

# Reducing the **Risk**

A Child Sexual Abuse  
Awareness Program



## Trainee Workbook

ChurchLaw&Tax

*A ministry of ChristianityToday*

Reducing the Risk  
A Child Sexual Abuse Awareness Program

**Trainee Workbook**

Edited by Amy Jackson  
Resources and Special Projects Editor: Jim Bolton  
Designed by Vasil Nazar  
Editorial advisor: Richard R. Hammar J.D., LL.M., CPA

© 2017 Christianity Today International

All rights reserved. No part of this book may be reproduced without prior written permission from the publisher, except in the case of brief quotations embodied in critical articles and reviews. For any other use, advance permission must be obtained from the copyright holder.

Christianity Today International  
465 Gundersen Dr.  
Carol Stream, IL 60188  
Phone: 877-247- 4787  
ChurchLawAndTax.com

This publication is designed to provide accurate and authoritative information in regard to the subject matter covered. It is sold with the understanding that the publisher is not engaged in rendering legal, accounting, or other professional service. If legal advice or other expert assistance is required, the services of a competent professional person should be sought. "From a Declaration of Principles jointly adopted by a Committee of the American Bar Association and a Committee of Publishers and Associations."

# Table of Contents

Foreword ..... 4

**Session 1: Creating a Safe Environment**..... 5

**Session 2: Recognizing Child Sexual Abuse**..... 8

**Session 3: Screening and Selection** ..... 10

**Session 4: Supervision Guidelines** ..... 14

**Session 5: Dealing with an Allegation**..... 20

Appendix ..... 22

Allegation Response Checklist ..... 27

Preventing Child Sexual Abuse TEST..... 28

## Foreword

No child should ever experience the trauma of sexual abuse—and certainly never in a church or ministry setting. Sadly, there are hundreds of allegations made each year over incidents of child sexual abuse in faith communities. In fact, churches, by virtue of their open, welcoming nature, often attract predators looking for a low-resistance environment where they can prey on children.

At the same time, there are simple steps your ministry can take to protect children. We know you love kids. We do, too. We've poured our hearts into making this the best training on protecting kids from sexual abuse within a faith community. Our vision is that no child—and no ministry—would ever fall victim to the devastating effects of sexual abuse. This Trainee Workbook will equip you to facilitate training for everyone who works with children and students in your ministry, ensuring that workers will consistently follow your church's child protection program. In addition to this Trainee Workbook, Reducing the Risk includes Training Videos, a Leader's Guide, and Screening Forms, providing everything you need to help keep kids safe in your ministry. Together, your leaders and volunteers will discover what they can do to protect the kids they love.

— *Christianity Today's Church Law & Tax Team*



Child sexual abuse may be violent or non-violent, but all child sexual abuse is an exploitation of a child's vulnerability and powerlessness in which the abuser is fully responsible for the actions. Child sexual abuse is criminal behavior that involves children in sexual behaviors for which they are not personally, socially, and developmentally ready.

Child sexual abuse includes behaviors that involve aspects of both touching and non-touching.

Types of abuse that involve touching include:

- fondling
- oral, genital, and anal penetration
- intercourse
- forcible rape

Types of sexual abuse that do not involve touching include:

- verbal comments
- pornographic videos
- obscene phone calls, emails, instant messages, or texts
- exhibitionism
- allowing children to witness sexual activity

The full extent of child sexual abuse in our country is not known. Conservative estimates suggest that between 500,000 and 1.5 million children are sexually abused each year, although the actual number is likely to be higher because the greater percentage of these cases go unreported. A national retrospective study on the prevalence of child sexual abuse found that 27 percent of adult women and 16 percent of adult men claimed to have experienced some form of child sexual victimization. Over 25 percent indicated this occurred before the age of nine (Finkelhor, Hotaling, Lewis, and Smith, 1990). More recently, the American Psychological Association estimates 1 in 3 girls and 1 in 5 boys will be sexually abused before they turn 18.

Child sexual abuse occurs in all demographic, racial, ethnic, socio-economic, and religious groups. Strangers account for less than 20 percent of the abusers. Estimates indicate that when a known assailant commits the abuse, half of the time it is a father or stepfather, and the rest of the time it is a trusted adult who misuses his or her authority over children.

