

1 **OVERTURE 25** from Arizona Presbytery: (to CCB, SJC, OC)  
2 “Amend *BCO* 31 to Require Expedited and Conflict-free Investigations  
3 of Cases Involving Moral Failure or Victim(s)”  
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5 **Whereas**, the DASA Committee Report<sup>1</sup> says, “For leaders in the church, ‘believe victims’  
6 means taking necessary actions to protect *first*. After physical safety is ensured,  
7 church courts can then discern the truth in the allegations,” and  
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9 **Whereas**, the innocence of the accused is to be assumed, and

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11 **Whereas**, the court is obligated to investigate any accusations to determine if there is a strong  
12 presumption of guilt, and  
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14 **Whereas**, investigations into theological questions, or into alleged sin without victims, need  
15 and can abide significant time to ensure the full depth is probed, but investigations  
16 into alleged sin against a victim requires expediency to protect the victim and the  
17 accused from undue harm during the investigation, and  
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19 **Whereas**, investigations by trained and impartial persons can determine very quickly the  
20 credibility of accusations,  
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22 **Therefore**, be it resolved that *Book of Church Order* 31 be amended by the addition of the  
23 following paragraphs (31-3) as follows (underlining for additions):  
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25 31-3. If the report concerns alleged extraordinary moral failing that is  
26 public or in which there is an alleged victim (such as abuse of any kind,  
27 sexual sin, financial misdealing, etc.), the investigation should be  
28 undertaken promptly for the sake of the honor of Christ and the proper  
29 pastoral care for the accused and any alleged victims. This investigation  
30 shall ordinarily be initiated no more than thirty (30) days from a request to  
31 a member of Presbytery, and shall be completed without undue delay.  
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33 If such an investigation is initiated for such a report, those investigating will  
34 be free from all conflict of interest with the parties being investigated or any  
35 parties making accusation. No one may be part of the preliminary  
36 investigation who is disqualified according to the standard of SJC Manual  
37 2:10.d.e.  
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39 If the court deems it prudent, they shall be permitted to hire professional  
40 investigators to ensure impartiality and freedom from conflict of interest.  
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42 In cases of alleged criminally chargeable offense, the court and  
43 investigation shall show deference to the legal authorities.

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<sup>1</sup> “Report of the Ad Interim Committee on Domestic Abuse and Sexual Assault to the 49th General Assembly of the Presbyterian Church in America (2019-2022),” *M49GA*, pp. 1000-1001 (emphasis original).

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So the additional section would read:

**31-3.** If the report concerns alleged extraordinary moral failing that is public or in which there is an alleged victim (such as abuse of any kind, sexual sin, financial misdealing, *etc.*), the investigation should be undertaken promptly for sake of the honor of Christ and the proper pastoral care for the accused and any alleged victims. This investigation shall ordinarily be initiated no more than thirty (30) days from a request to a member of Presbytery and shall be completed without undue delay.

If such an investigation is initiated for such a report, those investigating will be free from all conflict of interest with the parties being investigated or any parties making accusation. No one may be part of the preliminary investigation who is disqualified according to the standard of SJC Manual 2:10.d,e.

If the court deems it prudent, they shall be permitted to hire professional investigators to ensure impartiality and freedom from conflict of interest.

In cases of alleged criminally chargeable offense, the court and investigation shall show deference to the legal authorities.

**Renumber BCO 31-3 through 31-11 to read 31-4 through 31-12.**

*Adopted by Arizona Presbytery at its called meeting, March 30, 2023*

*Attested by /s/ RE Richard Wolfe, stated clerk*