



File: Christian Congregation 2012 Letter

File: Watchtower 1989 Letter

File: Watchtower 1997 Letter

Christian Congregation of Jehovah's Witnesses

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October 1, 2012

TO ALL BODIES OF ELDERS

Re: Child abuse

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Dear Brothers:

1. This letter updates the letters to all bodies of elders regarding child abuse dated March 23, 1992; February 3, 1993; August 1, 1995; March 14, 1997; July 20, 1998; May 24, 2002; April 1, 2004; June 5, 2006; and May 24, 2010. Those letters should be removed from the congregation permanent file of policy letters and be destroyed. *No one should keep originals or copies of any of those letters.*

2. Additionally, much fine direction has been included in the *Shepherding* textbook. Thus, elders should first consult the *Shepherding* textbook and review the Scriptural principles involved. They should thereafter study the additional points outlined in this letter. As you review this letter, please note that paragraphs 3-7 set forth **legal** concerns regarding accusations of child abuse. Paragraphs 8-20 set forth **congregational** concerns. This letter should be carefully consulted any time a matter involving child abuse arises.

LEGAL CONCERNS REGARDING ACCUSATIONS OF CHILD ABUSE

3. **What is child abuse from a legal standpoint?** Child abuse includes the sexual or physical abuse of a minor (a person less than 18 years of age). It would also include the extreme neglect of a minor by his parent or guardian. Child *sexual* abuse generally includes sexual intercourse with a minor; oral or anal sex with a minor; fondling the genitals, breasts, or buttocks of a minor; voyeurism of a minor; indecent exposure to a minor; soliciting a minor for sexual conduct; or any kind of involvement with child pornography. Depending on the circumstances of the case, it may also include “sexting” with a minor. “Sexting” describes the sending of nude photos, seminude photos, or sexually explicit text messages electronically, such as by phone.

4. Most states have child-abuse reporting laws that, depending on the facts, mandate elders to report an accusation to the authorities. Thus, when elders learn of an accusation of child abuse, two elders from their congregation should *immediately* call the Legal Department for legal advice. If the individuals involved are in different congregations, each body of elders should arrange for two of their elders to call the Legal Department. A call should be made even when both persons involved in sexual misconduct are minors. The elders should *not* ask an alleged victim, the accused person, or relatives of the victim or accused to call the Legal Department. The elders should call the Legal Department even in the following situations:

- The alleged abuse occurred many years ago.
- The alleged abuse is based on the testimony of only one witness.
- The alleged abuse is believed to be a repressed memory.
- The alleged abuse involved perpetrators or victims who are deceased.
- The alleged abuse is believed to have already been reported to the authorities by someone.
- The alleged perpetrator or victim is no longer a member of the congregation.
- The alleged abuse occurred before the alleged perpetrator or victim was baptized.
- The alleged victim is now an adult.
- The alleged abuse occurred in the past, and you are not certain whether the elders involved at the time called the Legal Department for direction.

5. The Legal Department will provide you with legal advice based on the facts and the applicable law. If the individual who is accused of the child abuse is associated with a congregation, please provide the Legal Department with his date of birth and, if applicable, his date of baptism. After a report has been made to the Legal Department, depending on the need, the elders may be directed to contact the Service Department for assistance with questions regarding theocratic or judicial aspects of the case or regarding how to protect children.

6. Two elders should also call the Legal Department regarding any prison inmate who has been accused of child abuse in the past and who is now associating with a congregation, such as by attending congregation meetings held in the prison. This would apply whether he is baptized or not. In some cases, elders may not be authorized to inquire of the offense that an inmate may have committed. But if the elders learn that the alleged offense has to do with child abuse, they should call the Legal Department immediately.

7. If the elders become aware of minors associated with a congregation “sexting” with other minors or of adults “sexting” with minors, the Legal Department should be called *immediately*. The Legal Department does not need to be called when the elders receive reports of adults (that is, cases in which all parties involved are at least 18 years old) “sexting” one another.