### **Open for Discussion**

- Do these statistics surprise you? Why or why not?
- Why do you think so many people assume child sexual abuse can't or won't happen in their faith communities?
- What should children and their parents reasonably expect from the church and the youth and children's ministries when they participate in our programs?







Verbal signs may include the following statements:

- “I don’t like [name of individual].”
- “[A ministry worker] does things to me when we’re alone.”
- “I don’t like to be alone with [a ministry worker].”
- “[A ministry worker] fooled around with me.”

### **Open for discussion**

- Several of the speakers have said that you can’t tell someone is an offender simply by looking at him or her. If you can’t identify a sex offender based on outward appearances and impressions, what can you do to protect children from being victims?
- What are the factors that make faith communities and ministries particularly vulnerable to child sexual abuse?
- Which vulnerabilities are easiest to correct? Which would be most difficult to correct?
- How might understanding the signs of child sexual abuse help you better minister to the children and youth in your ministry.



but on the worker’s responsibilities. A ministry can be just as liable for the negligent selection of a volunteer as it can be for a paid employee. Use the Screening Forms for Volunteers.

**3. Reference checks.** Ministries should conduct reference checks with all individuals, former employers, and organizations listed on the application by every candidate (whether paid or volunteer) who will work with minors. Especially request references from institutions, such as a school district or youth-serving organization, who can directly speak to the candidate’s suitability for working with minors.

It is critical that the applicant sign a liability release before the reference checks are done. This provides authorization to conduct reference checks, and it releases those listed as references to respond to your requests for information. The release should permit you to interview anyone you believe can provide helpful information.

What should you do if a listed reference or former employer refuses to respond? Some organizations refuse to hire a prospective employee in this situation because the failure to respond raises a red flag that requires further exploration. A simple explanation may exist, but in some cases, the reference may not want to share information for fear of being sued.

In certain situations, the concept of “qualified privilege” may also become relevant. Many states recognize a “qualified privilege” on the part of employers to share information about former employees with other employers. This ordinarily means that such statements cannot be the basis for defamation unless they are made with “malice.” In this context, malice means either that the former employer knew that the statements made were false, or that statements were made with a reckless disregard as to their truth or falsity. In other words, so long as the reference has a reasonable basis for the statements made about a former worker, the remarks will be protected in many states by a qualified privilege. A local attorney can advise whether or not your state recognizes a qualified privilege under such circumstances.

**IMPORTANT:** *If you are listed as a reference, and have negative information that you feel compelled to share, make sure that the applicant has signed a liability release. Also, determine whether a qualified privilege (explained above) exists.*

**4. Personal interview.** A personal interview is an excellent way to gauge a candidate’s character and explore his or her qualifications directly. Information obtained in the reference checks may provide assistance in formulating the interview questions. In addition, other organizations—such as state agencies responsible for investigating reports of child abuse, the school district, Big Brothers, Big Sisters, the Boy Scouts, Girl Scouts, Boys Clubs, Girls Clubs, and the local YMCA or YWCA—may also have materials that can be used to assist staff members who will conduct interviews. Employees of these agencies may be able to provide helpful assistance regarding their own screening processes and interview questions.

**5. Background checks.** No court, in any reported decision, has found a church liable on the basis of negligent selection for the molestation of a child on the ground that the church failed to conduct a criminal records check on the molester before using him or her to work with children. That said, churches that conduct criminal records checks on individuals who work with minors will be in a better position to defend against an allegation of negligent selection than those who do not conduct such checks. It is worth

noting that a growing number of youth-serving organizations are performing criminal records checks on volunteers, and this suggests that the court one day may conclude that “reasonable care” in the selection of children’s/youth volunteers necessitates criminal records checks.

We recommend using a reputable background check service provider who can access a full search and interpret the data for you. A national criminal records check should be done in conjunction with a national sex offender registry check. Most screening services bundle these two in an inexpensive package.

Most states have enacted laws requiring criminal records checks on any applicant for employment in a public school or state-licensed preschool. State law generally specifies the crimes that disqualify a person from working in these facilities. Some churches use these same lists to determine which crimes will disqualify a person from working with children. These lists generally include more than sexually motivated crimes. For example, many crimes involving assaults or personal injury often are included. Many crimes are not automatic disqualifiers, because they do not necessarily suggest a risk of child abuse or molestation. These often include property offenses.

