

RESPECTING THE DIGNITY OF EVERY HUMAN BEING

A MANUAL FOR THE HEALTH OF THE
CHURCH AND ITS PEOPLE

Sexual Misconduct:
Prevention, Procedures, Resources

The Episcopal Diocese of New Jersey

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PREFACE

“Respecting the Dignity of Every Human Being” is fundamentally about our relationships within the Church, the Body of Christ. It describes ways in which all of us share responsibility for making our Church (its congregations, agencies and programs) a safe haven for all of God's people. The issue of the abuse of children and other persons is emotionally charged; it engenders responses rooted in fear, as well as those rooted in the desire to do what is right. As we seek to do what is right, let us keep in mind that the Church is called to be a beacon for society (Matthew 5:14) rather than a mirror of it, as it speaks pastorally and prophetically to this difficult topic.

As believers in Jesus Christ and the Gospel, we are called to create an environment that affirms the dignity and worth of persons as lovingly created in the image of God. To this end, it is our responsibility to denounce oppression in all forms, including sexual abuse, exploitation or harassment. It is our intention and responsibility to take whatever action may be needed to prevent and correct behavior that is contrary to this commitment.

What I believe we want is a church that is safe for all people...that is a true sanctuary...that can live up to the rich symbol of its red painted doors in so many places, a symbol that inside is a safe place. The church needs to be a place where parents can leave their child and expect the child will come home whole and not broken...where vulnerable people can go for counseling and prayer, and come away intact, better than they were when they went, not crawling away wounded from an attack on their integrity. The community expects the church to be a safe place...safe physically (from fire and decay) and safe spiritually and emotionally. When that trust is broken, many victims are created throughout the entire community, and the community is hurt and the church has done damage to the cause of the Gospel. (The Rt. Rev. Donald P. Hart)

As the Book of Common Prayer reminds us, "The ministers of the Church are lay persons, bishops, priests and deacons" (Book of Common Prayer, pg 855). All ministers of the Church share in the vocation to represent Christ and to proclaim, in word and deed, the Good News of God's tender love for all humanity.

There is no more important way this work is carried out than within the quality of our human relationships. This is especially true in relationships where power and authority are disproportionate.

In the Christian community, power and authority derive from the service of all, for the sake of the whole (Mark 10:41-45). Authority within relationships is given for the good of the whole. A pastoral relationship, whether with clerical or lay ministers, is one of authority and trust, power and responsibility. A sacred obligation is broken when authority is misused to deny others their God given dignity and human stature.

Being Christian, in and of itself, does not keep one safe from the misuse of authority and power. When such abuses do occur, our Church has a responsibility to act with sensitivity and compassion toward all involved. Justice making and restoration of right relationship are the goals toward which all education and intervention must move.

Sexual Misconduct, the broad term referring to ways in which power and trust are misused in a sexual way, is a violation of our Baptismal Covenant, through which we promise to:

- *Seek and serve Christ in all persons, loving our neighbor as ourselves.*
- *Strive for justice and peace among all people, and respect the dignity of every human being* (Book of Common Prayer, pg 305).

The Church is to be a place of safety, sanctuary, respect and Christian love for all people. The information contained herein is to help in the development and maintenance of this regard for all human beings. The purpose of this manual is to provide resources for the faith community to prevent sexual, power, and other forms of abuse of God's people. In addition, it is intended to establish clear standards concerning sexual misconduct and, where allegations of sexual misconduct have been made, to establish procedures which give a full and fair hearing to persons making complaints, those who feel they have been victimized (if not the person making the complaint) and to those against whom the complaint is made.

Please make this information available to your church wardens, staff, vestries and the congregation at large. Our hope is that it will prove useful to all of us in the Diocese of New Jersey. Your comments and suggestions are always welcome.

We offer our thanks to Ms. Robin Hammeal-Urban and the Diocese of Connecticut for material used in this manual.

Faithfully in Christ,

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SECTION I - INTRODUCTION

A. LETTER FROM BISHOP GEORGE COUNCELL

“You’ve observed how godless rulers throw their weight around,” Jesus said, “and when people get a little power how quickly it goes to their heads. It’s not going to be that way with you. Whoever wants to be great must become a servant. Whoever wants to be first among you must be your slave. That is what the Son of Man has done: He came to serve, not to be served – and then to give away his life in exchange for many who are held hostage.” (Mark 10:42-45, in **The Message**, by Eugene H. Peterson)

Dear Friends in Christ,

I am grateful to commend this “Manual for the Health of the Church and Its People” and I thank those who labored to produce it. I am confident that it will help our Church to prevent sexual misconduct. It provides clear procedures by means of which we can investigate and deal with allegations of sexual misconduct. Its resources will help us to bring justice, healing and hope to those who are victims as well as those who have misused their power in the Church and have engaged in sexual abuse, exploitation or harassment.

We are called to be and to build a Church where the dignity of every human being is respected. There is nothing more damaging to human dignity than for a clergy or lay leader or any member of the Body of Christ to assault, exploit and hurt another member of the Body of Christ. When power is misused in that way, the damage to the soul often far outweighs the damage to the body of the victim. When an agent of the Church victimizes a child or anyone it is nothing less than “soul-stealing.” As Jesus told the apostles, “It’s not going to be that way with you.” Nor is it going to be that way among the clergy and congregations of the Diocese of New Jersey.

It can happen here. If we have learned anything in recent years about the Church, it is this: sexual abuse, exploitation and harassment can happen in any Christian community. It is my hope and prayer that these tools of prevention will help every congregation and every part of the Diocese of New Jersey to become a place where people will be safe to encounter God and grow in their knowledge and love of God, guided by healthy leaders.

I thank God for the Pastoral Response Coordinators who will work with me to help safeguard the health of this Diocese and its people.

I thank God for the willingness of all who receive training and make themselves familiar with these resources for their part in making the Church a safe place.

I thank God for giving us the Holy Spirit to grow in our faithfulness and vigilance, so that all of God’s children may be cherished and respected as we love and serve our Lord.

Faithfully yours,

The Rt. Rev. George E. Cuncell
Bishop of New Jersey

B. TRAINING OVERVIEW

In the Diocese of New Jersey, Abuse Awareness and Skills Training is offered numerous times per year in diverse locations.

1. REQUIRED FOR:

- a. All Clergy (canonically resident or licensed)
- b. All Wardens
- c. All Employees (secretaries, sextons, organists, and those who may be self-employed)
- d. Anyone Regularly Working With or Around Children or Youth, including but not limited to:
 - Children's or Youth Choir Directors,
 - Organists who work with children or youth,
 - Lay Youth Ministers,
 - Volunteer Youth Directors,
 - All Church Personnel who regularly work in the nursery/day care if they are the only person over 21 present at any time,
 - All staff, whether volunteer or paid, at church camps,
 - Adults who participate in overnight activities with children or youth more than twice a year.

2. RECOMMENDED, BUT NOT REQUIRED, FOR CHURCH PERSONNEL WHO OCCASIONALLY WORK WITH OR AROUND CHILDREN OR YOUTH:

- a. Church School Teachers
- b. All persons who supervise or assist in supervising children or youth in ministries, programs or activities infrequently, generally no more than three times a year or for one (1) program or activity during a year that lasts less than a month (i.e., assisting with preparation for the Christmas pageant or teaching one "unit" of Church School for a month)
- c. All persons who provide transportation to children or youth without other adults in the vehicle infrequently, generally no more than three times a year
- d. All persons who work or assist in the nursery four or fewer times a year, whether on an emergency basis or otherwise
- e. Adults who participate in overnight activities with children or youth once or more a year

3. HOW OFTEN: Every five years

4. TOPICS: Both sexual abuse of children (3 hours) and sexual exploitation & harassment of all persons (3 hours)

C. DEFINITIONS

For the purposes of this manual, the terms **Sexual Misconduct** and **Pastoral Relationship**, when capitalized, have the following meanings:

Sexual Misconduct, as used in this manual, means any:

1. Sexual Abuse or Sexual Molestation of any person, including but not limited to, any sexual involvement or sexual contact with a person who is under 18 years of age or is legally incompetent; or
2. Sexual Harassment where there is an employment, mentor or colleague relationship between the persons involved, including but not limited to, sexually-oriented humor or language; questions or comments about sexual behavior or preference unrelated to employment qualifications; undesired physical contact; inappropriate comments about clothing or physical appearance; or repeated requests for social engagements; or
3. Sexual Exploitation, including but not limited to, the development or the attempt to develop a sexual relationship between a cleric, employee or volunteer and another adult with whom he/she has a pastoral or a superior-subordinate employee relationship, whether or not there is apparent consent from the individual.