CONGREGATIONAL CONCERNS REGARDING ACCUSATIONS OF CHILD SEXUAL ABUSE

8. **What is child molestation from a congregational standpoint?** *Webster’s Ninth New Collegiate Dictionary* defines “pedophilia” as “sexual perversion in which children are the preferred sexual object.” (See “Questions From Readers” in *The Watchtower* of February 1, 1997, page 29.) Deuteronomy 23:17, 18 condemns such practices as “detestable.” (See the footnotes to verses 17 and 18 in the *Reference Bible*. Also, see the footnote on page 10 of the October 8, 1993, issue of *Awake!*) In harmony with these references, we are herein discussing sexual perversion in which children are the object of sexual abuse, including fondling, by an adult. We are not discussing a situation wherein a minor who is a willing participant and who is approaching adulthood has sexual relations with an adult who is a few years older than the minor nor, generally speaking, are we discussing situations in which only minors are involved. Rather, we are referring to situations in which it is established that an adult brother or sister has been guilty of sexually abusing a young child or has been sexually involved with a minor who is approaching adulthood and who was not a willing participant.

9. As spiritual shepherds, elders should continue to make every effort to protect all in the congregation, especially children, from the unwholesome practices of the world. (Isa. 32:1, 2) One of these is child sexual abuse. We abhor the sexual abuse of children and will not protect any perpetrator of such repugnant acts from the consequences of his gross sin. (Rom. 12:9) Elders should take seriously their responsibility in this matter so that the congregations will be safeguarded from any valid accusation of neglect in protecting children from sexual abuse.

10. Regardless of whether the law requires the elders to report an accusation to the authorities, steps need to be taken to protect children. Elders should help the parents of the children involved to understand that they have the primary responsibility for protecting their children. Obviously, such parents will be keenly interested in taking precautions in this regard. Our publications contain helpful information on how parents can protect their children.—*w10* 11/1 p. 13; *w08* 10/1 p. 21; *g* 10/07 pp. 3-11; *lr* pp. 170-171; *g03* 2/8 p. 9; *g99* 4/8 pp. 9, 11; *g97* 4/8 p. 14; *w96* 12/1 pp. 13-14; *fy* pp. 61-62; *g93* 10/8 pp. 5-13.

11. In addition, the elders should investigate *every* allegation of child sexual abuse. When elders learn of an accusation, in addition to this letter, they should carefully review the direction outlined in the *Shepherding* textbook, chapter 12, paragraphs 18-21. However, in evaluating the evidence for internal congregational purposes, they must bear in mind the Bible's clear direction: "No single witness should rise up against a man respecting any error or any sin . . . At the mouth of two witnesses or at the mouth of three witnesses the matter should stand good." (Deut. 19:15) This requirement to consider testimony of two or three witnesses was confirmed by Jesus. (Matt. 18:16) Thus, although they investigate every allegation, the elders are not authorized by the Scriptures to take congregational action unless there is a confession or there are two credible witnesses. However, even though the elders are not authorized to take congregation action when there is only one witness, the elders should remain vigilant with regard to the conduct and activity of the accused. (See paragraph 12 of this letter.) If two persons are witnesses to separate incidents of the same kind of wrongdoing, their testimony can be deemed sufficient to take judicial action. (1 Tim. 5:19, 24, 25) If the person is not repentant over the gross sin, disfellowshipping action would be warranted. If the decision is to reprove, the reproof should be announced. (*ks10* chap. 7 par. 20, second bullet) This will serve as a protection for the congregation. Information concerning an individual accused of child molestation, proved or otherwise, should be placed in the congregation confidential file and marked "Do Not Destroy" and kept indefinitely. This includes *Notification of Disfellowshipping or Disassociation* (S-77) forms on individuals who have been disfellowshipped for child sexual abuse and then later reinstated. **Because of the delicate nature of handling a judicial case where an adult sexually abuses a child, please contact your circuit overseer.** He will designate an experienced elder from your circuit to serve as chairman of the judicial committee.

12. Loving elders should take steps to protect children, especially when a judicial committee determines that the one who has sexually abused a child is repentant and will be allowed to remain a member of the Christian congregation. The same concern would be shown when one who has sexually abused a child is disfellowshipped, later cleans up his life, and is reinstated. The elders should be especially mindful of the activity of any who are known to have sexually abused a child in the past. They should also ensure that newly-appointed elders are made aware of this caution. It would be appropriate for elders to talk kindly but very frankly to individuals who have manifested a weakness in this regard, strongly cautioning them to refrain from displaying affection for children, to avoid hugging or holding children on their lap, never to be alone with a child (other than their

own), not to allow children to spend the night in their home, not to work alone in field service (hence, they should always be accompanied by another adult), and not to cultivate friendships with children. This not only serves to protect children but will help to prevent those who have sexually abused a child from putting themselves in the way of temptation, being subjected to an unfounded accusation, or doing things that may cause concern to others in the congregation. (1 Cor. 10:12, 32) If the individual does not follow this direction from the elders, the elders should *immediately* call the Service Department for assistance.

