

ANGLICAN CHURCH IN NORTH AMERICA  
DIOCESE OF THE UPPER MIDWEST  
MINNEAPOLIS/ST. PAUL, MINNESOTA

*In the Matter of Stewart E. Ruch III,  
Bishop of the Diocese of the Upper Midwest*

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**FACTS & EVIDENCE SUBMITTED  
TO ARCHBISHOP FOLEY BEACH  
& THE COLLEGE OF BISHOPS  
IN SUPPORT OF PRESENTMENTS**

## I. *Introduction*

Upon a Bishop's ordination, one of the objects traditionally presented to the ordinand is a staff. "This staff symbolizes the Bishop's call to be the visible shepherd of God's holy people . . . ." See [Holy Orders: Understanding Ordination: What Does It Mean to Be a Bishop](#), *Church of the Resurrection Blog*, Wheaton, Illinois, February 10, 2015. This is a high call. A Bishop, as shepherd, points to "the shepherd and guardian (*episkopon*) of [our] souls" and "the good shepherd," our Lord Jesus Christ.<sup>1</sup> Based on the evidence presented below, we believe that as shepherd of the Diocese of the Upper Midwest ("UMD"), Bishop Stewart Ruch ("Bp. Ruch") has acted with negligence towards the sheep entrusted to his care, creating opportunities for wolves to devour and scatter Christ's flock. In several instances when Bp. Ruch has learned of abuse within his diocese, he has not acted in haste to protect and care for victims. Instead, he has repeatedly focused his support on offenders, has denied or cast doubt on claims made by both victims and their advocates, and has shifted the focus from victims to himself. Bp. Ruch's actions have not only caused lasting damage to survivors of abuse, they have also afflicted entire congregations with devastating pain, confusion, and trauma. We believe what he has done, and what he has left undone, requires consequence.

## II. *Procedural Requirements for Presentments Against Bishops*

In the Anglican Church of North America ("ACNA"), a formal presentation of an accusation of offense (a "presentment") may be brought against a Bishop. See [The ACNA Constitution and Canons, Ecclesiastical Discipline: Of Presentments of Bishops; Concerning Requirements for Presentment, Title IV, Canon 4, Section 1, Ratified June 2009, Amended June 2019, at 31](#). Because presentments constitute allegations of grave offenses committed by a Bishop in violation of the Canons of this Church, the ACNA Constitution and Canons ("ACNA C&C") require that the accusations be attested "by three Bishops of this Church with jurisdiction, or by not fewer than ten Presbyters, Deacons, or adult baptized members of this Church in good standing, of whom at least two shall be Presbyters." *Id.* To ensure a party's standing, the ACNA C&C also creates additional jurisdictional requirements for the alleged aggrieved, as well as specific content requirements for the presentments. *Id.*

The substantive charges or accusations that may be brought against a Bishop are many, and are also articulated in the ACNA C&C. See [ACNA C&C, Ecclesiastical Discipline: Of Charges against Bishops, Presbyters, or Deacons, Title IV, Canon 2, Ratified June 2009, Amended June 2019, at 29](#). Included in the possible charges or accusations are numbers 3, 4, and 9, stated hereunder, respectively,

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<sup>1</sup> 1 Peter 2:25b; John 10:11, NRSV 1995.

“The following are the charges or accusations on which the Archbishop, a Bishop, a Presbyter, or a Deacon in this Church may be presented:

3. Violation of ordination vows;
4. Conduct giving just cause for scandal or offense, including the abuse of ecclesiastical power...
9. Disobedience, or willful contravention of the Canons of this Church or of the constitution or canons of the Diocese in which he holds office.”

*Id.*

### **III. *Ordination Standards of Priests & Bishops; Episcopal Duty to Recruit, Prepare, and Ordain Deacons and Presbyters in the Book of Common Prayer***

#### **A. Ordination Standards for a Priest**

As part of “The Form and Manner of Ordaining a Priest,” The Book of Common Prayer (“BCP”) requires that an Ordinand, or candidate for ordination, make explicit vows.<sup>2</sup> Integral to these vows is the “Examination,” during which a Bishop interrogates an Ordinand’s willingness to subscribe to specific doctrinal, personal piety, and congregational care formulations. See [BCP at 490-491](#). As a preface to this Examination, a Bishop first reads an “Exhortation” over an Ordinand. *Id.* at [488-489](#). The Exhortation warns an Ordinand of “how weighty is this Office to which [he is] called”, and also reminds him of the many roles he must assume to protect and nourish those under his care. The Exhortation goes on to describe the consequences to a priest for “hurt[ing] or “hinder[ing]” a Church and Congregation under his care:

“I now exhort you, in the Name of our Lord Jesus Christ, to be a messenger, watchman, and steward of the Lord. You are to teach, to warn, to feed, and to provide for the Lord’s family, and to seek for Christ’s sheep who are in the midst of this fallen world, that they may be saved through Christ forever.