Pastoral Relationship, as used in this manual, means:

a relationship between a cleric, employee or volunteer and any person to whom such cleric, employee or volunteer provides counseling, pastoral care, spiritual direction or spiritual guidance or from whom such cleric, employee or volunteer has received a confession or confidential or privileged information.

SECTION II – PREVENTION

Sexual misconduct allegations that take place in a church setting but do not involve a cleric must be reported to one of Bishop Cancell's designees listed on the cover of this document. However, the allegation may be investigated and resolved within the congregation, with the additional requirement that any allegation involving a minor must be reported in New Jersey to the Office of Child Abuse Control at 1-877-652-2873 in the Division of Youth and Family Services.

A. SEXUAL MISCONDUCT PROHIBITED

The Diocese of New Jersey strictly prohibits Sexual Misconduct by any ordained person, discernor, nominee, postulant, candidate, or seminarian sponsored by or working in this Diocese, and by any lay employee or volunteer working in any capacity, any Diocesan-related institution or any parish, separate congregation or mission congregation in the Diocese of New Jersey.

B. PROTECTION OF CHILDREN

The Diocese of New Jersey strictly prohibits interaction with children and youth by anyone with a criminal record of child sexual abuse or who has admitted prior sexual abuse or anyone known to have a paraphiliac diagnosis (e.g., pedophilia, exhibitionism, voyeurism) as defined by the American Psychiatric Association.

C. CHILD ABUSE REPORTING

All incidents of sexual abuse shall be reported to the relevant law enforcement authorities in conformity with applicable law. In New Jersey the Division of Youth and Family Services (DYFS) is the appropriate agency and their reporting hotline is 1 877-652-2873.

D. SCREENING AND SELECTION

1. Any and all Church Personnel who **Regularly Work With or Around Children or Youth** shall be screened and selected utilizing at least the following:
 - a. **A standard application** completed by the applicant that includes an authorization for the release of information to conduct background checks and the **Code of Conduct** (Appendix C).
 - b. **Criminal records check** in any state where the applicant has resided during the past seven (7) years, and other states, if any, as determined by the church.
 - c. **Sexual offender registry check** in any state where the applicant has resided during the past seven (7) years. This requires full name and date of birth. In New Jersey the Sex Offender Registry Hotline is (609) 882-2000. Comparable information for all other states is provided in the Appendices.
 - d. **Individual interview** with the applicant.
 - e. **Reference checks** of persons outside the congregation who know the applicant, preferably who know how the applicant works with children.

- f. **Driving or Motor Vehicle records check** if the person may be transporting children or youth.
2. Any and all Church Personnel who **Occasionally Work With or Around Children or Youth** shall be screened and selected utilizing at least the following:
 - a. **A standard application** completed by the applicant that includes an acknowledgment for the release of information to conduct background checks and the **Code of Conduct** (Appendix C).
 - b. **Individual interview** with the applicant.
 - c. **At least one Reference Check** of a person or persons outside the congregation who know the applicant, preferably who know how the applicant interacts with children.
 - d. **Driving or Motor Vehicle records check** if the person will be transporting children or youth.
3. All information gathered about an applicant will be carefully reviewed and evaluated to make a determination, in consultation with others as necessary, of whether or not the person is appropriate to work with children or youth.
4. Church Personnel who work with or around children or youth must have a personnel file that is kept where other church records are kept.
5. Criminal records checks and sexual offender registry checks will be conducted every five (5) years for Church Personnel who Regularly Work With or Around Children or Youth.
6. To the extent possible, no person will be permitted to supervise an immediate family member when working with or around children or youth. For the purpose of this policy, immediate family member is defined as spouse, partner, child, parent, sister, brother, similar in-law relationship, stepchild, stepparent, stepsibling, grandparent, or co-habitant.
7. Church Personnel who transfer within the Diocese of New Jersey and apply for or are asked to or who do undertake a position working with or around children or youth are required to undergo the same screening and selection process in Section A above. This requirement may be met through a transfer of a copy of their personnel file to the new congregation, school, agency, or program together with completion of a new application, individual interview and reference checks with the congregations, schools, agencies or other programs for which the applicant has worked with or around children or youth since the screening was last done as shown in the applicant's personnel file.

E. MONITORING AND SUPERVISION

The behaviors and interactions of persons with children and youth that need to be monitored and supervised are covered in the section on **General Conduct for the Protection of Children and Youth** and in the **Guidelines for Appropriate Affection**.

1. Every program for children and youth must have established ratios for adults and children. Compliance with the established ratio is required at all times, including activities that occur off church premises.
2. Church Personnel are prohibited from being alone with a child or youth or multiple children or youth where other adults cannot easily observe them.
3. Church Personnel over the age of 21 must directly supervise Church Personnel under the age of 18 and be physically present during all activities.

4. An up to date list of approved congregation-sponsored programs for children and youth will be maintained in the church office or other place where church records are kept.
5. Church Personnel are not permitted to develop new activities for children and youth without approval from the rector or canonical equivalent.
6. Requests to develop new activities should be submitted in writing to the rector. The rector will consider whether the plan for a new activity includes adequate adult supervision.
7. Each program will develop age-appropriate procedures to ensure the safety of children and youth using restrooms and showers or baths.
8. When supervising or assisting private activities such as dressing, showering or diapering infants or children, Church Personnel will remain in an area observable by other adults or work in pairs.
9. At least two unrelated Church Personnel must supervise activities. When both boys and girls are participating, male and female adults must be present.

F. GENERAL CONDUCT FOR THE PROTECTION OF CHILDREN AND YOUTH

The following guidelines are intended to assist Church Personnel in monitoring and supervising behaviors and interactions with children and youth to identify and stop those that may be inherently harmful to children or youth, that are the type used by child molesters to groom children, youth and their parents, or that may create the conditions where abuse can occur more easily. These guidelines should also be used to make decisions about interactions with children and youth in church sponsored and affiliated programs. They are not designed or intended to address interactions within families. When exceptions to these guidelines must be made, they should be reported to the supervisor of the Church Personnel making the exception as soon as possible.

1. All Church Personnel who work with children or youth must agree to comply with the Guidelines for Appropriate Affection (Appendix A).
2. No person will be allowed to volunteer to Regularly Work With Children or Youth until the person has been known to the clergy and congregation for at least six months.
3. Programs for infants and children under six (6) years old will have procedures to ensure that children are released only to their parents or legal guardians or those designated by them.
4. Church Personnel are prohibited from the use, possession, distribution, or being under the influence of alcohol, illegal drugs, or the misuse of legal drugs while participating in or assisting with programs or activities specifically for children or youth.
5. Parents or guardians must complete written permission forms before activities may proceed.
6. Church Personnel transport children and youth for a church sponsored activity or for any purpose on more than an occasional basis.
7. Church Personnel will respond to children and youth with respect, consideration and equal treatment, regardless of sex, race, religion, sexual orientation, culture or socio-economic status. Church Personnel will portray a positive role model for children and youth by maintaining an attitude of respect, patience, and maturity. They will avoid even the appearance of favoritism.
8. One-to-one counseling with children or youth will be done in an open or public or other place where private conversations are possible but occur in full view of others.
9. Church Personnel are prohibited from dating or becoming romantically involved with a child

or youth.

