

# Reducing the Risk of Sexual Misconduct

## A guide for pastors and staff members who work with adults

by James F. Cobble Jr., D.Min., Ed.D.

Few incidents shake the foundations of a congregation more than a sexual scandal. The first news of sexual misconduct involving a pastor or other staff member often is met with disbelief. The disbelief soon gives way to anger and bewilderment. A congregation can be ripped apart and faith in God can be shattered. The emotional and spiritual costs are great. Yet, even though every congregation faces this risk, few have taken steps to prevent it. While no congregation can eliminate the risk of sexual misconduct, the good news is you can reduce it. When you make a commitment to do so, you are helping your staff members and your church. Sexual misconduct creates tremendous pain and trauma for everyone involved. In addition, in a growing number of states, clergy sexual misconduct is a felony offense. This brochure provides several suggestions that can help your church reduce the risk of sexual misconduct.

### Establish Boundaries For Ministers And Other Staff Members

Recognize that sexual misconduct is a congregational problem, not simply the moral failing of an individual. Often, when a church learns that a leader has engaged in sexual misconduct, the blame is placed totally upon the individual. In many cases, the misconduct could have been prevented if the church would have become more involved in establishing boundaries for its leaders. Ministers, like all professionals, need guidance and accountability in establishing and maintaining boundaries in their service to the congregation. Church leaders should work cooperatively with their staff members in establishing boundaries for ministry. Use the following suggestions to create dialogue and as a point of departure in establishing your own written boundaries.

**Establish restrictions on the time and location of counseling services.** The focus is to maintain accountability and to lower isolation. Some churches require individual counseling activities to occur during regular office hours, or at times when other staff members are present within the building. Counseling may be prohibited, for example, in isolated locations, such as a home, when only two adults are present. Boundaries should be established that clarify both when and where counseling should occur. Similar consideration should be given to visitation or any other ministry activity that creates isolated interaction and personal involvement. The goal is not to thwart ministry, but to create conditions that maintain accountability.

**Establish limits on the length and number of counseling sessions.** Some ministers and churches limit counseling sessions to 50 minutes with no more than 6-8 sessions. After that, if more counseling is required, a referral is made. While some churches have professional counselors on their staff, most do not. The time and expertise required to engage in long-term counseling often cannot be provided by the typical minister or staff member.

**Place restrictions on the frequency of counseling sessions.** One meeting per week is fairly standard.

**Create guidelines for telephone counseling.** Telephone counseling should have similar boundaries as if it were occurring in person. Boundary conditions should be established for time, length, and frequency of calls.

**Have guidelines on the purpose of counseling and the people who are involved.** Many church leaders assume that all pastors are trained as counselors. That is not true. While some pastors have extensive training as counselors, others have very little. The counseling services provided should reflect the expertise and training of your church staff.

**Establish guidelines on appropriate and inappropriate touching.** For example, your church may encourage hugging before and after church services. However, is hugging appropriate in a counseling or visitation setting when only two adults are present? What about holding hands and praying? Church leaders should openly discuss appropriate and inappropriate touching. Touching should always respond to the need of the counselee and not to the need of the counselor.

**Have policies in place for making referrals.** Church leaders should help staff members discover referral resources and to know when to use them. A limit in the number of sessions, or the need of the counselee may trigger an automatic referral.

**Create accountability through proper supervision.** Ministers and church staff members should be accountable to other church leaders for their counseling and visitation activities. While confidentiality between a minister and a parishioner is vital, supervision is also needed. Staff members can provide regular reports on their ministry activities to other designated leaders. If boundaries are being violated, these leaders can examine the basis for such violations and work with the church staff to maintain the best interests of the church's ministry.

**Establish policies concerning socializing and accepting gifts from counselees.** For example, is it okay for a minister to have a private lunch or dinner with a counselee? What about accepting a gift, or giving a gift? What role does socializing have in the ministry of visitation or counseling and what boundaries should govern it? These are important issues that church leaders should discuss.

**Obtain sample policies from other organizations.** Discuss boundary concerns with other professional organizations that provide counseling services. Invite a doctor, psychologist, or social worker to discuss this issue with your staff.

**Screen workers who serve as counselors.** This includes checking references and conducting a criminal background check. An employment verification service can assist you in doing this. Screening should be done prior to hiring such workers.

**Have more than one adult present in high risk settings.** For example, some visitation activities might be done in pairs that are regularly rotated.

**Train workers to understand and follow policies.** Once your church establishes policies, provide training for all of your staff members. Periodically review each policy and solicit feedback on how well they are working. Make changes when necessary. Also, always respond to inappropriate conduct.

