

## **POLICY ON SEXUAL MISCONDUCT BY ROSTERED LEADERS NEW JERSEY SYNOD, ELCA**

This policy is a resource for all congregations and their members; as such, it is to be available and accessible.

Please note: if the misconduct being reported involves a minor (under 18 years old at time of incident), please contact the police and NJ Child Protective Services (in state: 1-877-652-2873; 1-877-NJAbuse, or out of state: 800- 422-4453). If a child is in immediate danger, call 911.

### **WHY IS THIS POLICY NECESSARY?**

Sexual misconduct by pastors and deacons is a topic that nobody really wants to acknowledge as being a problem in the church. Yet, for the sake of the Gospel, it must be addressed.

As a community of faith, the Lutheran Church is shaped by the Word of God. Our faith is focused in the incarnation of Jesus Christ, his death, and resurrection. Jesus is the revelation which makes clear the law and gospel proclaimed in the Old Testament and the New Testament.

We believe that God's grace continues to be active in our lives today, as God's love heals and restores people even in the face of great damage and sin. God's presence in Word and Sacrament forms us into a community of peace, a dynamic movement toward justice and wholeness.

Because the church is to be a place for healing and justice, it must recognize, prevent, stop, and heal sexual abuse. <sup>1</sup> The expectations of this church regarding sexual conduct of all of God's people are grounded in the understanding that human sexuality is a gift from God. Because they are set apart for public ministry, pastors and deacons are expected to give particular care to this vision. The trust relationships integral to ministry, and the investment of authority, and therefore power, leave open the possibility for abuse.

For this reason, the ELCA has made clear that pastors and deacons are expected to reject sexual promiscuity, the manipulation of others for purposes of sexual gratification, and all attempts of sexual seduction and sexual harassment.

### **WHAT IS SEXUAL MISCONDUCT?**

Friendships and strong, healthy relationships between individuals within the Body of Christ are always appropriate. People who worship and pray and sing together have opportunities to build deep personal bonds. We encourage the development of such relationships, and encourage siblings in Christ to express themselves in these relationships in ways that are appropriate.

The rostered minister is always responsible for setting appropriate boundaries in all relationships with parishioners, clients, staff members, organizational employees, and others with whom they are carrying out their responsibilities as a rostered minister. This policy is not about healthy relationships, appropriately expressed. This policy deals with the misuse of power by rostered

leaders and with behaviors that are violations of appropriate boundaries. Such behavior may be unwelcome, or uninvited, or part of a pattern, but it is always inappropriate, even when objections remain unspoken.

Sexual misconduct shall be defined as any activity in which a rostered minister engages in sexual behavior with a parishioner, client, staff member, organizational employee, or other person with whom the rostered minister is carrying out their responsibilities as a rostered minister. This can include, but is not limited to: kissing, fondling, sexual intercourse, oral sex, sexual jokes, inappropriate sexual conversation, or suggestions of sexual or romantic involvement. When a rostered minister has acted in a sexually inappropriate way, the Bishop needs to know, in order to begin an inquiry and respond appropriately.

### **PROCEDURE FOR REPORTING MISCONDUCT**

In the New Jersey Synod, Bishop Bartholomew is the designated person to hear allegations of sexual misconduct. However, any of the persons listed below can serve as first contact. The Bishop will personally investigate each allegation, and will strive to be fair and just. The Bishop is committed to assuring that congregations of the Synod are safe for all of God's children.

**Step One:** Call Bishop Bartholomew at her office (609-586-5995 or 609-586-6800). The Bishop's secretary will answer the telephone. She will treat your call with respect, and with confidentiality. When the Bishop is not in the office, the secretary generally asks what the call is in reference to; feel free to tell her that it is personal and urgent. The Bishop will return your call. Bishop Bartholomew can also receive an initial report of misconduct at a meeting or other public event in which you have opportunity to speak with her. She will arrange to meet with you to hear the complete story.

**Step Two:** Bishop Bartholomew will meet with you, normally at the Synod Office. For this meeting you are encouraged to have present with you an advocate (spouse, friend, pastor, or counselor), someone who can be with you for support and encouragement through the entire process. The Bishop will normally arrange to have an assistant present as well. This person will take notes, and help with the inquiry. This is a person the Bishop trusts and can confide in for help and counsel in the area of sexual misconduct. If you would have some difficulty with a particular assistant being present, simply alert Bishop Bartholomew to that fact. When you meet with the Bishop, she will ask you to tell your story. Plan to be as specific as you can be about exactly what has taken place, and when the incident(s) took place. Feel free to refer to notes or a written account. Bishop Bartholomew may ask questions for clarification, and may ask you to tell your story more than once so that the facts are clear to her. Following your visit, you will be kept informed of the process of investigation, and of the Bishop's action in the matter.

## **FOR THE SAKE OF THE GOSPEL**

It takes courage and faith to report incidents of abuse. When sexual misconduct happens in the church, the proclamation of the Gospel is impaired. When the Gospel is not clearly heard, everyone suffers: the abused, the perpetrator, the church, and the world. For the sake of the Gospel, prompt reporting is encouraged. But, even if the incident happened a long time ago or in a different synod, you are invited to report the matter to the Bishop.

For the person who has experienced sexual misconduct, reporting can help in the process of healing. And, it can help to protect other people from improper and unethical behavior. Making a report of an incident may also help the rostered minister guilty of misconduct to receive the help they need. Reporting can help to eliminate this abuse, and keep the church the safe place it is intended to be.

### **PERSONS DESIGNATED TO RECEIVE REPORTS OF MISCONDUCT**

The Rev. Tracie L. Bartholomew Bishop  
609-586-5995 or 609-586-6800  
(Messages can be left outside of working hours).

Sexual Misconduct Policy Advisor  
The Rev. Patricia S. Medley  
732-462-7545

Assistants to the Bishop  
Call the New Jersey Synod Office (609-586-6800) for individual telephone numbers  
The Rev. Maristela Freiberg  
The Rev. Sara Lilja  
The Rev. Dean Brown

<sup>1</sup> from ELCA Strategy for Responding to Sexual Abuse in the Church