10. Church Personnel are prohibited from having sexual contact with a child or youth.
11. Church Personnel are prohibited from possessing any sexually oriented materials (magazines, cards, videos, films, clothing etc.) on church property or in the presence of children or youth except as expressly permitted as part of a pre-authorized educational program.
12. Church Personnel are prohibited from using the Internet to view or download any sexually oriented materials on church property or in the presence of children or youth.
13. Church Personnel are prohibited from discussing their own sexual activities, including dreams and fantasies, or discussing their use of sexually oriented or explicit materials such as pornography, videos or materials on or from the Internet, with children or youth.
14. Church Personnel are prohibited from sleeping in the same beds, sleeping bags, tents, hotel rooms or other rooms with children or youth unless the adult is an immediate family member of all children or youth in the bed, sleeping bag, tent, hotel room or other room. It is acceptable to have multiple adults sleep with all the children or youth participating in one open space such as a church basement or camp lodge.
15. Church Personnel are prohibited from dressing, undressing, bathing, or showering in the presence of children or youth.
16. Church Personnel are prohibited from using physical punishment in any way for behavior management of children and youth. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force.
17. May only be used to stop a behavior that may cause immediate harm to the individual or to a child, youth or others.
18. Church Personnel are prohibited from using harsh language, degrading punishment, or mechanical restraint such as rope or tape for behavior management.
19. Church Personnel are prohibited from participating in or allowing others to conduct any hazing activities relating to children's or youth ministry or camp activities.

G. PASTORAL COUNSELING AND SPIRITUAL DIRECTION (CLERGY ONLY)

The Diocese of New Jersey requires that after three counseling sessions have been held around a given life issue, clergy or other pastoral care providers refer the individual to a professional counselor or have ongoing professional supervision. Fees or donations for pastoral care are strictly prohibited. Persons practicing extended spiritual direction should be supervised.

H. PROFESSIONAL COUNSELING (CLERGY ONLY)

Any person charging a fee for counseling outside the scope of Church employment must possess the appropriate professional credentials and proof of separate professional liability insurance (including coverage for Sexual Misconduct) in-force at all times. Counseling of this type should not be performed on church premises unless formally approved by the Rector, Wardens and Vestry of the parish.

SECTION III - PROCEDURES

The necessity for appropriate response to sexual misconduct by those in positions of religious leadership is painfully apparent. The incidence of reported cases is sobering. The purpose of this process of response by Bishop Council and the Standing Committee is to assure appropriate intervention in alleged incidences of sexual misconduct, to see that there is care for all involved and to provide information to help prevent future instances of abuse. In addition to the needs of survivors and those against whom a complaint is made, congregations and those in employment settings are also affected. The intent is to offer a process that will assist in healing and justice.

A. ASSUMPTIONS

These processes are intended to acknowledge several concerns:

- that every allegation which reaches Bishop Council deserves a response;
- that clergy can be wrongfully accused of sexual misconduct;
- that our bishop will not be the only one who assesses or evaluates the allegations;
- that our bishop holds both pastoral and disciplinary responsibilities;
- that a shared approach, involving legal, mental health and pastoral avenues is desirable;
- that litigation by its very nature is a recourse available to anyone;
- that a uniform procedure ensures that all cases will be treated with justice as well as consistency;
- that our bishop's pastoral concerns are directed equally to all parties affected: the one against whom the complaint is made, the complainant, the families of both and the parish community;
- that our bishop will employ the appropriate procedure in each instance of allegation;
- that our bishop should refrain from placing conversations regarding allegations within a sacramental framework, but is well-advised to guard the privacy of all individuals concerned with utmost care.

B. WHEN A COMPLAINT IS RECEIVED

Complaint:

A complainant of Sexual Misconduct, by a cleric or lay person in the Church, should be reported to Bishop Council through one of the three designees listed on the cover of this packet. If the alleged misconduct is against a minor, the New Jersey Office of Child Abuse Central in the Division of Youth and Family Services should also be immediately called at 1-877-652-2873.

1. BISHOP:

- a. To Whom Is a Complaint Made?** A complaint can be made to Bishop Council through a

Pastoral Response Coordinator or directly to the Bishop.

- b. **How is it Submitted?** The initial complaint may be submitted orally or in writing, and can be made by the complainant or some other person (such as a parent or spouse).
 - c. **Reassurance:** The Bishop and/or the Pastoral Response Coordinator will assure the person of the Church's concern and that the matter will be investigated.
 - d. **Advocate for the Complainant:** The Bishop and/or the Pastoral Response Coordinator will assign an Advocate for the Complainant, explaining that the role of that person is to explain the disciplinary process and to aid the complainant throughout that process. They serve in a supportive and pastoral role, but are not intended to serve as the principal pastor to the person whom they serve.
 - e. **How is the Advocate Chosen?** The Advocate is chosen by the Pastoral Response Coordinator after exploring with the complainant what characteristics he or she may wish in an advocate, such as gender, lay or ordained, geographic location, and language.
 - f. **Written Statement:** The first step will be to help the complainant compose a written, detailed description of the alleged offense, such as: what happened, who did it, when it occurred, and who witnessed it. If the person fails to provide a written statement within one (1) week, the Bishop may decide to follow these procedures to the greatest extent possible, including notification of the alleged offender.
 - g. **Informing the Cleric:** Soon after learning of the alleged offense, the Bishop will meet with the cleric, informing him or her of the alleged offense, listening to the response of the cleric, and advising the cleric of his or her rights.
 - h. **The Rights of the Accused Cleric include:**
 - The right to be informed of the nature of the accusation;
 - The right to not make any statement regarding the accusation, and to be told that any statement can be used as evidence against him or her;
 - The right not to testify against him or herself;
 - The right to have an attorney of his or her choice.
- If the Bishop does not inform the cleric of his or her rights, any statement made to the Bishop cannot be used against the cleric in an ecclesiastical trial.
- i. **Advocate for the Cleric:** The Bishop will offer him or her an advocate through the Pastoral Response Coordinator. The advocate will help the cleric through the disciplinary process, and inquire what characteristics best meet the needs of the cleric. If the cleric requests a consultant from outside the diocese, every effort will be made to accommodate this request.
 - j. **Psychological Evaluation of the Cleric:** The Bishop may request that the alleged offender participate in a mental health assessment done at diocesan expense by a professionally qualified individual experienced in the evaluation of sexual misconduct.
 - k. **Investigation of the Complaint by A Response Team:**
 - The Bishop instructs the Pastoral Response Coordinator to compose a Response Team to conduct an investigation.
 - The Response Team, composed of at least 3 persons, including no less than one (1)

woman, one (1) man, and one (1) lay person. Depending upon the nature of the accusation, the Response Team may include mental health professionals, attorneys, or others whose expertise may assist them in assessing the accusations.

- If possible, they should have received training in crisis intervention and interviewing complainants, offenders, witnesses, and anyone else whom they determine to have relevant information.
 - The Bishop's office will advise the complainant and the person accused that the complaint has been assigned to a Response Team.
 - Those interviewed will be advised that the results may be admitted into evidence in the event of criminal or civil judicial proceedings. They will also be encouraged to consult an attorney should they have any questions or concerns about this evaluation.
- l. Support for the Parish:** The pastoral response team will provide the congregation with appropriate support for dealing with the emotional and spiritual problems that an accusation of misconduct causes the congregational community.
- m. Preliminary Report of the Response Team:** Generally, the Response Team is expected to present a preliminary report to the Bishop through the Pastoral Response Coordinator within 30 days of receiving their assignment.
- n. Final Report:** This will be completed as soon as possible following the preliminary report. The Bishop and the Pastoral Response Coordinator will meet with the Team to discuss its determination and recommendations. The final report will include:
- The Original Written Statement of the Complainant;
 - Relevant Materials, including records of interviews and written statements;
 - Determination and Recommendations.

Note: This and any report will be held in confidence. However, these reports may be released if required by law (pursuant to subpoena or otherwise), and statements by parties and witnesses may be used in judicial or ecclesiastical proceedings arising from the alleged misconduct.

C. AFTER A DETERMINATION IS MADE

As soon as practical after receipt of the final report, the Bishop will make a determination as to whether the allegation has been substantiated or not.

