

1 **OVERTURE 38** from Chesapeake Presbytery (to SJC)
2 "Request for SJC to Assume Original Jurisdiction in CIP matters re Dan Herron"
3 [Revised title]
4

5 **Whereas**, the Word of God in I Corinthians 6:1-8 is clear in its injunction against Christians
6 suing one another in civil court where there exists an ecclesial court with jurisdiction,
7 and
8

9 **Whereas**, TE Daniel Herron has been credibly accused of impropriety by several members
10 and/or regular attenders of Hope Presbyterian Church (Bloomington, IN), where he
11 served as pastor, and
12

13 **Whereas**, the Central Indiana Presbytery instituted process against TE Herron on the basis of
14 those accusations and the Presbytery's finding of a "strong presumption of guilt," and
15

16 **Whereas**, after the Central Indiana Presbytery found a "strong presumption of guilt" and had
17 instituted process, TE Herron filed suit in the Monroe County (Indiana) Circuit Court
18 against certain of his accusers, claiming that their accusations caused him harm, and
19

20 **Whereas**, TE Herron specifically referenced the likelihood that his accusers' statements have
21 been and will be "used in Ecclesial Committee Hearings of the Central Indiana
22 Presbytery and/or the Presbyterian Church in America," as part of the substance of the
23 damages caused, and
24

25 **Whereas**, this constitutes clear evidence of TE Herron's intention to employ the civil
26 magistrate to prevent his accusers' testimony against him, and thus preclude or
27 undermine the proceedings of the ecclesial court, and
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29 **Whereas**, the Central Indiana Presbytery ruled TE Herron contumacious for his refusal to
30 withdraw the civil suit, suspending him from office and the sacraments, and
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32 **Whereas**, this action of the Central Indiana Presbytery demonstrates that it recognized the
33 seriousness of TE Herron's sin in filing suit against his accusers in the first place, and
34

35 **Whereas**, the Central Indiana Presbytery later removed the ruling of contumacy despite
36 TE Herron's lack of repentance, after he removed certain documents from the suit's
37 evidence chain but continued to refuse to withdraw the suit, and
38

39 **Whereas**, this later action of the Central Indiana Presbytery, removing the finding of
40 contumacy without TE Herron repenting of the sin of filing suit, not only demonstrates
41 a refusal to act against a sin previously recognized, but could also be construed as a
42 choice to participate in it with TE Herron, and
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44 **Whereas**, the Central Indiana Presbytery, by removing the finding of contumacy absent
45 repentance, has chosen to allow the suit to continue in flagrant violation of
46 I Corinthians 6, refusing to act to discipline TE Herron's sin, bringing disrepute on the
47 name of Christ and undermining both their own authority and the authority of all courts
48 of the PCA generally with respect to the civil magistrate, and

1 **Whereas**, public letters written by concerned members of the Central Indiana Presbytery
2 indicate deep division and weariness within the presbytery, considerable concern for
3 the harm that this division has caused the accusers, as well as a resultant lack of belief
4 in the ability of the CIP to conduct an impartial trial, and
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6 **Whereas**, *BCO* 34-1 provides mechanism for the General Assembly to assume original
7 jurisdiction when “the Presbytery refuses to act in doctrinal cases or cases of public
8 scandal,” and
9

10 **Whereas**, allegations concerning the alleged sinful conduct of TE Daniel Herron and Central
11 Indiana Presbytery’s handling of the case have been widely reported in public media,
12 resulting in public scandal involving not only the accused, but also the CIP and the
13 Presbyterian Church in America,
14

15 **Therefore**, be it resolved that the Chesapeake Presbytery petitions the 49th General Assembly
16 to assume original jurisdiction of the case against TE Daniel Herron immediately, so
17 as to investigate the accusations thoroughly and to try the matter impartially, for the
18 express purpose of defending the honor of Christ, clearing the public scandal, restoring
19 the peace and purity of Christ’s Church, and providing the care of the true Shepherd
20 to TE Daniel Herron and to his accusers.
21

22 *Adopted by Chesapeake Presbytery at its 91st stated meeting, May 10, 2022*

23 *Attested by /s/ RE Timothy M. Persons, stated clerk*