13. If the individual does not follow the above direction from the elders, or if the elders believe he may be a “predator,” the elders should immediately call the Service Department for assistance. A “predator” is one who clearly lacks self-control and by his actions provides reason to believe he will continue to prey on children. Not every individual who has sexually abused a child in the past is considered a “predator.” **The branch office, not the local body of elders, determines whether an individual who has sexually abused children in the past will be considered a “predator.”** If the branch office determines that an individual will be considered a “predator,” parents with minor children will need to be warned of the danger that exists so that they can protect their children. In such a case, and **only after receiving direction and instructions from the Service Department**, two elders should be assigned to meet with the parents of minor children in order to provide a warning. At the same time that parents are warned about an individual, it would be appropriate for the elders to inform the individual that parents in the congregation will be discreetly informed.

14. What step should be taken when you learn of an adult who has been viewing child pornography? As stated in paragraph 4 of this letter, two elders should call the Legal Department. After receiving legal direction, the elders will be directed to contact the Service Department for theocratic direction.

15. Who is considered a known child molester? The January 1, 1997, *Watchtower* article “Let Us Abhor What Is Wicked” mentions on page 29 that a man “known to have been a child molester” does not qualify for privileges in the congregation. The expression “known to have been a child molester” has reference to how such a man is considered in the community and in the Christian congregation. In the eyes of the congregation, an adult “known” to be a former child molester is not “free from accusation” or “irreprehensible,” nor does he have “a fine testimony from people on the outside.” (1 Tim. 3:1-7, 10; 5:22; Titus 1:7) In view of his past, those in the community would not respect him and congregation members might be stumbled over his appointment. **Keep in mind that the branch office, not the local body of elders, determines whether one who has sexually abused a child is considered a known child molester.**

16. When a known child molester moves to another congregation, the elders should follow the procedure set forth in the *Shepherding* textbook, chapter 12, paragraph 20. If a known child molester is in prison and is transferred to another facility or is released, it is important to inform the appropriate congregation of his situation in writing, if it is possible to do so. This direction also applies when one considered a “predator,” as outlined in paragraph 13 of this letter, moves to another congregation.

17. From time to time, local authorities may inform you that a sex offender is living in your area. The notice usually provides the address of the individual and may state the nature of his

criminal activity. In such a case, the elders should list that address on the appropriate territory card as a “Do Not Call.” Thereafter, two elders can periodically make calls on that address. Following this direction will assist you in protecting the flock.

18. **Sexual misconduct involving only minors:** What steps should elders take when minors (persons less than 18 years of age) engage in sexual misconduct with one another? As stated in paragraph 4 of this letter, two elders should call the Legal Department even when both persons are minors. Minors who have sexual contact with one another are generally not considered as child molesters by the congregation. However, regardless of the ages of those involved, such misconduct is serious. Elders should be alert to render assistance and to protect children. The body of elders should also arrange for the minor(s) to receive assistance in the presence of their believing parent(s), in harmony with the principles and guidelines found in the Scriptures and in our publications.

19. When baptized minors become involved in “sexting,” the elders must use good judgment in determining whether the wrongdoing has escalated to a point warranting judicial action. Helpful information can be found in “Questions From Readers” in the July 15, 2006, issue of *The Watchtower*. Please review this material carefully before concluding that a baptized minor is guilty of gross uncleanness or “brazen conduct, loose conduct.” (*ks10* chap. 5 par. 9) However, if the baptized minor has been previously counseled and persists in the wrong course, in most cases, judicial action is taken. Each case must be evaluated on its own merit. If elders have questions regarding a specific case they should contact the Service Department. Also, keep in mind that Christian parents should be included in any discussions the elders have with a minor who may be involved in “sexting.”

20. The potential serious consequences associated with “sexting” underscore the importance of Christian parents supervising their children’s use of cellular telephones and other means of electronic communication. Excellent suggestions can be found on pages 6-7 of the November 2009 issue of *Awake!* (Matt. 24:45) When a minor has been involved in “sexting,” elders can use such excellent material to offer Scriptural counsel and encouragement to both the parents and the child.—1 Pet. 5:2, 3.