- The Bishop and/or Pastoral Response Coordinator will speak separately with the accused person and the complainant. Both the accused and the complainants may be accompanied by a person of their choosing.
- A written copy of the determination will be put in the file maintained by the Bishop and in the cleric's diocesan personnel file, if the accused is a cleric.
- Not Substantiated: When the determination of the Bishop is that no Sexual Misconduct has occurred, then the Bishop will discuss with the alleged offender any steps necessary to make such findings known.
- Substantiated: When the determination finds that Sexual Misconduct has been substantiated,

- If appropriate, the Bishop will refer the offender for therapy by persons qualified in the treatment of Sexual Misconduct.
- For clergy, the matter may be referred to the Standing Committee for discipline under Title IV of the Canons of the Episcopal Church.
- The Bishop will advise the complainant that the allegation has been substantiated, express the Church's deep regret, and discuss appropriate responses by the Church to assist in the healing of the complainant. The Bishop may also, if appropriate, meet with the spouse, parents and/or family of the complainant to discuss how the Church may assist them.
- The Bishop or the Pastoral Response Coordinator may meet with the members of the household of the offender.
- The Bishop or the Pastoral Response Coordinator may notify the appropriate persons in leadership positions in the affected congregations, church-affiliated employees or Dioceses.
- The Bishop will decide whether the offender should be removed from his or her position.
- The Bishop may recommend an open congregational meeting to begin the process of healing for the congregation.

o. Restrictions on Clerics:

- During the above process, the Bishop can impose restrictions on a cleric's ministry.
- The Bishop will direct the alleged offending cleric to have no further contact with the complainant unless permitted by the Bishop.
- A more formal restriction called a Temporary Inhibition can be issued only when there are allegations of misconduct and the Bishop has the opinion that they are supported by sufficient facts.
 - This inhibition must be in writing and must state the reasons for its issuance, be specific, define the misconduct alleged, and be served on the cleric. It becomes effective once served.
 - The cleric can request a hearing before the Standing Committee should he or she disagree. A hearing will be scheduled within 14 days of the request, and the temporary inhibition can only be dissolved or modified by a 2/3 vote of the Standing Committee.

p. Procedure when Cleric Admits Blame:

- The cleric, upon admitting that he or she has committed the offense alleged, can voluntarily submit to the discipline of the church. In such cases, the cleric voluntarily waives all rights to a trial and agrees to accept a sentence imposed and pronounced by the Bishop. The cleric is informed of the sentence to be imposed before waiving his or her rights. This process is called "Voluntary Submission to Discipline".
- The Voluntary Submission to Discipline must be documented in writing, containing:
 - Name of the cleric,
 - Information sufficient to identify the offense,
 - Canonical Reference to the offense committed,
 - A statement that the cleric is aware of the sentence to be imposed and the effect of

that sentence,

- The signature of the cleric after having an opportunity to consult with an attorney of his or her choosing,
 - And, if such consultation has occurred, identification of the legal counsel.
 - The Cleric cannot appeal a sentence imposed. It is final.
- Voluntary Submission to Discipline can happen anytime before the Ecclesiastical Trial Court comes to a verdict. Once the Trial Court has made its decision, however, a priest can no longer voluntarily submit to discipline.
- q. Sentence/Discipline that a Bishop May Impose:** If a cleric has consented to voluntary submission, there are three (3) types of sentences that can be imposed:
1. *Admonition:* A censure or reprimand, which is a public and formal reproof of the conduct of the cleric.
 2. *Suspension:* Directs the cleric to refrain temporarily from the exercise of ministry, essentially being removed from ordained ministry. The decision must specify when the suspension will end, and the steps that the cleric must take during the suspension.
 3. *Deposition:* Permanently deprives the cleric of the right to exercise the gifts and spiritual authority of God’s Word and Sacraments conferred at ordination. All ecclesiastical offices are automatically terminated. Restoration can only occur in the diocese in which he or she was deposed.

2. ECCLESIASTICAL TRIAL:

a. General Understanding

- An allegation of clergy sexual misconduct may be brought to the Standing Committee under the provisions of Title IV of the Constitution and Canons of the Episcopal Church. A verified (written, signed and notarized) complaint may be sent to the President of the Standing Committee, initiating the disciplinary canons of the church.
- The Pastoral Response Coordinator can assist persons wishing to bring an allegation to the Standing Committee by providing information and support.
- Generally, such allegations must be brought within ten (10) years of the alleged misconduct. However, there is no time limit when the victim was a minor at the time of the alleged misconduct.

b. Specific Steps

- **How to Bring an Allegation to the Standing Committee?** The alleged victim generally will first inform the Bishop and the Pastoral Response Coordinator, and receive an Advocate. Either or both the Advocate and the Pastoral Response Coordinator can help the complainant understand the option of reporting to the Standing Committee as well as the Bishop. Should the complainant decide to report the matter to the Standing Committee, the complainant is giving a charge to the Standing Committee via a written document that sets out concisely and clearly the facts surrounding the alleged offense. The charge must be verified, meaning that the complainant must swear that the allegations are true and sign the charge in the presence of a notary public or an attorney who can notarize the signature.

- **Can Others File a Charge?** Yes, the parent or guardian of a minor or disabled person, or the spouse or adult child of an alleged victim may do so.
- **What Does the Standing Committee Do When it receives a Charge?**
 - Notification: The Standing Committee informs the Bishop and the Alleged Offender (the Respondent).
 - Meeting Regarding Charge: The Standing Committee must then convene within 30 days to consider the charge. If they decide that the facts alleged constitute an offense, a general statement about the charge and the facts alleged is written and sent to the Church Attorney.
 - Investigation: The Church Attorney then conducts an investigation, interviewing the complainant and respondent, and perhaps hiring others to assist in the investigation.
 - Report: The Church Attorney then prepares a confidential report of the investigation for the Standing Committee. The report is confidential, but must be shared with the Bishop.
 - Meeting Regarding Presentment:
 - The Standing Committee must convene within 30 days of receiving the report to decide whether to issue a presentment, that is, a document that officially charges the cleric with the offense.
 - The Standing Committee, in considering whether to issue a presentment, may consider
 - The report of the Church Attorney,
 - Other sworn statements not submitted through the Church Attorney,
 - Statements of experts whether or not submitted by the Church Attorney,
 - The opportunity for the complainant, respondent or others to provide testimony.
 - The complainant may have his or her advocate present, and the respondent may have his or her advocate present.
 - If a Presentment is not issued, this decision must be in writing and must include an explanation, and a copy served upon the Bishop. The Bishop files it with the Secretary of the Diocese, the respondent, the complainant, the alleged victim if not the complainant, and the church attorney.
 - If a Presentment is issued, it gets filed with the President of the Ecclesiastical Court.
 - It must contain a separate accusation for each offense and a statement of the facts supporting each accusation so that it clearly informs the respondent of the behavior that is the subject of the Presentment.
 - The Presentment is served by the Committee on:
 - The Bishop,
 - The Respondent,
 - The Complainant(s), and
 - The Alleged Victim(s) if not the Complainant.
- **What Happens when the Ecclesiastical Court Receives a Presentment?**

- The Presiding Judge sends a copy of the Presentment to each member of the court within 30 days.
 - The Presiding Judge summons the respondent to answer the Presentment within 3 months of when the court received it.
 - The Respondent has 30 days to answer the Presentment.
- **What Rules Govern the Procedures of the Ecclesiastical Trial Court? They are**
- The Rules of Procedure as set out in Appendix A to Title IV,
 - The Federal Rules of Evidence, and
 - The Procedural Rules as the Ecclesiastical Court deems appropriate as long as they do not conflict with Title IV.
- **What Happens if the Respondent does not appear or file an answer?** 30 days after the answer is due, the Church Attorney can move for Summary Judgment against the respondent. If Summary Judgment is granted, a Sentence of Admonition, Suspension, or Deposition can be imposed within 30 days, the Respondent being given 30 days notice.
- **What Happens if the Respondent does file an answer?** Then there is a trial much like a secular criminal trial. The role of the Church Attorney is similar to that of a Prosecutor, and the Role and Rights of the Respondent are similar to that of a Defendant.
- The respondent has the choice to be present at all times during the trial, be accompanied by counsel and one (1) other person of his or her choosing. The respondent will be given the opportunity to testify and present a defense.
 - All complainants and victims are entitled to be present throughout the trial. Each may bring an attorney and another person of his or her choosing. This person could be the Advocate.
 - The Trial will have at least one (1) Lay Assessor and can have as many as three (3). The role of the Lay Assessor is to answer any questions that the Trial Court might have about the law, procedures or evidence.
- **How Does the Trial Court Reach a Judgment?**
- The members of the Trial Court receive instructions about what they must determine. The Respondent and the Church Attorney can submit proposed instructions. The Presiding Judge will consult with the Lay Assessors and then choose which set of instructions will be used. The instructions must include: The components of the alleged offense, that “the respondent must be presumed not to have committed the offense alleged until established by clear and convincing evidence (Title IV, Canon 4.18), and that the burden of proof is on the Church Attorney in the name of the Diocese.
 - Vote Regarding the Offense: After reviewing the instructions, the Trial Court will take a vote to determine only whether the Respondent has committed the offense.
 - There is a separate vote taken, if needed, to determine the sentence to be imposed.
 - An affirmative vote of 2/3 of the Trial Court is necessary to enter judgment against the Respondent.
 - Without a 2/3 vote, the Presentment must be dismissed.

