

CHURCH PREPARED

Sexual Abuse

Prevention, Response & Care

THE HANDBOOK FOR
PROPERLY ADDRESSING
SEXUAL MISCONDUCT

BAPTIST CONVENTION OF MARYLAND/DELAWARE SEXUAL MISCONDUCT HANDBOOK

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INTRODUCTION

PURPOSE

The purpose of this Sexual Misconduct Handbook is to provide a resource for ministry leaders in navigating various forms of sexual misconduct, providing clear expectations and boundaries regarding interpersonal behavior.

OBSERVATIONS

All forms of sexual misconduct are wrong; some forms of sexual misconduct are illegal, requiring a report to law enforcement authorities. This Handbook outlines forms of sexual misconduct and identifies legislative code sections, where relevant, describing reporting requirements and processes. In a circumstance where a report to law enforcement or child protection agencies is *required by law*, this Handbook describes best practices and appropriate actions.

LANGUAGE MATTERS

Identifying and addressing sexual misconduct starts with clearly defined language, creating clarity and a common vocabulary surrounding this important topic. Some words have legal significance beyond common use: abuse, harassment and assault, for example, are often used interchangeably. Because precision is important, consider the following terms related to sexual misconduct and their distinctions.

Forms of Sexual Misconduct include:

1. **Child Sexual Abuse:** Inappropriate sexual behavior with a child, perpetrated by an adult
2. **Peer-to-Peer Sexual Abuse:** Inappropriate sexual behavior occurring between children
3. **Sexual Assault:** Nonconsensual sexual behavior occurring *between adults* (often characterized by force, threat or violence)
4. **Sexual Harassment:** Inappropriate sexual behavior *between adults* in the workplace (not *necessarily* characterized by force or violence)

Note: Nos. 1 and 2 involve injury to a child; Nos. 3 and 4 involve injury to an adult.

PART ONE – PROTECTING CHILDREN

Sexual Misconduct harmful to children typically occurs in two forms: Child Sexual Abuse and Peer-to-Peer Sexual Abuse.

CHILD SEXUAL ABUSE (CSA)

DEFINITION (Simplified)

Child sexual abuse: Any tricked, forced, manipulated or coerced sexual activity for the pleasure of the abuser.¹

CHILD SEXUAL ABUSE FACTS

These statistics provide a framework for the Handbook processes that follow.

In the United States:

- 1 out of 4 girls and 1 out of 6 boys will be sexually abused before reaching 18 years of age.
- More than 90% of children are victimized by someone they *know and trust*.
- 2 out of 3 sexual abuse survivors do not disclose until adulthood, *if ever*.
- These statistics are applicable to all demographics, socioeconomic statuses, ethnicities and denominations.
- Perpetrators *groom* children for inappropriate sexual touch.
- Perpetrators *groom the gatekeepers* to believe they are helpful, responsible and trustworthy individuals.
- *Preferential* offenders have an *age and gender of preference* for sexual interaction with children.
- For the *convicted* male offender recidivism is rampant, reaching 50-150 victims prior to criminal prosecution.
- In the convicted male population, the *age of first offense* is 13-14 years of age, on average.
- Less than 10% of abusers will encounter the criminal justice system in any form, *ever*.
- *False allegations of child sexual abuse are RARE.*

¹ Child Sexual Abuse Definition Maryland: MD Code 5-701 and 6-113.1, COMAR 07.02.07.02 Definitions; Delaware: 761 of Title 11 of Delaware Code

PEER-TO-PEER SEXUAL ABUSE

DEFINITION (Simplified)

Peer-to-Peer Sexual Abuse:

Sexually harmful behavior between children involving an *aggressor* and a child who does not seek out or want the sexual interaction.

FACTS

- 1 out of 3 reports of sexual abuse are perpetrated by another child (under 18 years of age).
- Children as young as 4 or 5 may engage in harmful sexual behaviors.
- For the *aggressor*: the age range of highest rate of offense is 12-14 years of age.
- Seven out of eight reported juvenile sex offenders are over 12 years of age.
- 93% of reported juvenile sex offenders are *male*.

(United States DOJ statistics, 2019)

Realities to keep in mind:

- *All* non-consensual sexual touch is a *crime*.
- Peer-to-peer sexual abuse must be reported under Maryland and Delaware mandatory reporting statutes.
- The age of consent for sexual interaction is 18 in the state of Maryland and the age of consent for sexual interaction is 16 in the state of Delaware, but *age of consent* is irrelevant in circumstances characterized by a significant *imbalance of power* (*age, size, authority, position, dependence, etc.*).

COMMUNICATION PLAN

Every ministry should have a communication plan – both *internal* and *external*.

INTERNAL COMMUNICATION

Every ministry should have a clearly communicated plan identifying issues that *must* be shared with other ministry leaders – particularly when the issue may involve injury of a child or adult. If the issue requires a report to law enforcement or child protection authorities, the ministry should follow a well-defined communication plan (See **Appendix: Child Sexual Abuse Response Plan**). Not all matters, however, require a report to authorities (i.e., policy violations, unusual or problematic behaviors).

Every staff member within the ministry should understand the pathways of communication to freely express or describe issues or circumstances for evaluation and possible response by ministry leaders. Open communication avoids this breakdown: “I saw problematic behavior, but I didn’t know who to tell.”

EXTERNAL COMMUNICATION

Some issues or circumstances must be communicated *outside* the ministry’s internal communication pathways, including suspicions or allegations of child abuse or neglect that must be reported to authorities. Some issues may require communication to families, the congregation and/or an insurance carrier, depending on the facts. Every ministry should create an external communication plan *before* the plan is needed. (See **Appendix: Child Sexual Abuse Response Plan**).

CHILD SEXUAL ABUSE: REPORTING REQUIREMENTS

REPORTING CHILD SEXUAL ABUSE

Every church or ministry will encounter sexual abuse issues, whether in the form or allegations from within the ministry or from a child's *core world* or *home environment*. Where suspicions or allegations of abuse are concerned, every ministry should create a Child Sexual Abuse Response Plan (See **Appendix**).