## **Watch For Red Flags**

Sexual misconduct generally does not occur quickly. Often, warning signs exist that indicate something is wrong. When you spot a red flag, respond to it. Keep your eye open for the following:

**A pattern of boundary violations.** For example, 50-minute sessions continue to be extended to 90 minutes. Rather than meeting once a week, sessions now occur more frequently, or the location changes so it is more isolated. Address each boundary violation. Recognize that multiple and frequent violations indicate a red flag.

**Depression.** Church staff members who are depressed may be more vulnerable to sexual misconduct. While this is not true for everyone, it is for some. If a staff member appears depressed or manifests symptoms of high stress, take action to provide support.

**Family problems.** Ministers and staff members have family problems like everyone else. Often, they feel pressure to keep every problem hidden. Let your staff members know in advance that if they or any member of their family have problems, the church wants to help. Make counseling services available for them with individuals they can trust.

**Financial concerns.** Finances impact all families and can play a role in sexual misconduct. A staff member who feels underpaid and taken-for-granted can become demoralized. Payment can be sought in other ways, including emotionally and sexually. Churches should care about the financial well-being of their staff members, and provide not only adequate financial support, but emotional support as well.

**Infatuation.** Sometimes a staff member openly expresses feelings of love or infatuation. For example, the staff member may say, "I feel like I'm falling in love with Jane." Such comments provide an opportunity for appropriate intervention and a rechecking of boundaries.

**Poor judgment or rationalization.** A staff member may seek approval or support for actions that are inappropriate, but which have been rationalized as serving a valid purpose. For example, the staff member may say, "Jane really needs more support and since she works all day, the only time I can see her is at night. I don't see any problem meeting her at her apartment. She's invited me over for dinner. I believe I can really help her and a little more relaxed setting would help her to share. My wife, Betty, doesn't get home from her job until almost midnight, so I'm generally free in the evenings anyway."

**Previous misconduct.** Church leaders may learn that a staff member has engaged in previous sexual misconduct. Once such information is obtained, church leaders must evaluate to what degree the prior misconduct places the church at risk, and determine a reasonable course of action based upon the facts as well as advice and input from professionals. This is not an easy task, but church leaders should be aware that once such knowledge is obtained, if the misconduct is repeated, the church may face a charge of negligent retention if it did nothing to prevent further misconduct. Once church leaders learn about previous misconduct, they should seek the advice of a competent attorney. The church's insurance carrier can help the church locate such an individual. Also, the church should seek the input of denominational leaders (if the church is part of a denomination). All information should be handled with the strictest confidence. Increasingly, sexual misconduct violations mean a permanent removal from ministry. A church should always seek outside assistance from denominational leaders, their insurance carrier, professional counselors, and a knowledgeable attorney in evaluating the implications of prior sexual misconduct.

## **Conclusion**

Your counseling guidelines should be simple, clear, and enforced. Communicate them to clergy and other counselors, church officials, and counselees.

Finally, carefully review your church's insurance coverage. In today's legal environment, church leaders should implement a risk management strategy that includes liability insurance for sexual misconduct. While no insurance policy covers the actual perpetrator of sexual misconduct, some insurance policies do protect the church and falsely accused individuals against lawsuits alleging misconduct. Make sure yours does.

A well-thought risk management plan will help protect your church legally, and more importantly, provide a safer place for everyone.

(Please seek legal advice from your attorney before developing a form for your use.)

## **SAMPLE COUNSELING DISCLOSURE FORM**

I, \_\_\_\_\_ (the counselee), have entered into counseling sessions at

\_\_\_\_\_.  
For my benefit, the following is a list of general guidelines which the Church has established to be followed during counseling sessions.

1. No after-hours counseling. Counseling shall occur between the hours of 8:00 a.m. and 6:00 p.m., unless there are two people in addition to the counselee present.
2. All counseling or meetings between the counselee and counselor shall take place on church premises.
3. All counseling sessions shall be held in a professional manner and atmosphere including:
  - a. Under no circumstances should there be any physical contact between the counselee and counselor;
  - b. The counselor and counselee must remain attired at all times; and
  - c. The counselor and counselee must avoid the establishment of any intimate personal relationship.
4. I also understand that any information disclosed by me regarding the abuse of a child, in any form, may not be confidential.

I agree that if any of the above provisions are violated, or if any other situation should arise which makes me feel uncomfortable, I will report immediately and directly to:

\_\_\_\_\_  
(Local Church)

and/or

\_\_\_\_\_  
(Denominational Headquarters)

and/or

\_\_\_\_\_  
(Local Police Authorities)

THE UNDERSIGNED HAS READ THE FOREGOING AND FULLY UNDERSTANDS IT.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

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