Remember how great is this treasure committed to your charge. They are the sheep of Christ for whom he shed his blood. The Church and Congregation whom you will serve is his bride, his body. *If the Church, or*

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<sup>2</sup> See [Book of Common Prayer \(Anglican Liturgy Press, 2019\), 483-496](#). An Ordinand is required to take two oaths: the *Oath of Conformity* (to the Holy Scriptures and Doctrine, Discipline, and Worship of Christ as the Church has received them), and the *Oath of Canonical Obedience* (to the Bishop and his successors “in all things lawful and honest”). *Id.* at [484-485](#). Neither the ACNA C&C nor the BCP make clear whether these two oaths alone, or the oaths plus the Exhortation and Examination, constitute the vows. These presentments presume the latter.

*any of her members, is hurt or hindered by your negligence, you must know both the gravity of your fault, and the grievous judgment that will result.”*

*Id.* at [488-489](#), emphasis added.

The Exhortation is the only section of the Church’s declarations that warns of the potential damage done to those under a priest’s care by way of his negligence, as well as the subsequent judgment a priest must face for such negligence. The Exhortation also gives prominence to an Ordinand’s Examination affirmations and asks him to soberly reflect on the standards inherent to the weighty office he will assume.

## **B. Ordination Standards for a Bishop**

The rite outlining the Ordination and Consecration of a Bishop in the BCP immediately follows the rite for that of a priest. *Id.* at [497-509](#). In so doing, the vows, duties, charges, and prayers for a Bishop in no way supersede those of a priest, but instead build on the priestly standards a Bishop-Elect is assumed to embody already.<sup>3</sup> In the Examinations of both an Ordinand and a Bishop-Elect, eight specific and largely identical questions are asked, followed by an affirmation given by the one being examined. However, because a Bishop-Elect, unlike a priest, must also assume the episcopal duty of formally examining, confirming, and ordaining clergy to the service of the church, his duty of care for that task is expanded and made more explicit by inclusion into the Examination. The colloquy in the Examination asks unequivocally:

*Question*      *Will you be faithful in examining, confirming, ordaining, and sending the people of God?*

*Answer*        *I will, the Lord being my helper.*

*Id.* at [504](#).

Additionally, further into the rite for the ordination of a Bishop, a *Prayer of Consecration* is read over him. A portion of this prayer charges the Bishop Elect not to harm those under his care in the administration of his authority. The *Prayer of Consecration* states, in pertinent part:

“ . . . . Grant to this your servant such grace that he may ever be ready to spread abroad your Gospel, the glad tidings of reconciliation with you, and to use the authority given to him, not for destruction, but for salvation; not to hurt, but to help; . . . ”

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<sup>3</sup> The ordination rites of a priest and Bishop in the BCP are virtually identical, with the exceptions that a Bishop is also consecrated, ordained by the Archbishop, and his Exhortation is truncated and combined with his Examination. See [BCP at 502-505](#).

*Id.* at [506](#), emphasis added.

Finally, before the ordination rite concludes, the Archbishop presents the now-ordained Bishop with a Bible and reminds him to watch over his flock as a good shepherd. In particular, the Archbishop charges the new Bishop to care for the most vulnerable, and to not confuse the role of mercy with indifference. The Archbishop’s pronouncement states, in pertinent part:

*“ . . . Be to the flock of Christ a shepherd, not a wolf; feed them, do not devour them. Hold up the weak, heal the sick, bind up the broken, bring back the lapsed, and seek the lost. Do not confuse mercy with indifference; so minister discipline, that you forget not mercy; . . . ”*

*Id.* at [507](#), emphasis added.

### **C. Episcopal Duty to Recruit, Prepare, and Ordain Deacons and Presbyters**

Episcopal ministry carries with it the awesome privilege to recruit, prepare, and ordain Deacons and Presbyters to serve and minister to Christ’s flock. This duty given to Bishops is described in the ACNA C&C Title III, Canon 2, Section 1, and states in pertinent part:

*“Every Bishop shall take care that he admit no person into Holy Orders but such as he knows either by himself, or by sufficient testimony, to have been baptized and confirmed, to be sufficiently instructed in Holy Scripture and in the doctrine, discipline and worship of this Church, as defined by this Province, to be empowered by the Holy Spirit and to be a wholesome example and pattern to the entire flock of Christ.”*

See [ACNA C&C, Of Ministers. Their Recruitment. Preparation. Ordination. Office. Practice and Transfer; Of the Qualities of Those Who Are To Be Ordained Deacons or Presbyters; Concerning General Requirements, Title III, Canon 2, Section 1, Ratified June 2009, Amended June 2019, at 20](#), emphasis added.