Every ministry's Response Plan should include *abuse reporting policies* complying with the mandatory reporting requirements of the respective state. Maryland and Delaware reporting requirements are provided below, highlighting key provisions and accompanying Best Practices.

Note: Child sexual abuse (perpetrated by an adult) and peer sexual abuse (perpetrated by another child) are reportable events – *both involve sexual abuse of a child*.

CHANGES IN THE LAW

Legal reporting requirements change constantly: ministry leaders must stay abreast of state and federal changes in the law.

MARYLAND REPORTING REQUIREMENTS

Maryland Code 5-704 and 5-705

All Maryland citizens should report suspected abuse or neglect to the local department of social services or to a local law enforcement agency. Ensuring the safety of Maryland's children is an obligation shared by all citizens and organizations. You are required by law to report orally immediately and follow with a written report within 48 hours if requested.

MARYLAND

Local Law Enforcement Agency Call 911
MD Dept. of Child Protective Services 800-332-6347
Individual County CPS Hotline [Internet Search for contact info]

CLERGY PRIVILEGE

In Maryland Code, 5-705 a3; CJ 9-111

In Maryland, *clergy privilege*

A minister of the gospel, clergyman, or priest of an established church of any denomination is not required to provide notice under paragraph (1) of this subsection if the notice would disclose matter in relation to any communication described in § 9-111 of the Courts Article and:

- (i) the communication was made to the minister, clergyman, or priest in a professional character in the course of discipline enjoined by the church to which the minister, clergyman, or priest belongs; and
- (ii) the minister, clergyman, or priest is bound to maintain the confidentiality of that communication under canon law, church doctrine, or practice.

If a clergy member concludes that a clergy privilege may be asserted in a given circumstance, competent legal counsel should be consulted.

Best Practice

If a clergy member concludes that a clergy privilege *may* be asserted in a given circumstance, competent legal counsel should be consulted.²

² Do not assume *all* attorneys are equipped to provide competent counsel where child sexual abuse issues are at issue.

DELAWARE REPORTING REQUIREMENTS

Delaware Code title 16.903

Any person, agency, organization or entity who knows or in good faith suspects child abuse or neglect shall make a report to a local law enforcement agency or by contacting the Child Abuse and Neglect Report Line for the Department of Services for Children, Youth and Their Families. An immediate oral report must be made by telephone or otherwise. Reports and the contents thereof including a written report, if requested, must be made in accordance with the rules and regulations of the Department. Nothing in this section shall relieve individuals of their obligations to report.

DELAWARE

Local Law Enforcement Agency	Call 911
DE 24-hour Hotline	800-292-9582
Online reporting through DSCYF	[Internet Search for contact info]

CLERGY PRIVILEGE

In Delaware Code, 16.909 a

No legally recognized privilege, except that between attorney and client and that between priest and penitent in a sacramental confession, applies to situations involving known or suspected child abuse, neglect, exploitation, or abandonment and does not constitute grounds for failure to report as required by § 903 of this title or to give or accept evidence in any judicial proceeding relating to child abuse or neglect.

If a clergy member concludes that a clergy privilege may be asserted in a given circumstance, competent legal counsel should be consulted.

Best Practice

If a clergy member concludes that a clergy privilege *may* be asserted in a given circumstance, competent legal counsel should be consulted.³

³ Do not assume *all* attorneys are equipped to provide competent counsel where child sexual abuse issues are at issue.

ADDITIONAL REPORTING OBLIGATIONS

OVERVIEW

In addition to a report to relevant authorities, additional circumstances may require reporting.

NOTIFYING YOUR INSURANCE CARRIER

Reporting allegations or suspicions of child abuse to relevant authorities is a legal obligation; failure to do so is a CRIME. Reporting this information to a ministry's *insurance carrier* is a contractual obligation, rather than an obligation under state law; failure to do so can have contractual consequences.

Policy Notice Provision

Every ministry should purchase appropriate insurance coverage, including coverage related to Sexual Abuse and Molestation (SAM Coverage) or Sexual Misconduct Coverage. Every insurance policy will contain a 'notice' requirement similar to this:

In the event the insured [ministry] receives information concerning facts that could give rise to a claim, the insured is required under this policy to notify the insurance carrier immediately, but not later than 24 hours after receipt of this information.

If a circumstance related to sexual abuse includes a fact pattern which *could* give rise to a claim (lawsuit) against the church or ministry program, this notice provision requires the ministry to notify its insurance carrier. (*Presumably a report to authorities has already occurred.*)

Failure to Notify Carrier

Failure to notify the carrier in this circumstance can result in a 'reservation of rights' or denial of coverage by the carrier. Either scenario places the ministry in an adversarial position with its insurance carrier, which is not a desirable circumstance while navigating a crisis.

NOTIFYING PARENTS, CONGREGATION AND STAKEHOLDERS

Though not legally required or contractually mandated, notifying parents, members of the congregation and ministry stakeholders is imperative, particularly if the alleged abuser was a ministry staff member, volunteer or lay leader. What to communicate and to whom is driven by the particular fact pattern being navigated. See the Sexual Abuse Response Plan (See **Appendix**) for specific guidance related to these communications.

OVERCOMING OBSTACLES TO REPORTING

OVERVIEW

Every state in the United States, including Maryland and Delaware, has mandatory reporting requirements decreed by state law: when a mandatory reporter gains knowledge of or suspects abuse or neglect of a child, that individual is required to report to designated authorities. The consistent message from state and federal lawmakers, child advocacy organizations, insurance organizations and risk managers is this: *when in doubt, REPORT*.

