's size and readiness to deal with these issues, especially in small churches. Cooperative policies and resource-sharing structures between small churches would be advisable.

2. Sexual Misconduct. Any of the following are unacceptable behaviors within our churches or in any setting by approved lay people, ministers, or leaders of our churches:
  - a. Harassment:
    - (1) any act, behavior, language, jo

[A helpful packet of information to guide churches when child molestation occurs called "Reducing the Risk," written by Richard R. Hammar, J.D., LL.M., CPA, is available. Contact Church Ministry Resources, PO Box 1098, Matthews, North Carolina 28106.]

8. Professional ethics. Any pastor or church staff person who gives counseling, care, or direction to others must recognize that the person who comes for help or guidance is in a dependent position, both by nature of their need, and by nature of the professional's role. Ethical guidelines mandate that the responsibility for safeguarding the dependent person's personal boundaries lies with the professional. Thus, in such situations there is no such thing as "mutual consent" in terms of physical or sexual contact. No matter how the dependent person behaves, the professional stands liable for the safety of that person.
9. Prevention. Many abuses or cases of misconduct could be prevented by the following actions on the church's part:
  - (a) Selection and screening: all search committees perform thorough background checks and interviewing of candidates for all pastoral and staff positions, including examination of numerous references, the person's history of financial, sexual, and criminal conduct. Volunteers should also be carefully evaluated when they are working with minors; background checks of newer volunteer workers are helpful and recommended.
  - (b) Education: regular review and updating with all church staff and volunteers of ethical codes, church policies, legal definitions of misconduct, and training concerning sexual harassment; regular education to raise awareness of issues involved should be put on every church leadership calendar. This policy statement in its final form should be made available and accessible to all. Knowing this policy exists will encourage people to trust the church more.
  - (c) Supervision: when involved with counseling, there should be accountability and prayer-partner structures that encourage confidential processing of difficult counseling cases with professionals and/or colleagues, as well as places to discuss affectional or sexual attraction.
  - (d) Personal Awareness: constant effort to be aware of one's own inner feelings and needs, with prayerful and honest processing in order to head off problems, as well as concerted efforts at self-care and spiritual vitality.
  - (e) Precautions: whenever there are minors involved, there should be dual-gender chaperones, or at least two persons, so as to protect both the workers and the children; diapering infants should always be done in the presence of two adults.

### **Investigation of Complaints.**

Let it be known to all complainants and as well as persons involved in the investigation of complaints that every complaint will be taken seriously. Every person involved in the investigatory process must prayerfully and carefully purpose to be as fair, unprejudiced, thorough, and objective as possible. Since cases vary widely in nature and difficulty, it is often necessary to adapt policy to





- (f) Some persons accused of such misconduct will strongly demand that they be able to face their accuser(s). This should be permitted only after both sides are carefully prepared so further emotional harm is not done.
- 9. Since cases vary greatly in nature and implications, the board of the church will need to weigh options with care at this point concerning the level, nature, and seriousness of the accusations. All efforts should aim at credible due process for both sides, and fair adjudication.
- 10. The outcome options available to the church body depend upon the seriousness of the case, including any or several of the following:
  - (a) exoneration;
  - (b) short-term disciplinary measures, measures taken to reconcile parties involved if no emotional or physical damage to complainant can be assured; care must be taken to prepare people well for this encounter since emotions are often high, even volatile;
  - (c) permanent termination, with or without severance pay;
  - (d) removal of credentials with notification of denominational authorities of this removal;
  - (e) long-term discipline, with or without suspension, restoration either to fellowship, or to ministry, or both;
  - (f) handing person over to the criminal justice system.

Any of the above decision elements ought to be communicated in writing both to the complainant and the accused. Whatever the end result of the process, your district executive minister should be advised of the outcome.

- 11. It is important to make sure that all parties, accused and accuser, and their families, receive the necessary follow-up pastoral care as well as offers of counseling, paid for by the church in cases where the perpetrator cannot afford to pay for the victim's counseling. There may be insurance-carrier provisions for this item.
- 12. In the case that the accused rejects the conclusions of the board of the church, and wants to appeal the case, this can be done by involving the district executive minister and a hearing board formed to re-investigate and hear out all parties. Again, care needs to be taken at this level to make sure no conflict of interest is present in personnel involved, and that no revictimization be allowed.
- 13. If the perpetrator desires restoration to ministry, and the local church

- needs/pressures/problems of life that contributed to the misconduct, how and why they did the wrong, and spiritually and emotionally appropriate motivation for never doing it again;
- (e) cooperative and positive attitude toward entering into an accountability relationship for a period varying from six months to two years in order to demonstrate and maintain personal well-being, relational and marital health, and to maintain clear boundaries with all persons with whom they are relating or to whom ministering.

In addition:

1. In cases where people in ministry have counseling responsibilities, or other opportunities to be alone with and in close proximity to dependent persons, the work they do must be supervised by a counseling supervisor, and accountability given for the best management of inner feelings and responses to people to whom they are possibly attracted.
2. We strongly recommend a thorough-going evaluation by an expert in the field of sexual misconduct by an experienced professional. This evaluation is a separate function from the counseling itself, and to be done by a different person than the counselor/therapist. The results of the evaluation should be passed on to the therapist and the restoration committee. At the end of the two years of probation, a return visit to the evaluator would clarify whether there was transformation of contributing causes and a better management of etiologic (causal) factors. At such time that all signs are positive, re-issuance of credentials can proceed, with the possible need of a public ceremony dedicated to that end. Appropriate announcements should be made through denominational organs concerning people being returned to ministry.

Other related issues:

1. One person should be designated by the Board of the Church to deal with possible media issues and requests. [Cf. Hammer's booklet, named above.]
2. An intervention by a professional with the whole congregation in order to heal their wounds may be quite helpful. There are available guidelines for such an intervention from the Alban Institute, Suite 433 North, 4550 Montgomery Ave., Bethesda, MD 20814-3341.
3. In general, church bodies that have policies and procedures in place, and proactively maintained, are going to be much safer from accusations of negligence of duty, or d3(Ham)-8(m)6(n)-3(e (e)-3(ral, c)-2(h)-3(u)-3(rch A)-4( )) TJin)-3(e (e

Example of Intake form:

Name, address, phone, of complainant, place, time & date of interview, names of known witnesses of the alleged actions, and their addresses, phone numbers, etc., and essential testimony of the complainant, signed and dated by the complainant, name(s) of interviewer(s), and their role in