HELPING VICTIMS OF CHILD SEXUAL ABUSE

21. Some Christians may become troubled with memories and feelings associated with past child sexual abuse. When an elder is approached by someone concerned or distraught about such memories, he should “speak consolingly.” (1 Thess. 5:14) Elders should manifest an empathetic, compassionate, patient, and supportive response to those approaching them about such memories. An elder must never be alone with or become the sole confidant of a sister to whom he is not closely related. Helpful suggestions and guidelines can be found in the *Shepherding* textbook, chapter 4, paragraphs 21-28. **The elders should carefully review this material when helping victims of child sexual abuse.**

RESTRICTIONS AND PRIVILEGES

22. It cannot be said in every case that one who has sexually abused a child could never qualify for privileges of service in the congregation. However, the elders will certainly want to be very cautious, especially when dealing with one who had repeatedly engaged in this kind of wrongdoing or who had been disfellowshipped for such an offense. Before privileges can be extended, such a man must meet the Scriptural qualifications of being “self-controlled” and “irreprehensible.” He must “also have a fine testimony” from individuals inside and outside the congregation. (Titus 1:6-8;

1 Tim. 3:2, 7) Elders should keep in mind what is stated in the January 1, 1997, *Watchtower* article "Let Us Abhor What Is Wicked," page 29, paragraph 2: "Child sexual abuse reveals an unnatural fleshly weakness. Experience has shown that such an adult may well molest other children. True, not every child molester repeats the sin, but many do. And the congregation cannot read hearts to tell who is and who is not liable to molest children again. (Jeremiah 17:9) Hence, Paul's counsel to Timothy applies with special force in the case of baptized adults who have molested children: 'Never lay your hands hastily upon any man; neither be a sharer in the sins of others.' (1 Timothy 5:22)."

23. Hence, privileges of service should never be extended hastily. Considerable time should always pass before one who has sexually abused a child is recommended, if ever. It would be up to the local body of elders to determine whether such a recommendation should be made to the branch office, taking into account all factors in each individual case. Please note that unless specifically approved by the branch office, one who has sexually abused a child should not be used to conduct any meetings held in the congregation or in a prison, and he does not qualify to work on any Kingdom Hall project other than one involving the congregation where he serves as a publisher.

24. If the elders as a body conclude that one who has sexually abused a child in the distant past may now qualify for privileges, they should assign two elders to call the Service Department.

25. In view of the foregoing, each elder should make the following notation next to chapter 3, paragraph 20; chapter 5, paragraph 10, second bullet; chapter 7, paragraph 20, second bullet; and chapter 12, paragraph 18, of the *Shepherding* textbook: "See letter dated October 1, 2012, to all bodies of elders."

26. It is hoped that the direction provided in this letter will help you brothers in handling matters in the congregation so as to protect children from sexual abuse and, at the same time, balance Bible-based justice and mercy. We also hope this direction will assist you to lovingly help victims of child sexual abuse. May Jehovah's rich blessing continue to be with you in carrying out your many responsibilities as shepherds of the flock. With this letter we send our warm Christian love and best wishes.

Your brothers,
*Christian Congregation
of Jehovah's Witnesses*

cc: Traveling overseers

PS to secretary:

This letter should be retained in the congregation permanent file of policy letters. You may wish to update the congregation copy of *Index to Letters for Bodies of Elders* (S-22) at this time as well.

WATCHTOWER

BIBLE AND TRACT SOCIETY OF NEW YORK, INC.

CABLE WATCHTOWER

25 COLUMBIA HEIGHTS, BROOKLYN, NEW YORK 11201, U.S.A.

PHONE (718) 625-3600

July 1, 1989

TO ALL BODIES OF ELDERS IN THE UNITED STATES

C O N F I D E N T I A L

Dear Brothers:

We are writing to help all of you as individual elders be aware of a growing concern regarding the handling of your duties that may involve legal issues or questions. **Due to its importance, the presiding overseer should arrange for a special meeting of the body of elders to read and consider this letter carefully.**

In spreading the Kingdom message, it is appropriate that we be bold and outspoken. Jesus commanded that "what you hear whispered, preach from the housetops." (Matthew 10:27) Even when worldly authorities demand that we keep silent, we reply as did the apostles: "We cannot stop speaking about the things we have seen and heard." (Acts 4:20) The Christian congregation will continue to declare the Kingdom message boldly until Jehovah says the work is done.

Elders share the obligation to shepherd the flock. However, they must **be careful not to divulge information about personal matters to unauthorized persons.** There is "a time to keep quiet," when "your words should prove to be few." (Ecclesiastes 3:7; 5:2) Proverbs 10:19 warns: "In the abundance of words there does not fail to be transgression, but the one keeping his lips in check is acting discreetly." Problems are created when elders unwisely reveal matters that should be kept confidential. Elders must give special heed to the counsel: "Do not reveal the confidential talk of another." (Proverbs 25:9) Often the peace, unity, and spiritual well-being of the congregation are at stake. Improper use of the tongue by an elder can result in serious legal problems for the individual, the congregation, and even the Society.