Regardless of clear legal requirements mandating the report of child sexual abuse and neglect – and the reality that *failure to report* can bring about criminal charges – *ministry leaders continue to struggle with this obligation*. To avoid the common pitfalls, ministry leaders must understand common misconceptions about sexual abuse and sexual abusers that lead to failure to report. By replacing misconceptions with factual information, ministries can avoid these failures, providing a clear pathway to a *correct response* that may feel or seem counterintuitive. Listed below are the most common obstacles to reporting.

“WHAT IF I AM WRONG?”

Many individuals struggle with the thought: *What if I’m wrong?* What if I make this report, impact this person’s life, and I’m *wrong*?

Hesitation in reporting child sexual abuse is common, particularly in circumstances where ministry staff members or leaders lack an understanding of sexual abuse, sexual abusers, broader legal requirements and ramifications to the victim. When sexual abuse is alleged or reasonably suspected, leaders know the next step may have significant consequences – for the ministry, for the child and for the individual accused.

At this juncture, too often the focus of ministry leader is on the alleged bad actor:

- “If I call authorities, it can ruin this employee’s career, marriage, reputation ...”
- “This child is accusing someone I know ... I cannot imagine him doing this.”
- “When I asked her about it, she denied touching the child in any inappropriate manner.”
- “This is simply what the child said... and I have no proof.”
- “This child may be making this up – should I believe a trusted staff member or a *child*?”

Here’s the reality: by creating very broad reporting obligations and requiring that *all* allegations and reasonable suspicions of abuse be reported, the Maryland and Delaware

state legislatures have decided that the safety and welfare of the *child* outweigh any inconvenience to an *adult* (or another child, in peer-to-peer sexual abuse scenarios).

Reporting Principle: the safety and welfare of the child outweighs any inconvenience to an adult.

In addition, when an adult or older child is the subject of a report to authorities, the alleged bad actor has *significant* due process and legal rights in any investigative process and criminal prosecution. Alternatively, when *no* report is made, the child victim receives *no due process*.

Worse, the child joins thousands of abuse survivors who draw damaging conclusions from the experience, including:

- “No one believes me.”
- “They believe my abuser instead of me.”
- “There is no point in speaking out; I will never be believed.”
- “Somehow, it was my fault.”
- “I was powerless to stop what happened, and will be powerless to stop it in the future.”
- “There is no justice here for me, or others.”
- “This is not a safe place for me.”

At this point, child-serving leaders are at a crossroad: *make a report or not*. When a report is made, the accused adult (or older child) may engage in the process to prevent injustice. When the report is *not* made, the child may continue to experience abuse..... *and additional trauma from the silence of those who failed to report.*

FEAR OF FALSE ALLEGATIONS

One of the most unfortunate reasons for failure to report is the fear of reporting a *false allegation*, thereby creating hardship for the individual accused. This fear is pervasive, notwithstanding mandatory reporting requirements, and has great likelihood of causing further damage to an abuse victim. What follows is an attempt to correct the common misconception that false allegations of child sexual abuse are common, or, conversely, that abuse allegations should be investigated and *proven* before a report occurs.

False allegations of child sexual abuse are rare: less than 3%.
(Center for Disease Control)

False Allegations are RARE

Statistically, false allegations of child sexual abuse are *rare*. The Center for Disease Control (CDC) and numerous academic studies indicate false allegations are uncommon: *less than 3%*.

The majority of allegations determined to be false are *made by adults* on a child's behalf in the context of divorce and custody disputes. When an allegation is communicated by the child – *even if subsequently recanted in an effort to please family members or others* – more than 98% of allegations are factual. In most circumstances, a child's outcry provides only a fraction of the actual abusive experience. In general, *children don't fabricate an allegation*.

The point is this: *the great majority of abuse allegations are factual and should be taken as truth*. Not only should the child be believed, it can generally be assumed that the child has endured *more* abusive behavior than what has been communicated. Further, state and federal reporting requirements do not require *proof* or *corroboration*; the reporting requirement is triggered by *receiving an allegation* or forming a *reasonable suspicion* of abuse or neglect.

Legislative Balance: Protect the Child

Clearly, reporting requirements were intentionally crafted to initiate communication with a low threshold of information – even if an alleged bad actor is inconvenienced by the report. This is intentional on the part of state and federal legislative bodies: the safety of the child outweighs inconvenience to the alleged bad actor. Legislative bodies have balanced the possible inconvenience and injury to an accused adult (or older child) and found it to be insufficient to overcome the compelling interest of *protecting vulnerable children*.

GROOMING THE GATEKEEPERS

Circumstances giving rise to a report of sexual abuse are rarely convenient, easy or unemotional. Instead, allegations typically involve behavior that is *difficult to believe* about an individual who is *difficult to suspect*. Keep in mind: false allegations are rare – the majority of outcries are truthful and factual.

In some circumstances, ministry leaders fail to report due to a fundamental lack of understanding of the *preferential offender*. Preferential offenders, who *prefer* a child as a sexual partner, generally have an *age and gender of preference* (e.g. *pre-pubescent females* or *adolescent males*). These offenders *groom* children for sexual abuse, and, in addition, *groom the gatekeepers* surrounding the targeted child, working to have parents, supervisors and co-workers believe them to be helpful, trustworthy and responsible.

When supervisors have been *groomed* as a gatekeeper, he or she rarely remains objective, and this is intentional on the part of the offender. Almost without exception, offenders create opportunities for *trusted time alone* with the targeted child, and because he or she is now 'known' and trusted, and an allegation or suspicion is more likely to be discounted by co-workers and supervisors.

HISTORICAL ALLEGATIONS

Historical allegations – those that relate to alleged abuse occurring years or decades ago – have become common. In most circumstances, ministries should treat historical allegations as if the alleged abuse occurred *today*. Keep these two realities in mind: the United States has the best criminal justice system in the world, yet the system is clearly imperfect.

Two out of three children *don't tell* about abuse until adulthood, if ever.

