



## Episcopal Diocese of Massachusetts

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### **A PROTOCOL FOR INCLUSION OF REGISTERED SEX OFFENDERS IN CONGREGATIONS OF THE EPISCOPAL DIOCESE OF MASSACHUSETTS**

This protocol is intended to support clergy and lay leaders of churches in the Episcopal Diocese of Massachusetts as they consider whether and how to incorporate a registered sex offender into the life of the community.

The protocol consists of three components that are intended to be read and used together:

- I. Statement of Purpose
- II. Protocol
- III. Behavioral Covenant Template

#### **I. Statement of Purpose**

As a community of faith in Episcopal Diocese of Massachusetts, gathered in the name of Jesus Christ, we are committed to our Baptismal Covenant which calls us to “respect the dignity and freedom of every person.” We seek to create a welcoming, safe and nurturing environment for all of God’s people, including those who have committed criminal acts. God makes no distinction between sins or sinners. As we seek to follow The Great Commandment, we welcome all sinners into congregations who sincerely seek worship, discipleship, ministry and an opportunity to experience the love of Christ through this church.

We also recognize our responsibility to create and maintain a safe church environment for all, especially those who are most vulnerable. We acknowledge that there are circumstances which require us to take particular care that a safe environment is fostered and that offenders are not placed in situations of undue temptation. We aspire to be a place where conversations about accountability, amendment of life, restorative justice, wholeness and healing are engaged, as we deepen our lives of faith. Clergy and lay leaders of a congregation and an offender have responsibilities in this process. It is the responsibility of the clergy and lay leaders of a congregation to set healthy behavioral boundaries for the offender, thereby promoting the safety of all persons in the congregation, including the offender. It is the responsibility of an offender to disclose to leaders of the congregation their inclusion on a sex offender registry and to comply with all terms set out in a Behavioral Covenant for participation in the life of the congregation.

With that in mind, this protocol is offered to all congregations in the Episcopal Diocese of Massachusetts whenever anyone on any sex offender registry seeks to engage, to any degree, in the life of the congregation. Clergy and lay leaders may also apply this protocol, or parts thereof,

to those among us who have a criminal conviction history of victimizing others apart from sexual offenses.

While it is desired and expected that all registered offenders will self-disclose their status to the clergy or lay leadership of a congregation, it is acknowledged that some registered sex offenders may attend our churches without our knowledge of their status. Should any of those persons seek to participate in ministries or leadership positions covered by your locally-adopted policy (based on our [diocesan policies](#)) for the Protection of Children, Youth and Vulnerable Adults, the requisite national public record background check, which includes a sex offender registry check, should reveal their status on the registry and any other criminal convictions.

## **II. Protocol**

The following protocol is offered to support our churches whenever clergy, staff or lay leaders learn of a registered sex offender seeking to worship or otherwise participate in the life of a congregation.

The canon to the ordinary and regional canon should be contacted as soon as possible, so diocesan leaders may offer help and support.

### 1. Interview the offender.

The interview is to be conducted by an ordained leader of the congregation who may invite a warden to be present during the interview. In the absence of an ordained leader, the wardens are invited to seek the support of the canon to the ordinary and/or regional canon.

During the interview, the following topics are appropriate:

- Discuss the offender's desires regarding participation in the congregation.
- Review behavioral boundaries and seek the cooperation of the offender, with the goal of making worship services available to them while maintaining a safe church environment.
- If an offender does not agree to cooperate with the terms of the Behavioral Covenant as set out below, the offender is to be precluded from attending any services, events and activities of the congregation. The canon to the ordinary and regional canon are to be notified immediately, should this occur. Nevertheless, the offender is to be offered pastoral care and, where appropriate, the sacraments, in a safe setting apart from public gatherings.
- Explain how information concerning the offender's status will be shared with people in the congregation, as described in #6 below. Do not promise confidentiality; inclusion on a sex offender registry is public information. See #8 below, should a registered sex offender's status be revealed in the course of the rite of Reconciliation of a Penitent.
- Obtain the offender's residence address and telephone contact information.

- If possible and applicable, obtain the name and contact information for their parole or probation officer and request permission to verify terms and conditions of parole/probation to determine whether attending worship services or participating in any church activities, with or without a monitor/chaperone, would violate the terms of parole/probation.
  - If possible and applicable, obtain the name and contact information for their therapist or mental health professional, if any. If both the offender and the therapist are willing, a conversation with the therapist may be beneficial.
2. Identify appropriate monitors or chaperones and provide them with explicit training and instructions. Instructions are to include having the offender in line of sight at all times, deflecting contact with children, and watching for any social invitation by unsuspecting parishioners. Friends and family members of the offender are not eligible to serve as monitors or chaperones, with the exception of those who are vetted and approved to serve in this capacity as part of the terms of probation (in such cases, the probation officer's written verification of such approval should be attached to the Behavioral Covenant). All monitors and chaperones should sign and receive a copy of the Behavioral Covenant.
  3. Consider talking to the offender's therapist to explore if there are certain behavioral tools the therapist might want the monitors/chaperones or others to know that would protect the offender from becoming vulnerable.
  4. Create a Behavioral Covenant with the offender. The Behavioral Covenant affirms the mutual desire to make it possible for the offender to attend worship services or other events within these protocols. Any violations of the Behavioral Covenant will be grounds to deny the offender further access to the congregation or its activities. The Behavioral Covenant should be reviewed periodically (at least every six months).  
*A template for a Behavioral Covenant is provided in Section III.*
  5. Inform the clergy, staff, wardens, vestry and appropriate ministry leaders of the content of the Behavioral Covenant. (In small congregations it might be preferable to inform all members of the worshipping community.) The information disclosed should focus on the content of the Behavioral Covenant, not the facts of the underlying conviction or identity of victim(s).
  6. Provide copies of the Behavioral Covenant to the offender, wardens, clergy and all those who have consented to serve as monitors/chaperones.
  7. Identify a means by which this information will be preserved and shared with all new clergy, staff and lay leaders as changes in personnel occur.