**6. The Two-Adult Rule.** Any activity involving minors should be staffed with an adequate number of qualified adults. This will help demonstrate that the church exercised reasonable care to protect participants in youth ministry events, thereby reducing the risk of liability based on negligence in the event that a minor is injured or molested.

The appropriate ratio of adults to minors in youth ministry events will depend on several factors, including:

- Location of the event. More adults are needed to properly supervise out-of-town trips and events.
- Duration of the event. More adults are needed for longer events.

It is often helpful to contact other institutions for assistance with staffing ratios. For example, some churches base their adult-to-child ratio in the nursery on what the state requires of licensed day care facilities. You may also contact the Red Cross, Salvation Army, or similar organizations. But the best comparable institution will be your public schools, since they are state agencies that reflect the official policy of your state government. If your church can demonstrate it based its adult-to-child ratio on the established practices of other similar organizations in its community, and especially public schools, then it possesses a strong defense in the event that it is accused of liability (for an injury to a child) on the basis of negligent supervision.

**KEY POINT.** Remember, a church is not a guarantor of the safety of minors. But, it must exercise reasonable care when conducting activities involving minors. Reasonable care simply means complying with a community standard of care as evidenced by the practice of several charities in the area. Using local affiliates of national youth-serving charities is the best option, since in some states the standard of care is defined with reference to a “national” standard.

**Open for Discussion:**

- Do you think faith communities are more at risk for being sued today than they were 20 years ago? Why or why not?
- How would you describe the ideal candidate for working with children or youth in your ministry? What characteristics would you want? What characteristics would be red flags?
- What are Richard Hammar’s five steps for a successful child protection program? Which of these five steps are you already doing?
- Your role as a leader is not to identify molesters, but rather, to eliminate the opportunity for molesters to gain access to kids. How well do your current screening and supervision practices deter sex offenders from serving in your ministries?
- Consistency in screening volunteers is crucial. How consistent are your current practices?
- Are you convinced that your ministry is using reasonable care in the way you select children and youth workers? Why or why not?

** View Video #5: Screening & Selection: The Candidate (a short film).**

*Notes:*

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

**Open for discussion**

- Which character do you relate to more: Mike or Sarah? Why?
- Why is it important to screen volunteers even if the person seems like an obvious pick?

**FOR MORE** The Appendix includes additional information about important topics. You may want to read “Megan’s Laws” to further understand the issue.



# Session 4: Supervision Guidelines

## ▶ View Video #7: Supervising Scenarios: What Would You Do?

Notes:

.....  
.....  
.....

### Toddlers:

.....  
.....  
.....

### Preschoolers:

.....  
.....  
.....

### Middle Schoolers:

.....  
.....  
.....

### High Schoolers:

.....  
.....  
.....

### Open for discussion

- Which scenario did you find the most difficult to solve?
- What real-world challenges might make it tough for you or your ministry workers to comply with our supervision polices?

### How Risky Is a Situation?

The safest environment is one with low isolation, high accountability, and a balance of power. Molesters, on the other hand, look for programs with increased isolation, lower accountability, and opportunities to maintain power over their victims.

By their very nature, some activities represent a higher level of risk for sexual molestation than do others. These activities often increase isolation and lower accountability. Ministry leaders should pay careful attention to, and increase supervision for, the following events:

- Any activity that occurs in a home
- Any overnight activity, including lock-ins, camping trips, or staying in a hotel
- Any activity that involves changing clothes or becoming undressed, such as in locker rooms or dressing rooms
- Any activity that involves groups of children with age differences of four years or more
- Any activity that occurs in a natural, isolated environment, such as a building that is set off by itself, or a park that has secluded areas

By analyzing the degree of isolation, accountability, and power in any given situation, you can quickly adjust your supervision level to lower the level of risk for something going wrong.

### **Risk Factor 1: Isolation**

*Risk increases as isolation increases.*

Most, but not all, sexual abuse occurs in isolated settings. Four factors affect isolation: (1) the number of people present, (2) the time of the activity, (3) the location of the activity, and (4) the physical arrangements.