In our current cultural context, two out of three children *don't tell* about abuse they have experienced until adulthood, *if ever*. This is further compounded by the fact that most children don't tell because "no one will believe me" (which, too often, is true). The Church must become more skilled at preventing abuse, recognizing signs and symptoms of abuse, and recognizing predatory behaviors and characteristics. A ministry's willingness to recognize and report suspicions of abuse forms a key element in protecting the children it serves.

If the historical allegation relates to behavior which occurred on your watch, in the context of your ministry, or the alleged abuser is a current or former staff member or volunteer, *report* to law enforcement. *Do not* assume that the passage of time makes a report time-barred or irrelevant; from a public perception standpoint, this looks like cover-up. In general, when in doubt ... *report*.

HEARSAY

Many fail to make a report of child abuse because the information they learned about the suspected abuse was 'hearsay'.

Hearsay Defined and Misapplied

The legal definition of hearsay: *an out-of-court statement, made in court, to prove the truth of the matter asserted*. In a courtroom setting, the Rules of Evidence prefer the original source of a statement or utterance rather than a version of the statement being recounted by another. In short, 'hearsay' is a legal principle associated with forms of evidence that are admissible in a legal proceeding.

Suspensions of Abuse Include Hearsay

The concept of 'hearsay' is often interpreted by lay people as follows: *I cannot report an abuse matter because I only heard about it from another – therefore, I cannot meet the evidentiary threshold for making a report*. Ministry leaders must not, however, confuse standards related to courtroom Rules of Evidence with Maryland and Delaware mandatory reporting requirements.

Maryland and Delaware Reporting Requirements

The Maryland and Delaware legislatures clearly created an 'evidentiary threshold' well below that required to prove a matter in a criminal or civil proceeding – in fact, it is the lowest possible threshold in law. Maryland and Delaware law requires all adults to report SUSPICIONS of child abuse or neglect. *Suspicion* is not defined in the code section, but is commonly understood to mean: *a feeling or thought that something is possible, likely or true*. Hearsay falls clearly within this broad definition. In fact, most *suspensions of abuse* originate from something learned from another.

In short, the Maryland and Delaware legislatures intentionally created an extremely broad definition in order to receive as much information from as many individuals as possible in order to protect vulnerable children. Whether relevant information is 'hearsay' (or not) may play a role in subsequent criminal or civil proceedings, but 'hearsay' should never provide a basis for failure to report child abuse or neglect to the appropriate Maryland and Delaware authorities.

CHILD SEXUAL ABUSE PREVENTION

AN EFFECTIVE SAFETY SYSTEM

Reporting child abuse and neglect is *one* element in a ministry's child protection efforts. Reporting *alone* is not enough; each ministry must implement a plan to *prevent* child sexual abuse.

Preventing child sexual abuse begins at the *ministry level*: every Church should work proactively to *prevent* and *respond well* to child sexual abuse. Prevention begins with the implementation of an effective *Safety System*. MinistrySafe provides all elements of an effective Safety System and an online framework for managing each element. Learn more about MinistrySafe's online resources and the implementation of a Safety System in the *MinistrySafe – Getting Started Guide* at MinistrySafe.com/BCMD.

The Offender's Grooming Process

In developing an effective Safety System, ministries are building a fence: a protective device meant to keep out an unwanted intruder, and the *type* of fence is driven by the type of intruder. Accordingly, an understanding of offender behavior and characteristics is key. When ministry leaders understand offender *behavior*, the Church is able to design and construct effective barriers.

When a ministry gathers children, it becomes an attractive target for the *preferential offender*, who prefers a child as a sexual partner, generally targeting a child within his or her *age range and gender of preference*.

We cannot recognize this risk *visually* ...
we must recognize this risk *behaviorally*.
The behavior is known as 'the grooming process'.

Sadly, it's not possible to recognize the preferential offender *visually*; offenders have no visual profile. Instead, ministry leaders must recognize the risk *behaviorally* – *the grooming process*. The grooming process of the preferential offender includes two key elements: ***grooming the child*** and ***grooming the gatekeepers***.

The targeted child is *groomed* for inappropriate sexual interaction, while *gatekeepers* (parents, ministry leaders and co-workers) are groomed into a belief that the offender is

a helpful, responsible, and trustworthy individual. Remember, all abusers are creating opportunities for *trusted time alone* with a targeted child.

Validated by decades of academic studies, the grooming process of the abuser is *known* and *recognizable*, and includes the following steps:

- Gaining access to children within an *age and gender of preference*;
- Selecting a specific child (or children);
- Introducing nudity and sexual touch; and
- Keeping the child *silent*.

Elements of an Effective Safety System

An Effective Safety System includes following elements:

- Sexual Abuse Awareness Training
- Skillful Screening Processes (and Training)
- Appropriate Criminal Background Check
- Tailored Policies & Procedures
- Systems for Monitoring and Oversight

Each of these elements play a role in a system; no one element serves as a stand-alone safety protocol.

Sexual Abuse Awareness Training

Sexual Abuse Awareness Training forms the foundation of an effective Safety System, because ministry leaders cannot address a risk they do not understand, and *what we believe shapes what we DO*. Prevention starts with awareness.

Awareness Training equips ministry staff members and volunteers with a better understanding of abuser characteristics, the abuser's *grooming process* and *common grooming behaviors*—giving workers eyes to see abuser characteristics and behaviors.

Training topics include:

- Facts and Misconceptions
- Characteristics of an Abuser
- Grooming Process
- Peer to Peer Abuse
- Risk Reduction & Prevention
- If a Child Reports
- Impact on Children
- Reporting Requirements

Further, *what we believe shapes what we SAY*. When staff members and volunteers are trained to recognize grooming behaviors, all are better equipped to receive and report allegations and suspicions of abuse, both internally and to appropriate civil authorities.

What we BELIEVE shapes what we DO.
What we BELIEVE shapes what we SAY.

Skillful Screening

The best predictor of future behavior is past behavior. Screening is the process by which ministry leaders gather information about an applicant's past behavior to better predict future behavior. An effective ministry screening process should include the following elements for paid staff positions *and* volunteers: application, reference checks, criminal background check and an interview.