- Notification: The Presiding Judge advises and provides a copy of the Trial Court’s finding to: the Respondent, the Complainant(s), the Victims (if different from the Complainants), and the Church Attorney.
- Sentences: The sentences are the same as mentioned above, namely: Admonition, Suspension, or Deposition.

➤ **How Does the Trial Court decide what Sentence to Impose?**

- The Trial Court does not vote on the sentence until 30 days after the decision has been communicated to: The Respondent, The Complainant, The Victims (if different from the Complainants), and The Church Attorney. This gives those mentioned a reasonable opportunity to express their opinions or other information regarding what sentence should be imposed. All of those comments are distributed to all parties.
- Vote: 2/3 of the Trial Court must concur in order to impose a sentence.
- Documentation: After the decision regarding the sentence, it is put into writing and signed by those who assent to it.
- Notification of Bishop: The Judgment of the Court is then communicated to the Bishop.

➤ **Who Pronounces Sentence?** Only the Bishop can pronounce sentence.

➤ **How does the Bishop Pronounce Sentence?**

- Notification to the Respondent: The Bishop cannot pronounce sentence until 30 days after the Respondent receives notice of the decision of the Trial Court regarding the sentence to be imposed. This gives the Respondent an opportunity to appeal the decision of the Trial Court.
- Degree of Sentence: The Bishop can pronounce a lesser sentence, but cannot pronounce a greater sentence than that imposed by the Trial Court.
- Notice of Time and Place of Sentencing: The Bishop must give notice in writing to the Respondent, the Complainant, the Victim (if different from the Complainant), and the Church Attorney when and where the sentence will be imposed.
- In Case of Deposition: Should the sentence be a deposition, the sentence needs to be in the presence of two or more priests.
- Notification of Sentence: Immediately after the sentence is pronounced, the Bishop sends written notice to a lengthy list of people, including every member of the clergy and each vestry in the Diocese.

3. GUIDELINES FOR RETURNING TO MINISTRY AFTER ECCLESIASTICAL DISCIPLINE

To facilitate healing and reconciliation after ecclesiastical discipline and to nurture appropriate boundaries, the following steps will be followed whenever a cleric returns to ministry after ecclesiastical discipline. These recommendations are applicable whether the cleric was disciplined under Title IV or through the inherent authority of Bishop Council or the offender’s bishop at the time of the offense.

a. Steps to be taken by the cleric:

- Before accepting a call, the cleric will share his or her story regarding the problematic behavior with the vestry and possibly the entire congregation.
- Before entering into new ministry, the cleric will work with lay leaders in the church to establish safeguards by setting clear boundaries that relate to the subject matter of the prior problematic behavior. For example, if the prior problematic behavior involved financial impropriety, the cleric and lay leaders should establish a system in which the cleric does not have access to parish finances.
- With the bishop's consent, the cleric may choose to meet with members of the clergy and laity who were or are affected by the cleric's prior problematic behavior. The cleric may request the assistance of the bishop in this process.

b. Steps to be taken by the diocese:

- The bishop will inform the congregation in which the problematic behavior occurred that the cleric will return to ministry. The bishop may explain the process that was followed and the work that has been accomplished by the cleric which has satisfied the bishop that the cleric is ready to return to ministry. With the bishop's consent, the cleric may choose to be present during this conversation.
- The bishop may meet with the clergy of the convocation in which the problematic behavior occurred and affected institutions and their leadership so as to have an opportunity to tell them that the cleric will return to ministry. With the bishop's consent, the cleric may choose to be present during these conversations.
- The bishop will attempt to identify additional clergy who may have been affected by the cleric's problematic behavior. The bishop may choose to meet or have conversation with these clergy as appropriate. With the bishop's consent, the cleric may choose to be present during these conversations.
- The bishop will answer questions asked by congregations as appropriate.

APPENDICES

APPENDIX A: GUIDELINES FOR APPROPRIATE AFFECTION

The Diocese of New Jersey is committed to creating and promoting a positive, nurturing environment for our children's and youth ministries that protect our children and youth from abuse and our Church Personnel from misunderstandings. When creating safe boundaries for children and youth, it is important to establish what types of affection are appropriate and inappropriate; otherwise that decision is left to each individual.

Stating which behaviors are appropriate and inappropriate allows Church Personnel to comfortably show positive affection in ministry, and yet identify individuals who are not maintaining safe boundaries with children or youth.

These Guidelines are based, in large part, on avoiding behaviors known to be used by child molesters to groom children or youth and their parents for future abuse. The following guidelines are to be carefully followed by all Church Personnel working around or with children or youth.

1. Love and affection are part of church life and ministry. There are many ways to demonstrate affection while maintaining positive and safe boundaries with children and youth.

Some POSITIVE and APPROPRIATE forms of affection are listed below:

- Brief hugs.
- Pats on the shoulder or back.
- Handshakes.
- "High-fives" and hand slapping.
- Verbal praise.
- Touching hands, faces, shoulders and arms of children or youth.
- Arms around shoulders.
- Holding hands while walking with small children.
- Sitting beside small children.
- Kneeling or bending down for hugs with small children.
- Holding hands during prayer.
- Pats on the head when culturally appropriate. (For example, this gesture should typically be avoided in some Asian communities).

2. The following forms of affection are considered INAPPROPRIATE with children and youth in ministry setting because many of them are the behaviors that child molesters use to groom children or youth and their parents for later molestation or can be, in and of themselves, sexual abuse.

- Inappropriate or lengthy embraces.
- Kisses on the mouth.
- Holding children over three years old on the lap.
- Touching bottoms, chests or genital areas other than for appropriate diapering or toileting of infants and toddlers.

- Showing affection in isolated areas such as bedrooms, closets, staff only areas or other private rooms.
- Occupying a bed with a child or youth
- Touching knees or legs of children or youth.
- Wrestling with children or youth.
- Tickling children or youth.
- Piggyback rides.
- Any type of massage given by a child or youth to an adult.
- Any type of massage given by an adult to a child or youth.
- Any form of unwanted affection.
- Comments or compliments (spoken, written, or electronic) that relate to physique or body development. Examples would be, "You sure are developing," or "You look really hot in those jeans."
- Snapping bras or giving wedgies or similar touch of underwear whether or not it is covered by other clothing.
- Giving gifts or money to individual children or youth.
- Private meals with individual children or youth.

APPENDIX B: CONFIDENTIAL NOTICE OF CONCERN

Individual(s) of Concern:

Date of occurrence:

Time of occurrence:

Type of Concern:

- Inappropriate behavior with a child or youth
- Policy violation with a child or youth
- Possible risk of abuse
- Other concern, please describe:

Describe the situation: What happened, where it happened, when it happened, who was involved, who was present and who was notified? If reported to the State, what was their recommendation about investigating? Attach additional sheets if needed.

Has this situation ever occurred previously? Attach additional sheets if needed. What action was taken? How was the situation handled, who was involved, who was questioned, were police called? Attach additional sheets if needed.

What is the follow-up plan? Does anyone else need to be notified? Will the situation need monitoring? Would you like someone to call you to discuss this situation? Attach additional sheets if needed.

Submitted by: (Please print)

Telephone number:

Location and address:

Signature: _____

Date: _____

Reviewed by: _____

Once completed, please fax to the appropriate designee listed on the cover of this document.

APPENDIX C: SAMPLE APPLICATION FORM, CODE OF CONDUCT, AND ACKNOWLEDGMENT, RELEASE AND SIGNATURE

INSTRUCTIONS *Please complete all of the questions accurately and fully. Attach additional sheets if needed.*

Today's date:

PERSONAL DATA Name:

Street address:

City:

State: Zip:

How long at current address:

Home phone:

Work phone:

Best time to contact you:

Email address:

Driver license number: State

Social Security number:

Are you legally eligible to work in this country?