While we as Christians are ready to forgive others who may wrong us, those in the world are not so inclined. Worldly persons are quick to resort to lawsuits if they feel their "rights" have been violated. Some who oppose the Kingdom preaching work readily take advantage of any legal provisions to interfere with it or impede its progress. Thus, elders must especially guard the use of the tongue. Jesus faced opposers who tried to "catch him in speech, so as to turn him over to the government." (Luke 20:20) He instructed us to be "cautious as serpents and yet innocent as doves" in such situations. (Matthew 10:16) Where such a threat exists, our position as elders should be in line with David's words: "I will set a muzzle as a guard to my own mouth, as long as anyone wicked is in front of me."—Psalm 39:1.

In recent years, this matter has come to be a cause for increasing concern. The spirit of the world has sensitized people regarding their legal "rights" and the legal means by which they can exact punishment if such "rights" are violated. Hence, a growing number of vindictive or disgruntled ones, as well as opposers, have initiated lawsuits to inflict financial penalties on the individual, the congregation, or the Society. Many of these lawsuits are the result of the misuse of the tongue. As elders, remember that ill-advised statements or actions on your part can sometimes be interpreted legally as violating others' "rights."

The need for elders to maintain strict confidentiality has been repeatedly stressed. Please see The Watchtower of April 1, 1971, pages 222-4, and September 1, 1987, pages 12-15. The September 1977 Our Kingdom Service, page 6, paragraph 36, and the ks77 text-book, page 65, also provide helpful direction and counsel. That material strongly emphasized the elders' responsibility to avoid revealing confidential information to those not entitled to it.

The legal consequences of a breach of confidentiality by the elders can be substantial. If the elders fail to follow the Society's direction carefully in handling confidential matters, such mistakes could result in successful litigation by those offended. Substantial monetary damages could be assessed against the elders or congregation. In some cases where the authorities are involved, certain complications could lead to a fine or imprisonment. These possibilities underscore the need for elders to be discerning and to follow carefully directions provided by the Society.

I. WHAT TO DO IN SPECIFIC CASES

A. Judicial Committee Matters

Judicial committees must follow carefully the Society's instructions in carrying out their duties. (Note ks77, pages 66-70; ks81, pages 160-70.) Anything submitted in writing to the committee by the alleged wrongdoer or by witnesses should be kept in strict confidence. If it is necessary to continue at a later time a committee hearing, the members of the committee should submit to the chairman any personal notes they have taken. The chairman will keep these notes in a secure place to prevent breaches of confidentiality. The notes may be returned to the individual elders when the hearing resumes. Upon conclusion of the case, the chairman should place only necessary notes and documents, a summary of the case, and the S-77 forms in a sealed envelope for the congregation file. Nothing should be preserved outside of this sealed envelope (including unnecessary personal notes) by any elder on the committee. Obviously, no committee will ever allow judicial proceedings to be tape recorded or allow witnesses testifying before the committee to take notes.

B. Child Abuse

Many states have child abuse reporting laws. When elders receive reports of physical or sexual abuse of a child, they should contact the Society's Legal Department immediately. Victims of such abuse need to be protected from further danger.—See "If the Worst Should Happen," *Awake!* January 22, 1985, page 8.

C. Search Warrants and Subpoenas

1. A search warrant is a court order authorizing the police to search premises to locate evidence that may be used in a criminal prosecution. No elder should ever consent to the search of a Kingdom Hall or any other place where confidential records are stored. However, armed with a search warrant the police do not need consent and may even use force to accomplish their task. Likely before obtaining a search warrant, the police or other governmental officials will make inquiries regarding confidential records, make request to obtain the records, or indicate that they will seek a search warrant if the elder(s) involved does not cooperate. In any such situation, the Society's Legal Department should be called immediately.

At any time an elder is confronted with a search warrant (whether given advance notice or not), the elder should first ask to read the warrant. After reading it he should ask if he can call for legal guidance and then call the Society's Legal Department. If for some reason the Legal Department cannot be contacted, the elders involved should make every effort to obtain the assistance of a local attorney for the purpose of protecting the confidentiality of the records. It may be impossible to stop determined officers from conducting the search authorized by the warrant. Conscientious elders will want to do all they reasonably and peaceably can to preserve the confidentiality of the congregation in harmony with the principle set out in Acts 5:29.