Commonly, ministries screen applicants for fitness of purpose – gathering information about an applicant's past behavior to determine whether the applicant has the skills, abilities and education to fill a particular role. For example, if a Christian school desires to hire a Greek teacher, it's important to gather information to determine whether the applicant has mastered Greek and can effectively teach it. In this example, the school's purpose for screening was related to fitness of purpose (teaching Greek), *not child safety*.

Screening for child safety requires the gathering of information concerning an applicant's past behavior to determine whether the applicant has 'wolf-like qualities'. Where child safety is concerned, an effective screening process includes questions designed to elicit high-risk indicators of the preferential offender (male and female).

Every applicant – paid or unpaid – should be screened before he or she may enter the *sheep pen*, gaining access to children. The goal: *keep the wolf out of the sheep pen* – recognizing wolf-like qualities *before* allowing access to children.

Unfortunately, many ministries are not screening effectively, and some Churches are not screening *at all*. Training and resources related to effective screening are available through MinistrySafe; see *The MinistrySafe System – Getting Started*, at MinistrySafe.com/BCMD.

Criminal Background Check

In 2022, most ministries require criminal background checks. For many, background checks are the Church's sole volunteer screening method, because ministry leaders lack an understanding of the criminal justice system and known *limitations* of criminal background checks.

We must perform criminal background checks ...
but background checks cannot be the only thing we do.

Consider this statistic:

Less than 10% of sexual abusers will encounter the criminal justice system, *ever*.

Given this reality, if a ministry's background check system is working *perfectly* (which is unlikely), more than 90% of individuals who have sexually abused children have no past criminal record ... *and know it*. Making a reasonable effort to access past criminal history has become a standard of care, but background checks cannot serve as a stand-alone safety system.

Background checks *can* be a helpful tool when used effectively. For each staff member or volunteer, the depth of criminal background check should be determined by the extent of direct contact with children. In addition, background checks should be periodically refreshed. As well, ministry leaders should become conversant with high-risk indicators revealed by the background check process, including plea-down offenses, stair-step offenses and grooming offenses.

Tailored Policies & Procedures

Policies and Procedures are the written expression of permissible and impermissible behavior within the ministry program. Effective policies should be tailored to the type of ministry program and population served, and shaped around an understanding of the abuser's *grooming process*, *abuser characteristics* and *common grooming behaviors*.

Through Awareness Training, staff members and volunteers are trained to better understand the *purpose* of policies, therefore serving more effectively within policy boundaries, and recognizing problematic behaviors *before* inappropriate sexual interaction occurs. As well, when policy 'bright lines' are clearly communicated – *this* is appropriate, *this* is *NOT* – staff members and volunteers are more likely to notice when someone steps over the 'bright line'. Written policy should present clear guidelines concerning appropriate touch, talk, boundaries, social media, bathroom use, one-to-one interaction, overnight stays and reporting requirements.

One purpose of policies is to provide a written expression of what IS and IS NOT appropriate behavior within a particular program. Because the grooming process will vary, policies will vary – depending on the type of program (i.e., children’s ministry vs. student ministry) or the age and gender of children served. As a result, all policies will address grooming, but there may be policy variations for different ministry programs. A sample Children’s Ministry Policy provided by MinistrySafe can be found at MinistrySafe.com/BCMD under resources.

Systems for Monitoring and Oversight

For any Safety System to remain effective, systems for monitoring and oversight must be in place, ensuring that *you DO what you SAY you do* in a consistent manner.

A periodic review of safety system elements is necessary to maintain consistency:

Does the system still fit the ministry?

Are adequate methods of accountability in place?

Is the ministry able to archive evidence of safety system compliance?

Leaders must evaluate new programs for child protection issues, monitor changes in reporting requirements, address ongoing need for policy updates, and include child protection compliance in employee performance evaluations. Periodic review ensures that child protection is not jeopardized by the departure of one or two key staff members or volunteers.

To learn more about MinistrySafe’s online Control Panel and Systems for Monitoring and Oversight, visit MinistrySafe.com/BCMD.

SAFETY COMMITTEE

The Safety Committee is a group of individuals responsible for addressing all areas of child protection in an ongoing manner, ensuring that Safety System elements are implemented consistently.

It is imperative that the Safety Committee be empowered and authorized by church polity to ACT where child protection issues are concerned.

Serving on the Church Safety Committee

The Safety Committee should consist of at least three individuals, such that child protection issues or allegations do not ‘bottleneck’ with one or two people. More than nine individuals may become unwieldy, where scheduling issues are concerned. *Best practice:* Require completion of Sexual Abuse Awareness Training and Skillful Screening Training for the Children’s Minister, Student Ministry Pastor, the chair of the Safety Committee and the Executive Pastor.

Recommended Safety Committee members include:

- Executive Pastor
- Children's Minister
- Student Ministry Pastor
- Any Pastor overseeing any other child-serving program
- Designated Elder or Deacon (representing the Elder Board or Deacons)

Safety Committee Meetings

Initially, the committee should meet monthly. After six monthly meetings, the committee may elect to meet quarterly. In addition to regular meetings, the Safety Committee should meet immediately following any significant incident related to child protection to discuss the incident, action steps, and any need for policy modification.

Topics to be Discussed (Initial Six Months)

- Creating the Sexual Abuse Response Plan
- Creating a proposed budget for child protection
- Church adherence to child protection policies and adopted practices
- Any issues arising from specific child-serving programs
- Potential problem areas or programs
- Screening protocols, including timelines, for employees and volunteers
- Keeping a comprehensive list of ALL Church programs serving minors

All child protection issues should be addressed by the Safety Committee. No Church ministry program should be authorized to initiate services to children or youth without first vetting the proposed services through the Safety Committee.