Let's practice applying these principles:

**Example:** Two adults and one youth worker are serving in the nursery during the 9 a.m. service. Two babies are asleep in cribs, and four infants are laying on baby play mats while the workers sit next to them on the floor. One baby wakes up and needs a diaper change, so one adult volunteer brings her to the changing table in the far corner of the room. The second baby wakes up and begins to cry, so the other adult picks up this baby to comfort her and walks out of the room to avoid setting off a chain reaction of crying babies. That leaves the 13-year-old youth worker watching four babies.

In this example, isolation is low initially. The nursery is well-supervised—until the two adults get called away to tend to the babies. At this point, the nursery now poses a higher level of risk for the infants and the workers. The youth worker is too distracted trying to monitor the four babies that she fails to notice the woman changing the baby's diaper in the corner. Diapering—or any other bathroom-related tasks—should never be done in isolation. It leaves the child dangerously vulnerable, plus it puts the ministry worker in a position where no one can vouch for her actions. Also, with a 13-year-old youth worker and an adult worker, there is a disparity of age between volunteers. It is highly unlikely that the student worker will speak up if something seems out of place with her superior or will know how to hold an adult accountable for her actions. And finally, while the likelihood of a woman being a sex offender is low (stud-



ies estimate that approximately 94 percent of all perpetrators of sexual abuse are male), it does occur. Remember, you can't tell by looking at someone whether he or she is a sex offender.

A safer solution for this nursery example would have been for the woman with the crying baby to call for back-up and request that another adult step in until she can calm the crying baby. Or she could have remained just outside the door where she could monitor the youth worker and the woman changing the diaper until she was finished. The goal should always be to create settings where isolation is eliminated and accountability exists.

**Example:** Teachers invite their Sunday morning class to return to the church on Sunday afternoon at 3 p.m. for a party. No other activities are present on church property at that time.

In this example, the children meet in the same location in the afternoon as they did in the morning. The change in time, however, alters the number of people present in the building. As a result, the risk environment has changed. Isolation has increased, so risk has also increased. This means the supervision should also increase and become more accountable—having at least two non-related adults present, for example, as well as having approval to sponsor the activity.

Let's look at another variation of this example. What if the party occurs at a local restaurant rather than at the church? The typical restaurant does not represent isolated space. However, other risks are present, including transportation to and from the restaurant. In addition, other safety factors require the need for two or more non-related adults for any activity that is held off of church property. If one adult becomes unavailable for any reason, a second adult will be needed.

**TIP** Any activity that is deemed “higher risk” should have two or more non-related adults as supervisors. Any volunteer under age 18 who is volunteering in the children's or youth ministry does not qualify as an adult in the two-adult rule.

## **Risk Factor 2: Accountability**

*Risk increases as accountability decreases.*

The sexual abuse of children always occurs in settings without proper accountability. Notice the relationship between risk and accountability in each of the following examples.

—*Fred, a college student and a volunteer worker with the church's high school youth group, announces he is available for transportation if any of the members need a ride to group activities. Anne, a 17-year-old high school senior, asks Fred for a ride.*

—*Stan, the new youth pastor, wants to meet with members of the youth group to get to know them better. He decides to pick up students after school and take them out to get some ice cream. However, church policy*

*requires that he must obtain permission in advance for such meetings. The pastor decides that another youth supervisor must be present.*

*—Randy, an adult member of First Church, volunteers to pick up a 10-year-old boy on his way to church each week. The boy lives with his mother, who is delighted to have a “father figure” express an interest in her son.*

In the three examples above, only the middle one demonstrates the use of accountability. Accountability involves justifying one’s actions. Since sexual molestation cannot be justified, the perpetrators of abuse avoid settings in which they must give an account of their behavior. That’s why they seek isolated settings, act in secrecy, and attempt to maintain power and control over their victims. Also, some workers, although they have had no prior intent on engaging in misconduct, may nevertheless cross a boundary under certain circumstances. Supervision policies that require accountability help reduce opportunities for exploiting kids. Three factors affect the accountability of supervisors in ministry programs involving children: (1) the personal character and integrity of the adult worker, (2) the number of people present for the activity, and (3) the degree of openness and approval associated with the activity.

Let’s take a closer look at each factor.