Yes No

Note: If you are chosen for a paid position, you will be required to show documents verifying your employment eligibility and identity to complete the INS Form I-9 as required by the Immigration Reform and Control Act.

Please list your addresses in the past five years:

For what position are you applying?

What interests you about the position for which you are currently applying?

What has prepared you for the position for which you are currently applying?

EMPLOYMENT HISTORY *Please complete for your prior employers, covering the past TEN years.*

CURRENT EMPLOYER Company name:

Address:

City: State: Zip:

Immediate supervisor name:

Immediate supervisor phone number:

Position held:

Dates of employment: from / to

Reason for leaving position:

PREVIOUS EMPLOYER Company name:

Address

City: State: Zip:

Immediate supervisor name:

Immediate supervisor phone number:

Position held:

Dates of employment: from / to

Reason for leaving position:

PREVIOUS EMPLOYER Company name:

Address

City: State: Zip:

Immediate supervisor name:

Immediate supervisor phone number:

Position held:

Dates of employment: from / to

Reason for leaving position:

VOLUNTEER EXPERIENCE *Include all experience working with children or youth*

Organization:

Contact:

Phone:

Duties:

Dates: from / to

Organization:

Duties:

Dates: from / to

Contact:

Phone:

Organization:
Duties:
Dates: from / to
Contact:
Phone:

Organization:
Duties:
Dates: from / to
Contact:
Phone:

EDUCATIONAL HISTORY

Name of school
Address
City State Zip
Type of school
Name of program or degree
Program completed?

Name of School
Address
City State Zip
Type of school
Name of program or degree
Program completed?

Name of school
Address
City State Zip
Type of school:
Name of program or degree:
Program completed?

PROFESSIONAL/CIVIC REFERENCES

Name:
Address
City State Zip
Daytime phone:
How long have you known this person?
Relationship to you:

Name:
Address:
City State Zip

Daytime phone:
How long have you known this person?
Relationship to you:

PERSONAL REFERENCES

Name:
Address
City State Zip
Daytime phone: Evening:
How long have you known this person?
Relationship to you:
Name:
Address
City State Zip
Daytime phone: Evening:
How long have you known this person?
Relationship to you:

FAMILY REFERENCES

Name:
Address:
City State Zip
Daytime phone: Evening:
How long have you known this person?
Relationship to you:

Have you ever been accused of physically, sexually or emotionally abusing a child or an adult?
 Yes No
If yes, please explain.

CODE OF CONDUCT FOR THE PROTECTION OF CHILDREN AND YOUTH

Read and initial each item to signify your agreement to comply with the statement.

- I agree to do my best to prevent abuse and neglect among children and youth involved in church activities and services.
- I agree not to physically, sexually or emotionally abuse or neglect a child or youth
- I agree to comply with the policies for GENERAL CONDUCT FOR THE PROTECTION OF CHILDREN AND YOUTH defined in the Policies for the Protection of Children and Youth from Abuse.
- I agree to comply with the GUIDELINES FOR APPROPRIATE AFFECTION with children and youth.
- In the event that I observe any inappropriate behaviors or possible policy violations with children or youth, I agree to immediately report my observations.
- I acknowledge my obligation and responsibility to protect children and youth and agree to report known or suspected abuse of children or youth to appropriate church leaders and state authorities in accordance with the POLICIES FOR THE PROTECTION OF CHILDREN AND YOUTH FROM ABUSE.
- I understand that the church will not tolerate abuse of children and youth and I agree to comply in spirit and in action with this position.

ACKNOWLEDGMENT, RELEASE AND SIGNATURE

To the best of my knowledge, the information contained in this application is complete and accurate. I understand that providing false information is grounds for not hiring me or choosing me for a volunteer position or for my discharge if I have already been hired or chosen.

I authorize any person or organization, whether or not identified in this application, to provide any information concerning my previous employment, education, credit history, driving record, criminal conviction record, sexual offender registry or other qualifications for my employment or volunteering. I also authorize _____ [Parish] to request and receive such information.

If hired or chosen, I agree to be bound by _____ [Parish's] policies and procedures, including but not limited to its POLICIES FOR THE PROTECTION OF CHILDREN AND YOUTH FROM ABUSE and CODE OF CONDUCT FOR THE PROTECTION OF CHILDREN AND YOUTH. I understand that these may be changed, withdrawn, added to or interpreted at any time at the _____ [Parish's] sole discretion and without prior notice to me.

I also understand that my employment or volunteering may be terminated, or any offer or acceptance of employment or volunteering withdrawn, at any time, with or without cause, and with or without prior notice at the option of _____ [Parish] or myself.

Nothing contained in this application or in any pre-employment or pre-volunteering communication is intended to or creates a contract between myself and _____ [Parish] for either employment, volunteering or the providing of any benefit.

I HAVE READ AND UNDERSTAND THE ABOVE PROVISIONS.

Signature _____ Date _____

APPENDIX D: NEW JERSEY CHILD ABUSE REPORTING WEBSITE

www.state.nj.us/humanservices

APPENDIX E: STATE CRIMINAL RECORDS AND SEX OFFENDERS REGISTRY INFORMATION

ALABAMA

AGENCY Alabama Bureau of Investigation
Identification Unit - Record Checks
P. O. Box 1511
Montgomery, AL 36102-1511
(334) 260-1100 phone
(334) 395-4350 fax

jamespotts@gsiweb.net

WEBSITE www.dps.state.al.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through name and date of birth checks.

SEX OFFENDER REGISTRY

The online Sex Offender Registry is available at www.gsiweb.net.

ALASKA

AGENCY Department of Public Safety
Records and Identification Bureau
5700 East Tudor Road
Anchorage, AK 99507
(907) 269-5511 phone
(907) 269-5091 fax

WEBSITE www.dps.state.ak.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (907) 269-5767.

ARIZONA

AGENCY Arizona Department of Public Safety
Attn: Applicant Clearance Card Team
Mail Code 2200
P. O. Box 6638
Phoenix, AZ 85005-6638
(602) 223-2223 phone
(602) 223-2972(Attn: Applicant Team 1) fax

WEBSITE www.dps.state.az.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (602) 223-2876.

ARKANSAS

AGENCY Arkansas State Police
Identification Bureau

#1 State Police Plaza Drive

Little Rock, AR 72209

(501) 618-8500

(501) 618-8404 fax

WEBSITE www.aps.state.ar.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through name and date of birth checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (501) 682-2222.

CALIFORNIA

AGENCY State of California

Department of Justice

Record Security Section, C-121

P. O. Box 903387

Sacramento, CA 94203-3870

(916) 227-2928

WEBSITE www.caag.state.ca.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (860) 685-8060.

COLORADO

AGENCY Colorado Bureau of Investigations

690 Kipling Street, Suite 3000

Denver, CO 80215

(303) 239-4300 phone

WEBSITE www.sor.state.co.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (303) 239-4208.

The online Sex Offender Registry is available at www.sor.state.co.us.

CONNECTICUT

AGENCY State of Connecticut

Department of Public Safety

Attn: Bureau of ID, Records Section

1111 Country Club Road

P. O. Box 2794

Middletown, CT 06457-9294

(860) 685-8480 (for Name and Date of Birth Check)

(860) 685-8270 (for Fingerprint Check)

WEBSITE www.state.ct.us/dps/

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (860) 685-8060.

The online Sex Offender Registry is available at

www.state.ct.us/dps/SexOffenderRegistryNOTICE.htm

Currently, information on registered sex offenders is only available to law enforcement personnel. This law is being appealed before the U.S. Supreme Court.

DELAWARE

AGENCY Delaware State Police

State Bureau of Identification

1407 N. Dupont Highway

Dover, DE 19901

(302) 739-5880

WEBSITE www.state.de.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through fingerprint checks.

SEX OFFENDER REGISTRY

The online Sex Offender Registry is www.state.de.us.

DISTRICT OF COLUMBIA

AGENCY Metropolitan Police Department

Attn: Mail in Correspondence

300 Indiana Ave. N.W., Room 3061

Washington, DC 20001

(202) 727-4245

WEBSITE www.ci.washington.dc.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through name and date of birth checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (202) 727-4407.