Every five years, the Safety Committee should complete an assessment of all services offered to children or youth, evaluating child protection in each program, including:

- Unscheduled drop-in supervision
- Discussion with program leaders
- Discussion with child protection experts
- Review of performance evaluations in key positions

All suspicions or allegations of child abuse or neglect communicated to or arising out of Church programs should be reported to a member of the Safety Committee. ***Failure to report to the Safety Committee by a Church employee should be deemed a violation of ministry policy which may lead to termination.***

Best Practice: Should a suspicion or allegation of child sexual abuse be received by ANY committee member, the committee chair must be notified the same business day, but in any case, within 24 hours, such that no member of the committee becomes a bottleneck related to the allegation or information.

Any failure to comply with this requirement should be deemed a violation of ministry policy which may lead to termination.

When an allegation or suspicion of abuse arises, the committee will act to report the allegation if the circumstance, outcry or allegation was not previously reported to child protection agencies or law enforcement. After this report has occurred, the Safety Committee will take appropriate action to safeguard other children and implement elements of the Sexual Abuse Response Plan. When needed, the Safety Committee (or its designee) will retain legal counsel concerning reporting requirements and appropriate action in all child protection contexts.

CONCLUSION

Sexual abusers move to where the barriers to entry are lowest or nonexistent: too often, the Church. When ministry leaders understand the risk presented by the preferential offender, an effective Safety System may be put in place, proactively protecting children from sexual abuse.

PART TWO

SURVIVOR CARE AND THE LOCAL CHURCH

Studies show there are 60 million child sexual abuse survivors in the United States. Given a population of 300 million, that's 1 out of 5 Americans who were sexually abused before reaching 18 years of age.

Sexual abuse survivors are attending churches, our Maryland and Delaware Baptist Churches, searching for hope and healing from the devastating effects of sexual abuse. **BCMD churches must care for survivors.** What follows are suggestions related to best practices for caring for sexual abuse survivors in the local church.

“Trauma is the new mission field.”

Diane Langberg

Sanctification is the process of growing in Christlikeness. Personal sanctification involves the whole person - head, hands, and heart.

- Head / Knowing - “Sanctify them by the truth; your word is truth” John 17:17
- Hands / Doing - “Do not merely listen to the word, and so deceive yourselves. Do what it says.” James 1:22
- Heart / Being - “Above all else, guard your heart, for everything you do flows from it.” Proverbs 4:23

Everything about a person flows from the heart. When a heart is wounded through a sin, such as sexual abuse, sanctification becomes more difficult. Wounded hearts hold onto anger, fear, resentment, and unforgiveness. Caring for sexual abuse survivors means helping to address wounded hearts in godly ways.

TWO MODELS OF HELP

There are two models of help available to survivors: professional and biblical.

- Professional help is a **one-on-one model**. In most instances, a professionally trained counselor or therapist meets with an individual to provide thoughtful interaction and exercises for healing.
- Biblical help is a **one-another model**. In this model of helping, the local church becomes the living, active body of Christ through real life relationships, sharing hurts and applying biblical truth.

The biblical model of helping offers several advantages:

- **The Word of God** - a source for truth and guidance for life (Your word is a lamp to my feet and a light to my path. Psalm 119:105)
- **The Indwelling Holy Spirit** - a source for power and access to the power of God (Now the Lord is the Spirit, and where the Spirit of the Lord is, there is freedom. 2 Cor. 3:17)
- **The Family of Faith** - (Let the message of Christ dwell among you richly as you teach and admonish one another with all wisdom through psalms, hymns, and songs from the Spirit, singing to God with gratitude in your hearts." Colossians 3:16)

CHRISTIAN ANTHROPOLOGY

Christian anthropology is the study of humans as it relates to God. A complete anthropology includes:

- Doctrine of Sin - "what is wrong with us"
- Doctrine of Suffering - "what has happened to us"

Jesus Addressed our **sin** by his death as our Savior on the cross. He went to the cross in His physical body to address our sin.

Jesus Addresses our **suffering** by his life as our Shepherd through the church. He shepherds us in our suffering through his spiritual body, the church.

Christian anthropology requires us to shepherd those who have suffered through the local church. We must be willing to engage in real life ministry, which is often messy and fluid, as we shepherd our church body toward healing and wholeness.

THE FEARLESS SERIES FOR THE LOCAL CHURCH

The Fearless Series for women is a five-video series for small groups in the local church to begin the conversation about sexual abuse. Both survivors and local church attendees may participate in the five-session video study. A trained facilitator guides discussion and keeps the group on track to accomplish session goals.



Dr. James Reeves hosts facilitator training several times each year, and is available to consult with individual churches to implement the Fearless Series.

Facilitator training is FREE of charge. For information about the series visit www.FS4Women.com

CONTENT of FEARLESS SERIES:

- **Prevalence of sexual abuse**
- **Problems that can present from sexual abuse**
- **Priority for the church to address sexual abuse**
- **Prevention of sexual abuse**
- **Pathway of healing from sexual abuse**

HELPFUL INFORMATION:

Each video is 30 minutes long, followed by a small group discussion for about an hour. *Facilitator training is FREE of charge.* The suggested group size is 5 to 7 women. A study guide accompanies the video sessions.

“This series has helped me understand that I am not the only one. I now have insight about what to look for in children that may be sexually abused. I can be healed!”

Carol (Fearless Series participant)

CONTINUED HELP FOR SURVIVORS

Dr. Reeves and his team understood the need for survivors to continue healing in a community of caring, committed women. The Fearless Series WORKBOOK is an additional 8 weeks of learning, discussion, and healing for survivors, including group discussion led by a trained facilitator. *Facilitator training is FREE of charge.*

PURE HOPE

For women who desire to continue meeting, a 52-week discussion guide is available. The purpose of Pure Hope is to provide accountability, support, and encouragement for women healing from sexual abuse.