2. Subpoenas are demands for records or for the appearance of an individual at a trial or deposition to give testimony. Subpoenas may be issued by a court or in some cases by a governmental agency or an attorney. If an elder receives a subpoena, he should contact the Society's Legal Department immediately. Never turn over records, notes, documents, or reveal any confidential matter sought by subpoena without receiving direction from the Legal Department.

D. Crimes and Criminal Investigations

In some cases the elders will form judicial committees to handle alleged wrongdoing that also could constitute a violation of Caesar's criminal laws (e.g., theft, assault, etc.). Generally, a secular investigation into a matter that is a concern to the congregation should not delay conducting a judicial hearing. To avoid entanglement with the secular authorities who may be investigating the same matter, the strictest confidentiality (even of the fact that there is a committee) must be maintained.

If the alleged wrongdoer confesses to the sin (crime), no one else should be present besides the members of the committee. When evidence supports the accusation but genuine repentance is not displayed resulting in a decision to disfellowship, this should be handled in the normal course regarding advice of appeal rights and announcements to the congregation. In cases of serious criminal wrongdoing (e.g., murder, rape, etc.), or where the criminal conduct is widely known in the community, the body of elders should contact the Society before proceeding with the judicial committee process.

E. When Servants and Publishers Move

A considerable number of publishers, including elders and ministerial servants move from one congregation to another. Sometimes the circumstances surrounding their departure are unsettled. Some appointed brothers may be experiencing problems that have brought their qualifications into question. It is not uncommon for a body of elders to hold back in giving counsel, allowing a brother to move without discussing his problem. Thereafter, they decline to recommend his reappointment in his new congregation. Often such a brother protests, requiring extensive correspondence between the bodies of elders. Much personal, and sometimes embarrassing, information must then be passed on. Such mishandling of things greatly increases the potential for serious repercussions. Problems can be avoided by the body of elders assuming its responsibility to inform a brother that he will not be favorably recommended, fully explaining the reasons why. **Every effort should be made to resolve any difference before he leaves, eliminating any need for controversy involving his new congregation.** The body should assign two elders to meet with him before he moves, letting him know whether they are recommending him to the new congregation.

This would likewise apply to publishers who move at a time when their personal conduct requires investigation by the elders. **If serious accusations of wrongdoing have been made against an individual and he moves to another congregation before matters are finalized, usually it is best for the elders in the original congregation to follow through in handling matters, if possible and if distance permits.** They are acquainted with the individual and the circumstances surrounding the alleged wrongdoing; this ordinarily puts them in the best position to get the facts and to handle the case. **Handling matters in this way will eliminate the need to reveal confidential information unnecessarily about the private lives of individuals.**

F. When Lawsuits Are Threatened

If the congregation or the elders (in their capacity as elders) are threatened with a lawsuit, the Society's Legal Department should be contacted immediately. No statements should be made by any member of the body of elders about the merits or validity of an actual or threatened lawsuit without authorization from the Society.

G. Child Custody

Elders may learn that a publisher is facing a dispute over child custody in a divorce proceeding. If the parental rights of such is challenged on the basis of our Christian beliefs, or on the assertion that our beliefs are harmful to a child's best interests, the elders should immediately write to the Society's Legal Department. In a rare emergency, a telephone call may be necessary. The Legal Department will assess the facts and determine the degree of its involvement, if any. Elders have no authority to make any promises about the Society's paying legal fees or handling specific cases. There is no need to contact the Society if there is no indication that the beliefs and practices of Jehovah's Witnesses will be attacked in a child custody dispute.

When you write to the Society's Legal Department about a specific case, please provide the following information:

1. The names of the parents and their attorneys.
2. The number of children involved and their ages.
3. A brief description of the facts, including the presence of any apostates.
4. An assessment of the Christian parent's spiritual condition—Is he or she new in the truth? Active? Inactive? Balanced?
5. The status of the legal proceedings—Has the matter gone to trial? Has the trial date been set? If so, when?

II. POINTS TO REMEMBER

A. Appreciate the Importance of Maintaining Confidentiality

Elders must exercise extraordinary caution when it comes to handling confidential information about the private lives of others. Do not mistakenly minimize the gravity of a breach of confidentiality. Unauthorized disclosure of confidential information can result in costly lawsuits. Even if a lawsuit turns out favorably, valuable time and energy that could have been devoted to Kingdom interests will be lost.

