

CHURCH RESPONSE TO SEXUAL MISCONDUCT

When confronted with the misdeeds of one of its staff or a member, the church has duties to the accused and the injured, depending on the circumstance. In cases of accidents or situations involving any kind of sexual misconduct, the church should act **quickly and decisively**. Delay invites **ill will at best** and **litigation at worst**.

Reckless inattention to take protective action after notice of inappropriate behavior can lead to punitive damages, and such damages may **not be covered** by the church liability policy. All such allegations must be taken **seriously** with a **prompt response**. Providing the accused more "loving care" than the victim has **enhanced awards** in some lawsuits.

The church **should adopt a policy** for responding to any allegations of sexual misconduct.

Some practical suggestions to consider:

- Immediately notify the **pastor, deacon chairman, director of associational missions, insurance representative** and your **local attorney**. If you do not have an attorney, contact Mr. Edgar Dwire, KNCSB legal counsel, at 1-316-265-4248.
- After consultation with the insurance representative and attorney, one person should be designated as "**spokesperson**" for the church in the event of having to talk to the media (television, radio and newspaper reporters).
- Immediately place any accused staff person(s) on **paid leave of absence**.
- The involved person(s) **should not participate** in church activities during the period of time the alleged incident is being reviewed.
- Select a committee to **hear, understand** and **respond** to the full implications of the alleged situation.
- This committee should be composed of three **respected lay members** (both genders represented) with leadership qualities and two **highly respected** leaders within the associational family. **Normally, the pastor should not serve on this committee.**
- The committee should establish **guidelines** to insure a timely, orderly and fair hearing of all parties involved.
- The church should offer **assistance for counseling** to the parties involved.
- The committee should arrange **professional counseling resources** for the parties involved if appropriate.
- The committee should make **recommendations** for the resolution of the situation with the parties involved and with the church.