For more information, visit: www.FS4Women.com

Dr. James Reeves, Founding Pastor (1984)

City on a Hill Church, Ft. Worth, Texas

Contact: JamesReeves@FS4Women.com

APPENDIX

CHILD SEXUAL ABUSE RESPONSE PLAN

BIG PICTURE QUESTIONS

- Will this issue/event define the Church, in terms of public perception?
- What is the cost of managing (or mismanaging) a child sexual abuse allegation?
- How will this reflect on the Church's reputation within the community?
- Will the Church's enrollment or census suffer?
- What is the impact on the congregation's trust in the Church's *child-safe culture*?
- What may a child sexual abuse claim or lawsuit cost the Church?
- Is the Church carrying adequate insurance coverage to address this specific risk?

ADDRESSING A CHILD SEXUAL ABUSE (CSA) ALLEGATION

- Creating (and following) a defined *written* plan is imperative.
- Who manages the plan (e.g. Executive Pastor or other)?
- The PLAN must include contact information for critical individuals and entities, including:
 - Mandatory Reporting contacts (see below)
 - Attorney (with significant experience addressing CSA issues)
 - Insurance agent and carrier
 - PR or media contacts

MARYLAND REPORTING REQUIREMENTS:

Any person who knows or has *reason to believe* that a child is neglected or abused **shall notify** a local department or appropriate law enforcement agency both orally, immediately, and in writing, within 48 hours of the oral report.

"Any supervisor who receives from an employee a report of suspected dependency, neglect, or abuse shall promptly make a report to the proper authorities for investigation."

CONTACT LIST:

- Local law enforcement in county where abuse occurred: 911; OR
- Maryland Department of Child Protective Services 800-332-6347; OR
- Individual County CPS Hotline⁴.

An additional WRITTEN report *may* be requested, and must be completed and submitted to relevant authorities within 48 hours of the initial report.

⁴ [Maryland local reporting offices](#)

DELAWARE REPORTING REQUIREMENTS:

Delaware law mandates that **any person**, agency, organization or entity who knows or in good faith suspects child abuse or neglect shall make a report in accordance with law. An immediate oral report must be made by telephone or otherwise.

“Any supervisor who receives from an employee a report of suspected dependency, neglect, or abuse shall promptly make a report to the proper authorities for investigation.”

CONTACT LIST:

- Local law enforcement in county where abuse occurred: 911; OR
- Delaware 24-hour Hotline 800-292-9582; OR
- Online reporting through DSCYF⁵.

An additional WRITTEN report *may* be requested, and must be completed and submitted to relevant authorities within 48 hours of the initial report.

Content of Report:

- Names and addresses of the child and his or her parents or caregivers
- The child's age
- The nature of the alleged abuse or neglect, including any previous charges of abuse or neglect
- The name and address of person allegedly responsible for the abuse or neglect; and
- Any other information that the person making the report believes may be helpful.

CSA REPORTING PLAN

- Create *clear instructions* in the event a mandatory report to authorities is necessary:
 - To whom and within what timeframe to report (Report ‘immediately’ by telephone or in person, followed by a written report, if requested, within 48 hours).
 - Required information for report.
 - Request the name of the person to whom the report is given, and file number.
 - Document the report in writing, including date and time of report (ONLY FACTUAL INFORMATION, *no speculation*.)
- **Remember, when in doubt, REPORT.**
- Failure to report isn't just a bad idea, IT'S A CRIME, with criminal penalties!

⁵[Delaware online reporting](#)

- Report must occur *regardless* of the desires of the child or his/her parents.
- NEVER promise confidentiality to a child where child abuse is alleged or suspected.
- Create a partnership with local law enforcement for reporting purposes.
- Create known, easy access to critical documents:
 - Insurance policies
 - Maryland or Delaware Reporting Requirements
 - Contact information for critical individuals or entities
- Designate media/information point-person:
WHO will speak on behalf of the Church, and WHO SHOULD NOT?
- If child abuse is alleged to have occurred *within a Church ministry program*, immediately put the Church's insurance carrier *ON NOTICE, in writing*.
- Create a communication tree (phone/email/text) to inform key individuals, church staff members, and stakeholders.

VICTIMS/VICTIMS' FAMILIES

- All actions should occur from a VICTIM-CENTRIC perspective.
- Remember, **FALSE ALLEGATIONS ARE RARE!**
- Avoid any defensive posture that prioritized REPUTATION over CARE.
- DO NOT IDENTIFY the victim(s) to the public or the congregation.
- Offer counseling with a licensed professional counselor of the victim's choice.
- Communicate with the victim(s) and their families:
 - Communicate early and often.
 - Listen with an empathetic ear.
 - Set aside organizational defensiveness or justifications.
 - Understand that parents will need to VENT.
 - Victims and families may be understandably angry!
 - **EFFECTIVE COMMUNICATION AND CARE NOW IS MORALLY RIGHT and ETHICALLY CORRECT.**

In general, abuse survivors sue a ministry based upon how they are treated *after* the allegation is communicated to ministry leaders.
- The victim's comfort should take priority over any desire to continue to support or provide ministry services to the (alleged) abuser.
Ex: In a Peer-to-Peer sexual abuse scenario, the comfort and emotional protection of the non-aggressor (victimized) child should be prioritized. *The Church may not be able to continue to provide ministry services to the aggressor child.*
- NEVER require the victim(s) to confront the alleged abuser.
- NEVER require *cheap forgiveness* of the alleged abuser from the victim.
- NEVER assume that *repentance* from the abuser is real or conclusive.

- NEVER give a known, admitted or credibly accused abuser access to children.
- How will the Church manage gossip and backlash in the community?
In many cases, a group of children or families will support a well-liked staff member; keep in mind: *'Molesters Groom the Gatekeepers'*.
- How will the Church prevent bullying behaviors aimed at alleged victims?
(For example: "She brought it on herself. She's a")
 - Plan to manage subsequent bullying behaviors.
 - Staff awareness is key.
 - Social media may be used negatively (e.g. Facebook page to "save the staff member").
- How will the Church provide aftercare to affected children and parents?
Initially, if the alleged abuser serves as your staff member or volunteer, provide external counseling options with a licensed professional counselor, rather than 'in house'.
At the same time, Christ-based care and support are ALWAYS appropriate.