1. *Personal character and integrity.* Clearly, a person’s character and integrity affect risk, and that is why screening workers is a vital part of a prevention program. Parents assume that their children will be safe when they leave them in the care of another adult. Embedded in that assumption is that the adult is trustworthy and has the best interests of the children at heart. Unfortunately, as the events of recent years have demonstrated, that assumption is not always true. As a result, reasonable care means that individuals who work with children need to be screened. The goal is to gain assurance that individuals have been accountable in the past and are likely to be accountable in the future.
2. *The number of people present.* As a general rule: the more adults, the better. Accountability increases when two or more non-related adults are present for activities that involve children and youth. Having multiple adults present decreases the risk of isolation and helps to maintain a better balance of power and control. It is also a good idea to use a “building monitor” to inspect vacant rooms, buildings that are set apart, and private areas such as restrooms. People are less likely to engage in inappropriate conduct if they think someone is watching.
3. *Degree of openness and approval.* Openness is also important for accountability to occur. Ministry leaders should be fully aware of all activities in advance, and approve the content, activities, and leadership of each program. Individuals acting in secrecy raise immediate red flags. All activities sponsored by the ministry or that take place on ministry property require advance approval. Other factors, such as lighting, windows, open doors, and the use of video surveillance equipment, can enhance the level of openness and reduce secrecy of activities that occur on ministry property.

Let's now use the risk factors of isolation and accountability to analyze the following example.

**Example:** A fourth-grade Sunday school class has two non-related adult teachers. The class meets at the home of one of the teachers on a Friday night from 7-9 p.m. to play volleyball. Both teachers are present, and parents are also invited to attend. The Christian Education Director has approved the activity. Both teachers went through a screening program before they began working with children.

The first point to notice is the event is being held off of church property, which makes it higher risk. This triggers the need for two or more non-related adults, such as the two teachers. Parents are also invited to attend, which further lowers isolation and increases accountability. Risk decreases even further since both teachers have gone through a screening process.

In this example, the risk of abuse is relatively low, yet other factors can contribute to a dynamic risk environment, which can change at any moment. Imagine, for example, that one child gets another child alone in a bedroom while everyone else plays outside. Abuse could occur in that isolated setting. To avoid such a scenario, boundaries should be established concerning the use of the house. Furthermore, those responsible for supervision should be aware of such concerns and take appropriate actions to monitor the space and maintain an open environment that facilitates low risk.

Next, let's create a few variations in this example to show how easily the risk environment can be altered. First, suppose parents are not invited. Second, only one teacher is present. Third, no one on the church staff knows about the event. Fourth, no screening occurred, and the teacher has a criminal record that no one knows about. Fifth, the time is extended to 11 p.m. Sixth, only boys are invited, and the event includes a sleepover. Each of these factors increases the level of risk as isolation is increased and accountability is decreased.

Let's now look at the third risk factor—the level of power that exists.

### **Risk Factor 3: Power**

*Risk increases when there is an imbalance of power, authority, influence, and control between a potential abuser and a potential victim.*

One reason that children are so vulnerable to sexual predators is the imbalance of power related to age, size, strength, and also control and authority. Most child victims of sexual abuse know and trust their abuser.

They may also fear the person. Once abuse occurs, perpetrators will use their power, authority, and influence to promote silence.

Control can be exerted in many ways, both physically and psychologically. Some abusers use “grooming” techniques to gain the trust and control of a child. They may offer cash, gifts, trips, fun experiences, and shower the child with attention and favors. They may also use blackmail, threats, physical force, and intimidation. In addition, predatory abusers often select their victims carefully to increase their likeli-

hood of success. Children who are targets for abuse are no match for such predators.

What makes the problem unusually difficult in ministry settings is that the abuser is often a respected member of the faith community. Often, these individuals will also use their spiritual authority as a means of power and control. Ministry leaders and parents are sometimes slow to see the signs of abuse because they, too, may trust and respect the abuser.

Abuse is less likely to occur when a balance of power exists. A growing number of ministry-related abuse cases involve another minor as the perpetrator of the abuse. In part, these cases occur because of an imbalance of power, which is typically age-related. It is less common, for example, for a 9-year-old to molest another 9-year-old than for a 15-year-old to molest a 7-year-old.

### **Open for discussion**

- What are the high-risk areas and activities of our ministry? What makes them high-risk?
- What kind of precautions should we take to protect children when they're in these high-risk areas or activities of our ministry?