B. Do Not Make Statements to Secular Authorities Until You Receive Legal Advice from the Society

You are not legally required to make immediate responses to secular authorities about matters that could involve the disclosure of confidential information. Voluntarily allowing the Kingdom Hall or confidential records to be searched, where no search warrant is produced, could infringe on the legal rights of the congregation or of others. No statements should be made until you have an understanding of your legal position from the Society's Legal Department.

C. Be Extremely Careful with Written Material

All material related to judicial matters should be kept in a safe place, accessible only to elders. **Final reports on the handling of judicial matters should be placed in a sealed envelope in the congregation file.** A judicial committee should avoid sending to an individual any kind of correspondence that accuses him of specific wrongdoing. (Note ks77, pages 68-9.) **Nothing should be put in writing to any disfellowshipped person to advise him of his status or the reasons for it without specific direction from the Society.** The rules and procedures of Jehovah's Witnesses do not require such written disclosures. Anything in writing submitted to a judicial committee should be kept in strict confidence. If a judicial committee disfellowships an individual, he should be informed **orally** of the action taken and of the right to appeal. If the wrongdoer refuses to attend the hearing, two members of the judicial committee should attempt to contact the individual at his home and inform him **orally** of the decision. If this is not possible, the two elders may be able to inform him by telephone.

D. Guard the Use of Your Tongue

Think before you speak. Do not discuss private and judicial matters with members of your family, including your wives, or with other members of the congregation. Be extremely careful not to inadvertently disclose private information when others are present, such as when speaking on the telephone with others listening in or nearby. (Note ks77, page 65.) At times, complicated judicial cases may necessitate consultation with an experienced, mature elder in another congregation or with the circuit overseer. Unless the circuit overseer is the elder consulted, only the pertinent details should be discussed and names should not be used.

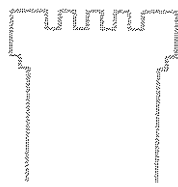
Elders bear a heavy responsibility in ministering to the needs of the Christian congregation, and observing confidentiality as they do so. (1 Corinthians 16:13) We trust that the information in this letter will help you carry this burden. Please be assured of our love and prayers, and may Jehovah continue to bless you as you shepherd his flock.—1 Peter 5:1-3.

Your brothers,

Watchtower B. & F. Society

OF NEW YORK, INC.

P.S. Due to the importance of the information that is presented herein it is suggested that the body of elders jointly read and consider this letter as soon as possible after its receipt in the congregation. **Please do not make any copies of this letter, nor should it be read by others.** It should be kept in the congregation's confidential files for any future reference that may be required by the body of elders.



WATCHTOWER

BIBLE AND TRACT SOCIETY OF NEW YORK, INC.

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March 14, 1997

CONFIDENTIAL

TO ALL BODIES OF ELDERS

Dear Brothers:

A matter of serious concern was addressed in the article "Let Us Abhor What Is Wicked," published in the January 1, 1997, issue of *The Watchtower*. This concern involves the purity of Jehovah's organization in these last days. It is our responsibility to protect the flock of God from these threatening influences.—Isa. 32:1, 2.

We wish to take necessary steps that will help protect the congregation, especially our children, from the unwholesome practices that are constantly worsening in the world. We are grateful that the truth has limited the spread of child sexual abuse in Jehovah's organization.

WHO IS A 'KNOWN CHILD MOLESTER'?

What is child molestation? *Webster's Ninth New Collegiate Dictionary* defines "pedophilia" as "sexual perversion in which children are the preferred sexual object." (See "Questions From Readers" in *The Watchtower* of February 1, 1997, page 29.) Deuteronomy 23:17, 18 condemns such practices as "detestable." (See the footnotes to verses 17 and 18 in the *Reference Bible*. Also, it would be helpful to see the footnote on page 10 of the October 8, 1993, issue of *Awake!*) In harmony with these references, we are herein discussing sexual perversion in which children are the object of sexual abuse, including fondling by an adult. We are not discussing a situation wherein a consenting minor, who is approaching adulthood, has sexual relations with an adult who is a few years older than the minor. Rather, we are referring, for example, to situations in which it is established by a congregation judicial committee that an adult brother or sister has been guilty of sexually abusing a young child or has been sexually involved with a nonconsenting minor who is approaching adulthood.