8. If a registered sex offender's status is revealed during the rite of Reconciliation of a Penitent, the officiating priest (confessor) is reminded that, as stated in the rubrics for the rite, "The secrecy of a confession is morally absolute for the confessor, and must under no circumstances be broken." The penitent, however, is to be reminded that inclusion on a sex offender registry is public information and that, by Massachusetts statute, members of the clergy are Mandated Reporters should they suspect a child under the age of 18 is at risk of abuse or neglect. The priest should discuss with the offender, privately, the need to ensure the safety of the congregation through a Behavioral Covenant for their participation in the life of the church. Should the offender decline to do so, the offender is to be precluded from attending any services, events and activities of the congregation. The priest is to offer to the offender pastoral care and, where appropriate, the sacraments, or to arrange for such ministrations to be offered, in a safe setting apart from public gatherings of the congregation.

### III. Behavioral Covenant Template

[Church Letterhead]

#### BEHAVIORAL COVENANT

between

\_\_\_\_\_ (Covenantor)

and

\_\_\_\_\_ Episcopal Church,

\_\_\_\_\_ (rector, clergy-in-charge and/or warden)

#### Authority and Purpose

The purpose of this Behavioral Covenant is to promote reasonable safety of all persons in the congregation, while maintaining a welcoming place of worship for Covenantor. This Behavioral Covenant is written in compliance with the Protocol for Inclusion of Registered Sex Offenders in Congregations of the Episcopal Diocese of Massachusetts (“Protocol”). The terms are as prescribed by the Protocol.

#### Background

Covenantor has met with the rector/clergy-in-charge and/or warden. During this meeting, the Protocol was reviewed with Covenantor who acknowledges awareness of the Protocol and understands its provisions.

Covenantor has clearly expressed their desired to comply with the Protocol to help ensure that \_\_\_\_\_ (Name of congregation) is a safe place for all who attend. The rector/clergy-in-charge has clearly stated their desire and intention that \_\_\_\_\_ (Name of congregation) be a place of worship and continued healing for Covenantor and that they can and will be Covenantor’s pastor, subject to Covenantor’s compliance with this Behavioral Covenant.

#### Information and Confidentiality

Covenantor is aware that the rector/clergy-in-charge is obligated to notify certain members of the congregation of Covenantor’s status as a registered sex offender, per the Protocol. Covenantor is aware that, while efforts may be made to keep their status on a need-to-know basis, confidentiality is not promised beyond the rite of Reconciliation of a Penitent.

## **Agreement and Covenant**

Covenantor agrees to the following:

1. Covenantor will attend worship services and congregational activities in the company of an approved monitor or chaperone. The monitor or chaperone will always remain at Covenantor's side.
2. If Covenantor needs to use bathroom facilities at the church, Covenantor shall request that the monitor/chaperone ensure that no person(s) under the age of 18 are in the bathroom or enter it while Covenantor is present. The monitor or chaperone is to wait outside the bathroom door.
3. Covenantor will attend worship services on only the following days and times. It is preferable that, where possible, services are those where children and youth are least likely to be present.

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4. Covenantor will not initiate contact with anyone under 18 years of age and will actively avoid such contact, including moving to other parts of the building as necessary.
5. If anyone under 18 years of age initiates contact with Covenantor, Covenantor will ask to be excused and will move away as quickly as possible.
6. Covenantor will not attend congregation-sponsored events outside of the church building or visit in the home of a parishioner where persons under 18 years of age are present unless (a) the Covenantor is accompanied by an approved monitor/chaperone and (b) discloses to the host(s) of the gathering their status on the Registry of Sex Offenders before the event or the visit to the household.
7. If Covenantor attends a different church, Covenantor is to notify the rector/clergy-in-charge who, in turn, shall notify the rector/clergy-in-charge of the church Covenantor is to attend.

## **Terms**

This Covenant is effective immediately upon signature. It will be reviewed every six months by the rector/clergy-in-charge and the Covenantor.

### Violation of Covenant

By signing, Covenantor agrees, understands and accepts that violation of any of the provisions of this Covenant may result in Covenantor being asked to leave

\_\_\_\_\_ (Name of congregation).

If required by the terms of probation, or to ensure the safety of others in the community, a violation of this Covenant shall be reported to Covenantor's probation officer.

Any decision to ask the Covenantor to withdraw from the congregation is to be made in consultation with the canon to the ordinary and/or regional canon.

### Signatures

\_\_\_\_\_  
Covenantor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Rector/clergy-in-charge

\_\_\_\_\_  
Date

\_\_\_\_\_  
Monitors and chaperones, including name, phone number and signature:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_