**Scenario 1:** The youth pastor picks up one or more youth members in his car. Sometimes the meetings are directly after school, other times they are at night or on a weekend. Many of the meetings are at the youth pastor's apartment. Sometimes he takes the students to a movie or athletic event. He gives the girls candy and the boys T-shirts. Church leaders think the discipleship program is a good idea, but no one knows any details about the program. Some of the parents have never met the youth pastor since they do not attend church. Some of the single parents think he is great because he serves as a wonderful role model for their children. He even offers to let them stay all night at his apartment if the single parent has to go out of town.

**Scenario 2:** The Sunday before the campout, the scoutmaster announces to the congregation that they may have to cancel the trip because they still need two men to serve as supervisors. He asks if anyone is interested in helping, and if so, they should contact him following the service. Randy, a single man who began attending the church several weeks ago, volunteers to help. He's excited about being a part of the program and was an Eagle Scout himself. The scoutmaster also recruits one of his colleagues from work who enjoys the outdoors and has a son of his own who will go on the trip. They end up with nine boys and three adult supervisors. It turns out the church has exactly enough tents to accommodate two people per tent. Randy shares a tent with a 13-year-old boy. When they arrive at the camp, the boys are given a few hours to go exploring.





## Appendix

The appendix includes additional information about important topics.

### Consequences of Child Sexual Abuse (Session 1)

Child sexual abuse robs children of their childhood and can potentially scar its young victims for life. Too often in the past, the effects of abuse were minimized or dismissed. Children were viewed as being resilient. But recent research has shown that children can suffer significant pain from even a single abusive incident. Faith communities must be aware of the pain and long-term suffering that can accompany such abuse. Abused children can display a wide range of negative symptoms in the aftermath of abuse, including abnormal fears, post-traumatic stress disorder (PTSD), aggressive behavior, sexual acting out, depression, diffused sexual identity, and poor self-esteem (Kendall-Tackett, Williams, and Finkelhor, 1991). The incidence of sexually transmitted disease is also a possible outcome.

The degree of damage depends upon several factors, including the intensity, duration, and frequency of the abuse. In addition, the relationship of the perpetrator to the child matters. If the abuser is a known and trusted authority figure in the child's life, the degree of impact increases dramatically.

Consequences of child sexual abuse can plague victims into adulthood. Outcome studies of adult survivors of child sexual abuse suggest the following effects: sexual dysfunction, eating disorders, substance abuse, promiscuity, disassociation from emotions, and possible perpetration of sexual abuse on others (Geffner, 1992).

As we saw in Video #2, “**A Victim’s Story**,” when ministry leaders, pastors, and respected congregational workers perpetrate the abuse, lifelong religious confusion and deep feelings of hostility toward God and the church can also occur.

### Ward off the opportunists; eliminate the opportunities!

You can learn more about the behavioral profile of a sex offender and find more tools for dealing with sex offenders who are part of your congregation at *ChurchLawAndTaxStore.com*. As a ministry leader, your job is not to guess whether a person is a molester or not. Your focus should be on properly screening all candidates, because you cannot tell who is or is not a sex offender.

In addition, solid supervision practices will provide your second layer of defense to deter predators from working in your ministry. Put another way, your job is to ward off the opportunists and eliminate the opportunities!

### Megan’s Laws (Session 3)

The Supreme Court’s decision to uphold the constitutionality of state “Megan’s Laws” gives youth-serving organizations the ability to perform checks of national and state sex offense registries without the knowledge or consent of the individual they are checking. As a result, an increasing number of ministries are using screening services to national sex offender registries for anyone who will have access to minors.

But ministry leaders should be aware of four limitations associated with these checks:

1. Sex offender registries only include convictions for specified sex crimes. Other crimes (kidnapping, murder, assault, and so on) are also relevant in making a decision regarding the suitability of a person to have access to minors.
2. Sex offender registries only contain criminal convictions after a specified date (which in many states is fairly recent).
3. Sex offender registries only include criminal records in one state.
4. Sex offender registries are not easily accessible by the public in some states. For example, in some states the sex offender registry is maintained by law enforcement agencies, and the public can review the registry only by contacting such an agency.

As a result, ministry leaders should not view a sex offender registry check as the only screening procedure that is necessary. At best, it is one component in an overall screening strategy that includes the six-month rule, an application, interview, reference checks, and a national criminal records check.