Who is a known child molester? The January 1, 1997, *Watchtower* article "Let Us Abhor What Is Wicked" mentions on page 29 that a man "known to have been a child molester" would not qualify for privileges in the congregation. An individual "known" to be a former child molester has reference to the perception of that one in the community and in the Christian congregation. In the eyes of the congregation, a man known to have been a child molester is not "free from accusation" and "irreprehensible," nor does he have "a fine testimony from those on the outside." (1 Tim. 3:1-7, 10; 5:22; Titus 1:7) In view of his past, people in the community would not respect him, and the brothers might even stumble over his appointment.

PROTECTING OUR CHILDREN

What can we do to protect our children and preserve the cleanness of Jehovah's organization? The primary responsibility for protecting our children rests upon the parents. Fine suggestions for parents can be found in the January 22, 1985, *Awake!* article "Child Molesting—You Can Protect Your Child." Other articles that parents do well to consider are those in the October 8, 1993, *Awake!* entitled "How Can We Protect Our Children" and the December 1, 1996, *Watchtower* entitled "Parents, Find Pleasure in Your Children," specifically pages 13 and 14, paragraphs 18 and 19.

What can the elders do to help protect our children? The elders should be alert to the activity of any who are known to have molested children in the past. Individuals who have manifested a weakness in this regard should be sensitive to their need not to be alone with children. They should refrain from holding children or displaying other forms of affection for them. It would be appropriate for elders to give kindly cautions to any who are doing things that may be a temptation or a cause for concern to others in the congregation.—1 Cor. 10:12, 32.

What should elders do when a former child molester moves to another congregation?

As outlined in the February 1991 *Our Kingdom Ministry* "Question Box" and the August 1, 1995, letter to all Bodies of Elders, our policy is always to send a letter of introduction when a publisher moves to another congregation. *It is imperative that this be done when one who is known to have been a child molester moves.* The secretary should write on behalf of the elders to the new congregation's body of elders and outline this publisher's background and what the elders in the old congregation have been doing to assist him. Any needed cautions should be provided to the new congregation's body of elders. This letter should not be read to or discussed with the congregation. This information should be kept in the congregation's confidential files where it can be reviewed by any elder. The elders should send a copy of this letter to the Watchtower Bible and Tract Society in one of the "Special Blue" envelopes.

PRIVILEGES OF SERVICE IN THE CONGREGATION

In the January 1, 1997, issue of *The Watchtower*, the article "Let Us Abhor What Is Wicked" stated on page 29: "For the protection of our children, a man known to have been a child molester *does not qualify for a responsible position in the congregation. Moreover, he cannot be a pioneer or serve in any other special full-time service.*" We have had a number of inquiries asking how this applies in the congregation, and this is being given consideration.

It may be possible that some who were guilty of child molestation were or are now serving as elders, ministerial servants, or regular or special pioneers. Others may have been guilty of child molestation before they were baptized. The bodies of elders should not query individuals. However, the body of elders should discuss this matter and give the Society a report on anyone who is currently serving or who formerly served in a Society-appointed position in your congregation who is known to have been guilty of child molestation in the past.

TO ALL BODIES OF ELDERS

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In your report please answer the following questions: How long ago did he commit the sin? What was his age at the time? What was the age of his victim(s)? Was it a one-time occurrence or a practice? If it was a practice, to what extent? How is he viewed in the community and by the authorities? Has he lived down any notoriety in the community? Are members of the congregation aware of what took place? How do they and/or his victim(s) view him? Has he ever been disfellowshipped, reproved, counseled, or otherwise dealt with? If he has moved to another congregation, please identify the congregation to which he has moved. Was that congregation advised of his past conduct of child molestation, and, if so, when? [If you have not advised them, this should be done now, and you should send a copy of your letter to the Society in a "Special Blue" envelope.] This information should be sent to the Society along with any other observations that the body of elders has. Please send this to the Society in the "Special Blue" envelope so that the factors involved may be given due consideration; this information is not to be made available to those not involved.

Jehovah has been blessing the efforts of his people to get the vital Kingdom-preaching and disciple-making work done. Isaiah 52:11 states: "Keep yourselves clean, you who are carrying the utensils of Jehovah." We must be ever vigilant to demonstrate to Jehovah that we want to keep the organization he uses in these last days fit for this all-essential trust. May Jehovah bless your efforts to that end.

Your brothers,

Watchtower B. & F. Society
OF NEW YORK, INC.

P.S. to Body of Elders: A meeting of the body of elders should be arranged to read and discuss this letter together. **This letter is confidential and should not be copied but should be kept in the congregation's confidential file. Elders should not discuss this information with others.** It is provided so that you can appropriately apply the spirit of the Scriptural information in the January 1, 1997, *Watchtower* article "Let Us Abhor What Is Wicked."