Montview Boulevard Presbyterian Church

Sexual Offenders Policy

Goals

1. Provide an environment that reflects our core value of being a house of prayer for all people while ensuring that it is a safe and secure place for all church members, visitors, employees and officers.
2. Establish guidelines for participation by members and visitors who have committed a sexual offense.

Philosophy

It is a mission of the church as a community of faith to maintain an environment free from any form of sexual misconduct by any person whether an employee, a volunteer, member or visitor. Any form of sexual misconduct is unacceptable for anyone serving or attending the church in any capacity and will not be tolerated.

The scope of this policy is to provide guidelines by which sexual offenders may be allowed to attend services or participate in activities at Montview.

Implementation

This policy applies to any member or visitor who has committed a sexual offense as defined in Colorado law (Colorado Revised Statutes 16-11.7-102 (2) (a)), regardless of whether the individual has or had not been charged with such an offense.

Church members or visitors who have committed a sexual offense as defined in Colorado law (Colorado Revised Statutes 16-11.7-102 (2) (a)), regardless of whether the individual has or had not been charged with such an offense, must advise a church pastor or the executive director of his or her status as a sexual offender. Members and visitors will be advised through the church bulletin of their need to inform the church pastors or executive director.

If any member or staff person learns of a circumstance through whatever source to which this policy may apply, they will inform a member of the senior leadership team of such circumstance. The senior leadership team will decide among them which member of the team will act as the “responsible lead team member” for purposes of insuring that this policy is complied with in respect to the individual circumstance in question.
The case of each person to whom this policy applies will be reviewed individually by the entire senior leadership team for adherence to the person’s legal rights and conditions of parole or probation.

The responsible lead team member will ask the following questions:

Questions the lead team member should ask of himself/herself:

1. Is anyone in danger right now? Do I need to take immediate action to protect anyone?

2. Does law enforcement need to be notified?

3. Do any victims need my immediate help?

4. Does this situation require any immediate change in the way the church operates?

5. Does this situation fit within our standard policies? If so, standard policies should be followed. If not, confer with Executive Team as to how to proceed.

Questions to be asked of the individual who committed the offense:

1. Did any of the sexual misconduct occur at Montview? If so, where, when and under what circumstances did the sexual misconduct occur? If the answer is “yes” law enforcement must be contacted if they have not been already.

2. Were you ever charged and/or convicted of a crime? If so, in which jurisdiction were you charged and when?

3. Are you under any court orders or probation at the moment? What are the terms?

4. Are you currently undergoing therapy?

5. Did the offense involve sexual contact? Was the offense illegal pornography, inappropriate sexual contact or something else?

6. How long ago did the offense occur? Is it an ongoing problem?

After the responsible lead team member has met with the person in question in order to understand and evaluate the individual's situation, the lead team member shall take the following additional steps:

1. Create a written memorandum documenting that the above questions were asked and considered and what information was attained and conclusions drawn as a result of asking those questions.

2. Have a criminal background check performed to ensure that the circumstances reported
by the individual are consistent with the public record regarding any alleged offenses or convictions.

3. If the individual is on parole or probation, the lead team member should have identified the probation or parole officer and should contact such officer to determine if there are any conditions of parole or probation that affect the individual's legal rights to attend a church that houses a Sunday school, pre-school and hosts other children's activities. If there are any such conditions, then Montview's policy with respect to the individual shall be consistent with any and all such conditions.

4. If the individual is the subject of a suspended sentence or deferred judgment, the lead team member shall obtain from the individual a copy of any and all court orders setting out the terms of the suspended sentence or deferred judgment to determine if any conditions of the sentence or judgment affect the individual's legal rights to attend a church that houses a Sunday school, pre-school and hosts other children's activities. If there are any such conditions, then Montview's policy with respect to the individual shall be consistent with any and all such conditions.

5. Inform and discuss all relevant non-privileged information regarding the individual and their circumstances with the other members of the senior leadership team and all program staff responsible for any activities that involve participation of youth or children (including the pastor overseeing youth activities, the director of children's programs, and the minister of music). If it is possible that the individual may be attending certain church activities, the appropriate program staff will be provided with identifying information including a picture if necessary so that members of the church staff can ensure that the individual does not participate in any activities involving youth or children or other impacted groups except under any clear and specific conditions that might be imposed on such participation and that the church's policies protecting youth and children and its other members and visitors can otherwise be fully enforced.

In addition to the above actions which shall be followed in all applicable circumstances, the senior leadership team, after evaluating the information from the person in question, the criminal background report, information obtained from a parole or probation officer or court order, and any input from all members of the senior leadership team and program staff, may also impose any or all of the following conditions on the individual's participation in congregational life at Montview as the senior leadership team deems appropriate in the individual circumstance:

1. Expand the group of people who are made aware of the individual's circumstance and identity including the lead elder, other session members, staff personnel, committee chairs or volunteer activity coordinators, or head of the pre-school.

2. Expressly limit the activities in which the individual may participate (such limitations may be as broad as prohibiting participation in any activity at which minors are present or as narrow as permitting the individual only to attend a designated worship service on Sunday mornings).
3. Require that the individual be accompanied at Montview by his or her spouse or a designated escort at any and all church activities in which they participate.

4. Require that the individual be accompanied by a same sex chaperone designated by the church at all times while on church property, including being escorted to their car following any such activity to ensure that they have left the church premises.

5. Provide notice to the congregation at large that the individual will be participating in designated church activities (such notice could take the form of a notice in the church bulletin or a letter or e-mail to relevant groups in the congregation as may be appropriate).

6. Maintain the individual’s name and other appropriate identifying information in a registry at the church office and alerting the congregation through a notice as suggested in 5 above that such information is available and may be reviewed by any member of the congregation.

7. Such other limitations or conditions as the senior leadership team determines are prudent, appropriate or necessary to ensure that Montview remains both an open and welcoming congregation and a place that is safe for all of its members and visitors.

To the extent that the senior leadership team deems that any of these restrictions are appropriate, the precise limitations on the individual's participation in congregational life at Montview shall be memorialized in a written memorandum which shall be acknowledged and signed by the individual in question and shall expressly provide that the adherence to any and all such limitations is an express condition of the individual's ability to be welcomed at Montview. The signed written memorandum will be shared with all members of the senior leadership team and such other staff and church members as may be necessary to effect compliance with the agreed to conditions.

If the senior leadership team determines that the only way to ensure the safety of the congregation is to prohibit the individual from participating in any activities whatsoever, then the lead team member will inform the individual that they cannot be at Montview unless and until they are informed otherwise. The question of exclusion of the individual from all aspects of congregational life shall then be presented at the next regularly scheduled session meeting or at a special meeting of session if one is scheduled, for discussion and affirmation or dissent from session. Such a discussion will also provide session the opportunity to review the existing policy both as it is being applied to this individual and to others to ensure that the policy is accomplishing the objective of keeping Montview as both an open and welcoming congregation and a place that is safe for all of its members and visitors.

Adopted by Session, September 18, 2012