**TIP** Be sure to retain a copy of the results of a sex offender registry search, even if a person's name is not listed on the registry. This will document that you performed a search, which will be relevant evidence in the event that your ministry is later sued on the basis of negligent selection for the molestation of a child by that person.

What do you do if you discover that your state sex offender registry contains the name of an applicant for youth ministry? First, you need to be absolutely sure that the registry identified the same person as the one you were investigating. In some cases, the registry will contain other identifying information (address, phone number, and so on) that will confirm a person's identity. If not, then call the telephone number listed on the registry website and ask for additional information.

You can quickly find links to the Megan's Law sex offender registries of all 50 states at [klaaskids.org](http://klaaskids.org). Just click on your state and you will be directed to information that is specific to your state, including the name and telephone number of a contact person you can call with any questions; a summary of the kinds of sex offenders who are required to register; and a link to search the registry via the internet (if available).

## Handling an Incident (Session 5)

Not only must a ministry do all it can to prevent abuse; it must also be prepared to respond if a reported case of abuse should occur. Every worker should be equipped to know when and how to report any suspicious activities.

Benchmark your guidelines by checking the policies and procedures of other youth-serving charities including, most importantly, your local public school district. Schools are agencies of the state, and so



aligning your practice with what the public schools do is evidence of reasonable care and avoidance of negligence.

Here are some guidelines that will be helpful in understanding how to handle an incident of sexual abuse in your ministry.

### **Discuss suspicious behavior immediately**

Any inappropriate conduct or relationships between an adult worker and a member of the youth group or a child should be confronted immediately and investigated. Issue a prompt warning, or if necessary, terminate the adult worker's services immediately if the violation is of sufficient gravity. Ministry staff should note when a member of the youth group or children's ministry appears aloof or withdrawn, or exhibits a marked personality change. This may indicate a problem that deserves attention.

Some types of conduct only require an initial comment or warning:

**Example:** The church youth group is having a picnic at a local lake. Following a volleyball game, one of the male chaperones begins to massage the shoulders of one of the female youth members. They are seated at a picnic table surrounded by other students. A second adult chaperone discretely pulls the first one aside and comments, "You probably weren't aware, but giving massages falls outside of proper volunteer conduct."

Other types of conduct require immediate reporting:

**Example:** The same facts as the preceding example, but the volunteer worker walks the student to an isolated location and massages her shoulders while laying down on the ground next to her. A second volunteer sees what is happening and immediately reports it to the adult in charge.

**Example:** A male youth volunteer is seen kissing a female member of the youth group. The action is immediately reported to the pastor.

### **Discuss appropriate and inappropriate touching**

Touching should always be age-appropriate and based on the need of the child, not the need of the adult. Clearly, touching is an important way of showing comfort and affection to small children. But it should only be done in response to the child's need.

**Example:** Sarah, a 2-year old, falls down and scratches her knee and begins to cry. Jean, one of the nursery attendants, places Sarah next to her so they can sit close to each other. This is an example of appropriate touching.

**Example:** Paul, an adult youth supervisor, wraps his arms around the waist of a 14-year-old girl at a church youth activity. This is an example of inappropriate touching.

### **Mutual accountability—A ministry obligation**

Questionable or inappropriate behavior often precedes acts of child molestation. You are encouraged to identify and alert your leader when questionable behavior is displayed, and to report such behavior to the proper individuals. Holding co-workers accountable, done with care and sensitivity, can help to avoid actual instances of abuse or molestation.

### **Personal responsibility—A moral obligation**

Workers sometimes fail to report a suspected incident of child sexual abuse for a variety of reasons. Some may want to avoid embarrassing situations, or a fear of possible personal and legal recrimination may exist. Nevertheless, discreet and confidential reporting of suspected abuse is critical to abuse prevention. Reporting reflects caring and is not an act of disloyalty.