FLORIDA

AGENCY Florida Department of Law Enforcement

P.O. Box 1489

ATTN: USB (User Services Bureau)

Tallahassee, FL 32302

(850) 410-8109

WEBSITE www.2.fdle.state.fl.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date

of birth checks or on the internet.
SEX OFFENDER REGISTRY
The Sex Offender Registry hotline is (850) 410.8572.

GEORGIA
AGENCY Georgia Bureau of Investigations
3121 Panthersville Road
Decatur, GA 30034
(404) 244-2770
WEBSITE www.ganet.org/gbi
CRIMINAL BACKGROUND CHECK
Criminal background records are obtained through either name and date
of birth checks or fingerprint checks.
SEX OFFENDER REGISTRY
The online Sex Offender Registry is www.ganet.org/gbi.

HAWAII
AGENCY Hawaii Criminal Justice Data Center
465 South King Street
Room 101 Administration
Honolulu, HI 96813
(808) 587-3100
WEBSITE www.state.hi.us
CRIMINAL BACKGROUND CHECK
Criminal background records are obtained through either name and date
of birth checks or fingerprint checks.
SEX OFFENDER REGISTRY
The Sex Offender Registry hotline is (808) 587-3100.

IDAHO
AGENCY Idaho State Police
Attn: BCI(Bureau of Criminal Identifications)
P. O. Box 700
Meridian, ID 83642
(208) 884-7134
WEBSITE www.isp.st.id.us
CRIMINAL BACKGROUND CHECK
Criminal background records are obtained through either name and date
of birth checks or fingerprint checks.
SEX OFFENDER REGISTRY
The Sex Offender Registry hotline is (208) 884-7305.

ILLINOIS
AGENCY Illinois State Police
Information and Technology Command
Bureau of Identification
260 North Chicago
Joliet, Illinois 60432-4075

(815) 740-5189

WEBSITE www.state.il.us/isp/isphpage.htm

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (815) 740-5211.

INDIANA

AGENCY Indiana State Police, Central Repository

100 North Senate Avenue, Room N302

Indianapolis, IN 46202-259

(317) 232-8266

WEBSITE www.in.gov/isp/lch

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (317) 232-2560.

IOWA

AGENCY Iowa Division of Criminal Investigation

Bureau of Identification

Wallace State Office Building

Des Moines, IA 50319

(515) 281-5138

(515) 242-6876 fax

WEBSITE www.state.ia.us/govt/dps/dci/crimhist.htm

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through name and date of birth checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (515) 281-4976.

KANSAS

AGENCY Kansas Bureau of Investigations

Criminal Justice Information Systems Division

Attn: Adult Records(NCJRC)

1620 S. W. Tyler

Topeka, KS 66612-1837

(785) 296-8200

WEBSITE www.kbi.state.ks.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The online Sex Offender Registry is available at www.kbi.state.ks.us.

KENTUCKY

AGENCY Kentucky State Police

Records Branch

1250 Louisville Road

Frankfort, KY 40601

(502) 227-8700

(502) 227-8734 fax

Website is unavailable at this time.

Criminal Background Check

Criminal background records are obtained through name and date of birth checks.

Sex Offender Registry

The Sex Offender Registry hotline is (502) 227-8700.

The Sex Offender Registry is only available with a criminal background check.

LOUISIANA

AGENCY Louisiana State Police

Bureau of Criminal Identification and Information

P. O. Box 66614, Mail Slip 18

Baton Rouge, LA 70896-6614

(225) 925-6095

(225) 925-7005 fax

WEBSITE www.state.la.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (225) 925-6100.

MAINE

AGENCY State Bureau of Identification

42 State House Station

Augusta, ME 04333

(207) 624-7009

WEBSITE www.state.me.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through name and date of birth checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (207) 624-7100.

MARYLAND

AGENCY Central Repository

CJIS

P. O. Box 32708

Pikesville, MD 21282-2708

(410) 764-4501

WEBSITE is unavailable at this time.

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry is available through a written request including name, address and reason for your request either faxed to (410)

653-5690 or e-mailed to sor@dpscs.state.md.us.

MASSACHUSETTS

AGENCY Criminal History Systems Board

Attn: CORI unit

200 Arlington Street

Chelsea, MA 02150

(617) 472-2881 ext. 340

WEBSITE www.state.ma.us/chsb

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through name and date of birth checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (978) 740-6400.

MICHIGAN

AGENCY Michigan State Police

CJIC

7150 Harris Dr.

Lansing, MI 48913

(517) 322-1956

WEBSITE www.michigan.gov

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through name and date of birth checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (517) 322-4939.

The online Sex Offender Registry is available at www.mipsor.state.mi.us.

MINNESOTA

AGENCY Minnesota Department of Public Safety
Bureau of Criminal Apprehension
Criminal Justice Information Systems Section
1246 University Avenue
St. Paul, Minnesota 55104
(651) 642-0670

WEBSITE www.dps.state.mn.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through name and date of birth checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry phone number is (651) 603-6748.

The online Sex Offender Registry is available at www.doc.state.mn.us.

MISSISSIPPI

AGENCY Mississippi State Department of Health
Child Care Facilities Licensure Central Office
P. O. Box 1700
Jackson, MS 39215
(601) 576-7613

WEBSITE www.msdh.state.ms.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (800) 222-8000.

MISSOURI

AGENCY Missouri State Highway Patrol
Criminal Records and ID Division
P. O. Box 568
1510 East Elm St.
Jefferson City, MO 65102
(573) 526-6153

WEBSITE www.state.mo.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry is available through your local sheriff's department.

MONTANA

AGENCY ID Bureau
P. O. Box 201403
Helena, MT 59620-1403
(406) 444-3625

WEBSITE is unavailable at this time.

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (406) 444-9479.

NEBRASKA

AGENCY Nebraska State Patrol
Attn: CID
P. O. Box 94907
Lincoln, NE 68509
(402) 471-4545

WEBSITE www.state.ne.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (402) 471-8647.

NEW HAMPSHIRE

AGENCY New Hampshire State Police
James Hayes Safety Building
10 Hazen Drive
Concord, NH 03305
(603) 271-2538

WEBSITE www.state.nh.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through name and date of birth checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (603) 271-2663.

NEW JERSEY

AGENCY New Jersey State Police

Records and Identification Section

P. O. Box 7068

West Trenton, NJ 08625-0068

(609) 882-2000

WEBSITE www.state.nj.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (609) 882-2000.

NEW MEXICO

AGENCY Department of Public Safety

4491 Cerrillos Rd.

Santa Fe, NM 87504

(505) 827-9181

WEBSITE www.state.nm.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (505) 827-9181.

NEW YORK

AGENCY Office of Court Administration

Criminal Search Intake Unit

25 Beaver Street

New York, New York 10004

(212) 428-2810

WEBSITE www.courts.state.ny.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through name and date of birth checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (900)288-3838.

NORTH CAROLINA

AGENCY State Bureau of Investigation

North Carolina Department of Justice

P. O. Box 29500

Raleigh, NC 27626-0500

(919) 662-4500

WEBSITE www.state.nc.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The online Sex Offender Registry is available at

<http://sbi.jus.state.nc.us/DOJHAHT/SOR/Default.htm>.

NORTH DAKOTA

AGENCY North Dakota Bureau of Criminal Investigations

Criminal Records Section

4205 State Street (zip code is 58503)

P.O. Box 1054

Bismarck, ND 58502-1054

(701) 328-5500

WEBSITE www.ag.state.nd.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (701) 328-5500.

OHIO

AGENCY Ohio Bureau of Criminal Identification

P. O. Box 365

London, OH 43140

(740) 845-2000

WEBSITE www.state.oh.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry is only available with a criminal background check.

OKLAHOMA

AGENCY Oklahoma State Bureau Identification

Criminal History Reporting

6600 North Harvey, Building 6, Suite 140

Oklahoma City, OK 73116

(405) 879-2528

WEBSITE www.osbi.state.ok.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (405) 228-2060.

OREGON

AGENCY Oregon State Police

Attn: Open Records

Unit 11

P.O. Box 4395

Portland, OR 97208-4395

(503) 378-3070

WEBSITE www.osp.state.or.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (503) 378-3720.

