

Report of the ad hoc committee to consider the Jason R. Appeal

Members: Tony Monaghan, convener; Ethan A.; Steve B.

Prolegomena:

Your committee extends a thank you to Stu J. for his help on BCO questions regarding BOD 1.2 (administrative discipline) and FOG XXVI.4 (divestiture of an officer for reasons other than delinquency in faith or life).

Your committee understands that BOD 1.2 applies to administrative actions *only* – i.e. this is the mechanism which allows presbytery to review session minutes and requires correction, or applies to the regular removals/admissions to the church rolls and so on. This does not create a second class of disciplinary proceedings for individuals or officers.

Your committee understands that FOG XXVI.4 allows a session or congregation to divest an officer for reasons other than sin. The reason is described as “if his services do not appear to be edifying to the congregations.” This divestiture does not merely place the officer into an inactive status, but removes his ordination, so that subsequent election requires ordination.

Your committee finds that the appeal of the complaint is in order before the presbytery (BOD IX:1,2,3).

Your committee finds that actions of a judicatory may include items which are not recorded in the minutes, or for which no motion was passed.

Your committee focused on the issues of process. While there are theological disagreements behind the scenes, the complaint focuses on the process issues and we also focused on the process issues.

Methodology:

1. 5/27/20: The members of the committee, like all presbyters, received the appeal of the complaint, and the complaint itself.
2. 6/22/20: Your committee was established by Presbytery moderator Jerry T.
3. 7/10/20: Your committee received a set of documents from the New Hope session. These documents included 14 sets of session minutes, a timeline, a copy of the complaint and appeal of the complaint, and the response of the session to the complaint.
4. 7/14/20: Your committee met by video conference, and requested a set of documents from the New Hope session and Mr. Jason R. Your committee also requested answers to some questions from both parties.
5. 7/15 & 7/16/20: Your committee received a set of documents from the New Hope session. These included statements made by the session to the congregation, a letter mailed to the congregation (including non-members), minutes of the congregational meeting at which a statement about Mr. Jason R. was presented, and answers from the session.
6. 7/28/20: Your committee met by video conference, and requested a further set of documents from the New Hope session and Mr. Jason R. Your committee also requested answers to some questions from both parties.
7. 7/31 & 8/31/20: Your committee received a large set of documents from Mr. Jason R. These included emails documenting his claims in the complaint, and answers to questions from your

committee.

8. 9/10/20: Your committee met by video conference. The report was completed by 9/12 and then reviewed, to be sent to presbyters 9/14.

Overview:

Your committee sees the fundamental question as: “Did the New Hope session censure Mr. Jason R. without process?”

It is clear that the New Hope session made public pronouncements about Mr. Jason R. at its annual congregational meeting (1/26/20) and subsequent weeks (2/2/20, 2/9/20). There were three public announcements. It also mailed a lengthy letter describing what it calls “the backstory” to church members and regular attenders. (4/8/20)

The session maintains that these actions are not censures, as there was no formal declaration of sin, indeed the second public communication state clearly “there was no moral failure.” (Statement of 2/2/20).

Mr. Jason R. maintains that these have all the hallmarks of a censure – They were public declarations from the session, with the session having determined wording by email exchange, and stated “significant concerns regarding his shepherding.” (1/26/20). Further in an email on 2/6/20 the session wrote to Mr. Jason R. saying “ Six of your brothers unanimously agree that you have sin issues that are causing hurt to the congregation.”

Your committee notes that there is no mention of the pronouncement regarding Mr. Jason R. in the minutes of the congregational meeting (1/26/20), and no mention in session minutes of the session's wording of the public pronouncements for the 1/26/20 and 2/2/20 pronouncements.

The minutes of the 1/25/20 session meeting state:

A motion was approved to let the congregation know on Jan 26th at the annual congregational meeting that Mr. Jason R. had agreed to take a sabbatical [which meant voluntarily and immediately step back from all eldering duties] to the end of the summer along with the basic reasons why. [Mr. Jason R. disputes the word “immediately.”]