### **Ministry Reporting Procedure**

Your ministry should develop clear instructions concerning when a report should occur and how it should be made. Here are some additional factors to consider in deciding whether or not to report a suspected incident of abuse to the state:

- 1. Conduct an investigation.** In many states a report must be made within 24 hours, so there is little time to contact multiple persons to see if a report should be filed.
- 2. Are you a mandatory or permissive reporter under state law?** Mandatory reporters (as defined by state law) face criminal penalties for not reporting. Permissive reporters are permitted to report but they are not legally required to do so. However, it is possible that permissive reporters who do not report reasonable suspicions of abuse will be sued later by victims who allege that their suffering was perpetuated by the failure to report. Therefore, do not automatically dismiss a duty to report on the ground that you are a permissive reporter under state law.
- 3. What is the definition of child abuse in my state?** Some states define abuse very narrowly to include only abuse inflicted by a parent or caretaker. Be sure you know how your state defines child abuse.
- 4. Do I have reasonable cause to believe that abuse has occurred?** Remember, most state laws require mandatory reporters to report not only actual abuse, but also reasonable suspicions of abuse. Our recommendation is to interpret “reasonable cause” very broadly. Also, note that child abusers, when confronted with their misconduct, often deny it. Any allegation must be treated seriously.
- 5. Be especially aggressive when dealing with suspected abuse on the part of a person with a history of previous abusive behavior.** Resolve doubts in favor of reporting.
- 6. Does the clergy-penitent privilege apply?** In a few states, clergy who learn of child abuse during a confidential counseling session are not required to report the information to the state. Be aware of how your state defines and applies the clergy-penitent privilege. The fact that clergy privilege applies should not excuse a pastor from reporting in most cases. Be aggressive in evaluating a duty to report. Remember the purpose of the reporting laws—to prevent child abuse.
- 7. Consider discussing the case anonymously with a representative of the state agency that receives reports of abuse.** These representatives often are more than willing to discuss particular

cases and evaluate whether or not a report should be filed. Of course, if you are advised that a report need not be filed, be sure to obtain the representative's name and make a record of the call.

- 8. Consider filing an anonymous report from the office of some independent third party** (such as a local attorney or the pastor of another church). The other person can later verify that you in fact made the report.
- 9. If you have any doubts concerning your duty to report a particular incident to the state, an attorney should be consulted.** All doubts regarding a duty to report should be resolved in favor of reporting.
- 10. Notify your ministry's insurance agent,** in writing, when you know or have reasonable suspicion that an incident of child abuse has occurred. Failure to provide timely notice may jeopardize insurance coverage.

## Allegation Response Checklist

If your ministry is accused of child sexual abuse, use the following checklist to ensure that your response is appropriate and legal.

- We have taken all allegations seriously, and have not engaged in denial, minimization, or blame. We have followed up on all allegations.
- We collected in writing all relevant information concerning the allegation.
- We promptly fulfilled any state reporting obligation concerning the alleged child abuse.
- We notified our insurance agent, appropriate judicatory leaders, and our attorney concerning the allegation.
- We have placed appropriate restrictions on alleged perpetrators of misconduct until the case is resolved.
- We have maintained strict confidentiality concerning all information, and will communicate with congregational members on the basis of their need to know under the restrictions of a qualified privilege.
- We are providing support to the victim and the victim's family.

## Preventing Child Sexual Abuse TEST

Please indicate whether the following statements are True or False.

1. Child sexual abuse always involves physical contact with children.  
 True    False
2. Most child molesters are male.  
 True    False
3. Child molesters are usually strangers to the victim.  
 True    False
4. Victims of sexual abuse suffer no long-term effects.  
 True    False
5. Most ministries screen workers for potential molesters.  
 True    False
6. Ministry leaders cannot be held liable for child sexual abuse.  
 True    False
7. A child molester who has experienced a religious conversion no longer presents a threat to children.  
 True    False

Choose the correct answers for the following questions.

8. Which of the following are risk factors as they pertain to supervision?  
 a) isolation  
 b) arrogance  
 c) small rooms  
 d) accountability  
 e) power
9. When a child has been abused, or an accusation has been made, what are the ministry's next steps?  
 a) take it seriously  
 b) document the allegation  
 c) take it to a state agency

- d) provide support for the victim
- e) all of the above

10. *(For Ministry Leaders only)* What four steps should every ministry take during the screening process?

- a) personal interview
- b) give a written test
- c) reference checks
- d) written application
- e) observe applicant with children
- f) background check

**Answer the following questions.**

11. What makes a ministry susceptible to sex offenders?

---

---

---

---

---

12. Who do sex offenders “groom” as discussed in the Roundtable video segment in Video #3?

---

---

---

---

---

13. What is one thing you’ve learned about ministry liability concerning child sexual abuse?

---

---

---

---

---