PARENTS/STAKEHOLDERS

- Communicate with families immediately.
Effective and immediate communication with parents is critical.
 - Discuss: How is this best addressed in various Church programs?
 - Avoid gridlock – what are the customary communication lines?
 - Who receives priority in the communication process?
 - Start with those more directly impacted and work OUT; direct others to the website or more general forms of communication.

Common Questions from Parents/Stakeholders:

- Has _____ Church fired him/her yet?
- Why hasn't the church fired him/her yet?
- Did _____ Church undertake a thorough criminal background check when he/she was hired?
- What are the church's hiring practices?
- What will the church do to prevent this from happening again?
- Who will take over the alleged abuser's responsibilities?
- Is it safe to bring my child back?
- What are you doing at _____ Church to protect children from abuse?

CHILDREN IN PROGRAM

- Identify and meet with children (through parents) who *may* have been impacted.
DO NOT INTERFERE WITH ANY ONGOING CRIMINAL INVESTIGATION.

- Include parents when communicating with children in the program. This is particularly important with children 13 and under.
- All should hear the same information, rather than garbled expressions or different 'facts'.
- Use caution when creating written materials to send home with children; assume written materials will be shared.

STAFF MEMBERS

- Briefings and debriefings:
 - Information provided to staff members should be uniform, but may be specific to hierarchy; upper leadership getting needed detail.
 - Allow discussion in a closed and safe setting.
- Employee assistance programs - counseling resources:
 - Provide resources for self-care.
 - Identify resources for counseling care.
- Longer-term follow-up:
 - Follow-up with individuals close to circumstance, co-workers, friends.
- Expect to deal with staff members' anger, sense of betrayal and disappointment.

LEGAL COUNSEL

- Clearly identify skilled legal representation conversant with sexual abuse issues.
- How will the Church address allegations of wrongdoing against the ministry?
- How will the Church address potential wrongful termination issues?

INSURANCE CARRIER – COVERAGE FOR CHILD SEXUAL ABUSE ISSUES:

- Identify insurance agent: is agent knowledgeable concerning sexual abuse?
- Review coverage for critical incidents and occurrences of this nature.
- Does the Church have adequate insurance coverage, given the current environment?
- Does existing insurance policy have an exclusion, endorsement, qualification or limitation of coverage for matters related to sexual abuse or sexual misconduct?
- IF an allegation or suspicion of abuse relates to a Church employee or volunteer, immediately put the carrier ON NOTICE, *in writing*.

MEDIA MANAGEMENT

How will the Church proactively provide information to stakeholders and manage media?

- Who is responsible for media communications?
- How will the Church address news reporters calling Church leaders?
- How to address news reporters calling staff members OUTSIDE the church?
- How will the Church monitor local press coverage and social media posts?

- How will the Church manage media on campus (physically), or on adjacent property?
- How will the Church utilize social media, if at all? (If social media is utilized to provide and direct communication regarding an allegation, do so very carefully.)
- ONE designated individual should speak on the Church's behalf.

If other staff members or volunteers are contacted:

"We take child safety very seriously. In order to get you the most accurate information, let me give you _____'s telephone number (designated staff member)."

Common Questions from Media:

- Please comment on the incident....
"We want to let law enforcement do their jobs without interference or speculation. We take child safety VERY seriously at _____ Church. This is why we reported the allegation immediately, when it was communicated to one of our staff members."
- Is this worker still employed? Is this volunteer still involved?
"The staff member/volunteer is taking a leave of absence during the pending investigation OR is working in a position where he/she is not interacting with children."
- Could there be more than one victim? Have other children been impacted?
"Our top priority is the protection of children. We are fully cooperating with law enforcement in its investigation. At this point, we are not aware of any other victims. OR
At this point, we are taking steps to determine what steps should be taken to more effectively protect children in _____ Church programs."
- When did you first hear about the allegations?
"In accord with our policy, the allegation was reported immediately, after it was communicated to one of our staff members."
- Can you give us details about the charges?
"We are fully cooperating with law enforcement, who are currently investigating. We don't want to interfere with the investigation in *any* way, so can't discuss details at this point."
- Have you seen the evidence (text messages/photos, etc.)?
"We are fully cooperating with law enforcement, who are currently investigating. We don't want to interfere with the investigation in *any* way, so can't discuss details at this point. OR We've been instructed by law enforcement to limit discussion of details so that the investigation can proceed effectively." (Common occurrence)

- Was the alleged abuser screened (background check, etc.)?
“All _____ Church staff members or volunteers who work with children complete a criminal background check and stringent screening process, including an application, interview and reference checks. This process was created by child protection experts.”
- Has he/she been charged with anything like this in the past?
“No. All _____ Church staff members and all child-serving volunteers complete a criminal background check and stringent screening process, including an application, interview and reference checks. This process was created by child protection experts.”
- Has the Church fired the alleged abuser? Why? Why not?
In order of preference:
 - “The staff member has been terminated from employment OR is taking a leave of absence during the pending investigation OR is working in a position where he/she is not interacting with children.”
 - If a volunteer, suspend all interaction with children during the pending investigation.

ADMITTED BEHAVIOR

After an allegation or suspicion of abuse is reported:

- If abusive behavior is admitted, in part or whole, immediately terminate the employee or volunteer and communicate that he or she is no longer welcome on Church property.

‘AN OUNCE OF PREVENTION IS WORTH A POUND OF CURE!’

- Implement an effective Safety System.
- Utilize effective training: educate staff members and volunteers to recognize *the abuser’s grooming process* and *common grooming behaviors*.
- Hiring processes: SCREEN your staff members and volunteers.
- Understand what an effective Background Check does, or does not, accomplish.
- Will staff members know to tell, *and whom to tell?*
- Foster a culture of communication: *if you see something, say something.*



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