The statement read to Mr. Jason R. at the 1/25/20 session meeting describes the session's position regarding Mr. Jason R.:

IDENTIFIED AREAS OF LIMITATIONS

1. Idols/issues of power, control, ownership, office or rank. Argumentative, manipulative and dismissive
2. Inconsiderate, putting principles over people, lack of empathy, remorse, self awareness. Unapproachable, rigid and domineering

Your committee's observations:

- 1) The session viewed (in private) Mr. Jason R. as mired in sin, and his sin was the reason why they requested him to “step back/take a sabbatical.”
- 2) Some in the congregation, along with Mr. Jason R., viewed the public pronouncements as censures. This is evident from emails passed on by Mr. Jason R. as well as the session's response to one of your committee's questions:
“As much as it is possible for Session to discern, we do not think the majority of the congregation believes that a censure of any kind was pronounced. It seems there are some in the congregation who are confused about what censure is and they feel that any public statements made regarding Mr. Jason R. would be tantamount to a censure.”
- 3) Given that the session had to clarify (on 2/2/20) that the issue was not one of “moral failure”, certainly some in the congregation believed that the “issues” were moral failure (sin).
- 4) Mr. Jason R. offers the following evidence that the “stepping back” was presented as about sin:
“On Sunday, February 9th, after the third announcement, Session members went to each growth group to discuss the situation with them. At one growth group, the question was asked if there was enough for session to bring charges against me, to which Mr. K. replied that there was. (This was witnessed by the Mason Growth Group, and can be confirmed by Ms. L.).”
- 5) In the third announcement to the congregation (2/9/20) the session wrote:
We have had two primary concerns with Jason’s interactions with the people of New Hope. First, he has a tendency to trample others in disagreements. We see this as a lack of consideration and gentleness, failing to live up to 2 Timothy 2:24, which says that an elder “must not be quarrelsome but kind to everyone, able to teach, patiently enduring evil, correcting his opponents with gentleness.”
Second, he has a tendency towards controlling behavior and dominating discussions. In this, we believe he is not following 1 Peter 5:3, which says that an elder cannot “be domineering over those in your charge, but being examples to the flock.”
 The Committee recommends that presbyters review the entirety of the communications from the session to the congregation.

Notes regarding the Session's Response:

The session conflates FOG XXVI.4 (divestiture of an officer for reasons other than delinquency in faith or life) with BOD 1.2 (administrative discipline). This is easy to do, as the BOD is less than clear when speaking to these matters, but it is incorrect. Administrative discipline does not apply to individuals and officers, but to administrative actions (e.g. minutes).

The session also assumes that if the session did not take a “formal action” as it defines it, then no complaint can be made against any “informal” session action. Your committee disagrees.

Summation:

Your committee finds that the appeal is in order and properly before the presbytery.

Your committee agrees with the appellant that an actual censure was pronounced, though no disciplinary process was instituted.

The requested amends are as follows:

1. Make an announcement to the congregation that session erred in making the announcements it did about Ruling Elder Jason R.. Clarify that Session did not follow proper procedures and made accusations about Ruling Elder Jason R. that were not proven, and should not have been made.

The committee recommends that this amend be granted.

2. Allow Ruling Elder Jason R. to be on a regular sabbatical, for rest, until September 1, 2020. Clarify that this does not prevent him from serving or participating in the life of the church, consistent with ways he served prior to going on sabbatical, or ways he served prior to becoming a ruling elder. Make an announcement to the congregation clarifying this.

The committee recommends that this amend be granted.

The committee notes its understanding of this amend:

This amend should not be interpreted as directing the session of New Hope as to what roles Elder Jason R. will serve in.

3. Clarify to the congregation that Matthew 18 should be followed, and that session will resolve not to hear accusations against elders or others without those people first following Matthew 18.

While it is true that Matthew 18 is to be followed, due the the complexity of the relationship between the accusation of public and private sin in this circumstance, we do not find sufficient evidence that the Matthew 18 provision was explicitly violated in this circumstance.

The committee recommends that this amend not be granted.

4. Include Ruling Elder Jason R. on all session communications and provide him with copies of session agendas and minutes.

The committee finds this request moot, as it has already been granted by the session.

5. Request a committee of Presbytery be appointed to moderate meetings and help resolve issues between Ruling Elder Jason R. and Teaching Elder Francis VanD., as well as the rest

of session.

The committee recommends that this amend be granted.

Final recommendation from the committee:

That the presbytery determine that the session may not pursue FOG XXVI.4 for the purpose of divestiture with respect to Mr. R..

Grounds:

The session has already raised the issue of sin as the reason for asking Mr. R. to “step back.” In essence the session has tainted the process by the actions of its public proclamations and letter.