PENNSYLVANIA

AGENCY Pennsylvania State Police

Records and Identification Division

1800 Elmerton Avenue

Harrisburg, PA 17110

(717) 783-5492

WEBSITE www.state.pa.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (717) 705-4253.

RHODE ISLAND

Agency Department of Attorney General Office

Attn: BCI

150 South Maine Street

Providence, RI 02903

(401) 421-5268

WEBSITE www.state.ri.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through name and date of birth checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (401) 421-5268 ext.2288

SOUTH CAROLINA

AGENCY SLED(State Law Enforcement Division)

Attn: Records

P. O. Box 21398

Columbia, SC 29221

(803) 737-9000

WEBSITE www.sled.state.sc.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through name and date of birth checks.

Criminal background records can be obtained online at www.sled.state.sc.us.

SEX OFFENDER REGISTRY

The online Sex Offender Registry is available at www.sled.state.sc.us.

SOUTH DAKOTA

AGENCY Division of Criminal Investigation

Identification Section

500 East Capital

Pierre, SD 57501-5070

(605) 773-3331

WEBSITE www.state.sd.com

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (605) 773-3331.

TENNESSEE

AGENCY Tennessee Bureau of Investigation
Records and Identification Unit - Applicant Processing
901 R. S. Gass Blvd.
Nashville, TN 37216
(615) 744-4000

WEBSITE www.tbi.state.tn.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (615) 744-4000.

TEXAS

AGENCY Texas Department of Public Safety
Crime Records Division
P. O. Box 4143
Austin, Texas 78765
(512) 424-5664

WEBSITE www.txdps.state.tx.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline (512) 424-2279.

UTAH

AGENCY Utah Department of Criminal Identification
3888 W. 5400 South
Salt Lake City, UT 84114-8280
(801) 965-4569

WEBSITE www.bci.utah.gov

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (801) 538-4003.

VERMONT

AGENCY Vermont Criminal Information Center

Department of Public Safety

103 South Main Street

Waterbury, VT 05671-2101

(802) 244-8727

WEBSITE www.dps.state.vt.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (802) 241-5400.

VIRGINIA

AGENCY Virginia State Police

7700 Midlophian Turnpike

Richmond, VA 23235

(804) 674-2000

WEBSITE www.virginiatrooper.org

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (804) 674-2000.

WASHINGTON

AGENCY Washington State Patrol

Identification and Criminal History Section

P. O. Box 42633

Olympia, WA 98504-2633

(360) 705-5100

WEBSITE <https://watch.wsp.wa.gov>

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry is available through your local sheriff's department.

WEST VIRGINIA

AGENCY West Virginia State Police

Criminal Identification Bureau

Records Section

725 Jefferson Road

South Charleston, WV 25309

(304) 746-2100

WEBSITE www.wvstatepolice.com

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline (304) 746-2133.

WISCONSIN

AGENCY Crime Information Bureau

Record Check Unit

P. O. Box 2688

Madison, WI 53701-2688

(608) 266-5764

WEBSITE <http://wi-recordcheck.org>

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline (800) 398-2403.

WYOMING

Agency Division of Criminal Investigation

316 West 22nd St.

Cheyenne, WY 82002

(307)777-7523

WEBSITE www.wy.state.us

CRIMINAL BACKGROUND CHECK

Criminal background records are obtained through fingerprint checks.

SEX OFFENDER REGISTRY

The Sex Offender Registry hotline is (307) 777-7809.

APPENDIX F: RESOLUTION B008, PROTECTION OF CHILDREN AND YOUTH FROM ABUSE, 74TH GENERAL CONVENTION (2003)

RESOLVED, the House of Bishops concurring, That the 74th General Convention of the Episcopal Church recommit itself to the vision of the role of children in the church as articulated in A Children's Charter for the Church as adopted by the 72nd General Convention in 1997. The Charter, among other things, calls the church to:

- Receive, nurture and treasure each child as a gift from God;
- Love, shelter, protect and defend children within its own community and in the world, especially those who are abused, neglected or in danger; and
- Advocate for the integrity of childhood and the dignity of all children at every level of our religious, civic and political structures; and be it further

RESOLVED, That this Church acknowledges that the times and circumstances demand that the church articulate a clear and firm commitment to the safety of all, especially children; that we support this commitment with clear and firm policies and procedures for the well being of all; and that we commit this Church to being and becoming a place where children and youth are safe, especially from abuse and neglect; and be it further

RESOLVED, That each diocese develops and adopts policies for the protection of children and youth from abuse that address the following:

1. A screening and selection process for all clergy, lay employees and volunteers who regularly work with children or youth. Dioceses are encouraged to consider:
 - a. A written application
 - b. A public records check
 - c. An interview
 - d. Reference checks
 - e. A general provision that volunteers not work with children or youth until they have been known to the clergy or congregation for at least six months
2. The articulation of behavioral standards for clergy, lay employees, and volunteers working with children or youth. Dioceses are encouraged to consider:
 - a. Respect for the privacy and dignity of children and youth by not putting them in inappropriate unmonitored one-to-one situations
 - b. Age-appropriate arrangements for sleeping, bathing, dressing, or showering
 - c. The prohibition of dating, romantic involvements, or sexual contact with a child or youth
 - d. The prohibition of any sexually oriented materials (magazines, cards, videos, films, clothing, etc.) in the presence of children and youth except as expressly permitted as part of a pre-authorized educational program
 - e. Guidelines for physical contact and expressions of affection that define appropriate and inappropriate behaviors
 - f. The prohibition of discussing their own sexual activities and fantasies with children or youth
 - g. The prohibition of the non-sacramental use, possession, distribution or being under the influence of alcohol, illegal drugs, or the misuse of legal drugs
3. The monitoring of programs and interaction with children and youth. Dioceses are encouraged to

consider:

- a. The prohibition of the development or initiation of new activities for children or youth without prior approval from the appropriate decision-maker(s)
 - b. The recognition that the ordinary standard is the presence of two unrelated adults for any activities involving children or youth
4. Education and training. Dioceses are encouraged to consider:
- a. Child abuse prevention for clergy, lay employees and volunteers who regularly work with children or youth
 - b. Specialized training for those who recruit, screen or select persons to work with children or youth
5. Guidelines for responding to concerns. Dioceses are encouraged to consider:
- a. Inappropriate behavior with children or youth
 - b. Violation of policies for the protection of children or youth
 - c. Suspected abuse of children or youth; and be it further

RESOLVED, That each diocese shall report to the House of Bishops Committee on Pastoral Development prior to the Spring 2006 meeting of the House of Bishops with a copy of its adopted and implemented policy and an evaluation of the history of its use. A summary report shall be made to the House of Bishops Spring 2006 meeting and a full report made to the 75th General Convention.

APPENDIX G: SINGLE CLERGY

Preface: For the purposes of this policy, a pastoral relationship has been defined as "any relationship between an ordained person and any other person" (page 3). A protected relationship is defined as one between an ordained person and any individual to whom he or she has sacramental or pastoral oversight or care.

The following guidelines are intended only for those situations when a single cleric intends to date a person who is clearly under his/her pastoral care (congregation member, employee, or supervisee). Relationships with persons who fall outside this clear pastoral care responsibility must be protected, but the potential pastoral disruption is not as potentially serious or disruptive.

Extreme care must be exercised by the cleric in a dating situation to avoid damaging the protected individual. It means that dating an individual clearly under the single cleric's pastoral care (congregation member, employee, supervisee) is wrought with danger.

Break-up of the relationship usually results in pain on the part of at least one party which may preclude continuance of the overt pastoral care relationship. In addition, persons peripheral to the relationship (fellow congregants, other employees) may be drawn into the situation, creating problems of dissension at minimum. It is strongly advised that clerics avoid dating individuals under their direct protected care.

A cleric contemplating a relationship with a protected person is advised to seek consultation with another cleric and/or congregation member to ensure that the protected individual has pastoral care from another cleric. It may be advisable to jointly read this Single Clergy section of the policy book with the prospective date.

It is important to recognize that an unsatisfactory ending to a relationship between a cleric and a person under his/her pastoral care can quickly become a case of alleged sexual misconduct and necessitate commencement of the investigative process.