Additionally, the Anglican Diocese of the Upper Midwest Constitution and Canons (“UMD C&C”) sets forth the canonical standard of morality and ethics for both laity and clergy. Regarding that standard it states:

*“Clergy and laity of this Diocese are called to be exemplary in all spheres of morality. This is a condition of being appointed to or remaining in a position or office of leadership.”*

See *UMD C&C, Worship and Administration of the Sacraments; Of Standards of Morality and Ethics; Exemplary Style of Life, Title II, Canon 5, Section 1, Approved June 2013, Amended October 2015, at 10.*

Bishops are to do everything in their power to ensure ordinands are moral exemplars to the flocks they serve. Their pattern of life ought to be Christlike. A Bishop who fails to conduct and responsibly act on due diligence regarding the character of postulants of Holy Orders would be in violation of these Canons.

**IV. *Conduct of Bp. Ruch in Violation of the ACNA Constitution & Canons: Canon IV.2.3, Violation of Ordination Vows; Canon IV.2.4, Conduct Giving Just Cause for Scandal or Offense, Including the Abuse of Ecclesiastical Power; Canon IV.2.9, Disobedience, or Willful Contravention of the Canons of this Church or of the Constitution or Canons of the Diocese in Which He Holds Office.***

**A. Violation of Bp. Ruch's Ordination Vows as a Priest**

Bp. Ruch was ordained an Anglican priest and led his church to join the ACNA's predecessor denomination, the Anglican Mission in America ("AMiA"). As an ordained priest, Bp. Ruch is bound by the Oaths, Examination, and Exhortation (collectively, the "vows"), among other things, articulated in the BCP. *See supra* at III A. A violation of ordination vows is a violation of Canon IV.2.3 and is one ground, among others, on which presentments may be brought and disciplinary action sought against a Bishop. *See supra* at II. Bp. Ruch has violated his ordination vows as a priest by the following:

Bp. Ruch has demonstrated a pattern and practice of knowingly and silently welcoming men into the ranks of church leadership without first informing his congregants of their past incidents of violence and/or abuse. By circumventing the accountability that would result from transparency instead of dissimulation, he has transformed what should be, of all spaces, a sanctuary for the most vulnerable, into a target for predation. Further, when issues of abuse have been brought to his attention, his response has demonstrated a grievous underappreciation for the seriousness of the situation, and he has evidenced a focus on providing disproportional support to the alleged perpetrators over the alleged victims. As a result of this pattern and practice, a reasonably objective person would conclude that probable cause exists to show that Bp. Ruch has violated his priestly ordination vows, thereby violating the Canons of this Church, and should give account for his actions.

**B. Violation of Bp. Ruch's Ordination Vows as a Bishop**

Bp. Ruch was ordained and consecrated the Bishop of the UMD by former ACNA Archbishop the Most Reverend Robert Duncan on September 28, 2013. As an ordained and consecrated Bishop, Bp. Ruch is bound by the Oaths and the Exhortation and Examination

(collectively, the “Episcopal vows”), among other things, articulated in the BCP. *See supra* at III. B. The violation of Episcopal vows is a violation of Canon IV.2.3 and is one ground, among others, that presentments may be brought and disciplinary action sought against a Bishop. *See supra* at II. Bp. Ruch has violated his ordination Bishopric vows by the following:

Bp. Ruch has demonstrated a pattern and practice of knowingly and silently welcoming men into the ranks of church leadership without first informing his congregants of their past incidents of violence and abuse. By withholding critical background information from affected parties, he has turned what should be a sanctuary for the most vulnerable into a target for predation. Further, when issues of abuse have been brought to his attention, his response has demonstrated a grievous underappreciation for the seriousness of the situation, and he has evidenced a focus on providing support to the alleged perpetrators over the alleged victims. As a result of this pattern and practice, a reasonably objective person would conclude that probable cause exists to show that Bp. Ruch has violated his episcopal ordination vows, thereby violating the Canons of this Church, and should give account for his actions.

### **C. Bp. Ruch’s Conduct Giving Just Cause for Scandal or Offense, Including the Abuse of Ecclesiastical Power**

In his capacity as Bishop of the UMD, Bp. Ruch was charged with the faithful “examining, confirming, ordaining, and sending” of ministers to churches to spread the gospel of Jesus Christ. *See* [BCP at 504](#). This responsibility endowed Bp. Ruch with enormous ecclesiastical power and discretion to handpick and/or approve the church leaders who would care for the parishioners in his diocese. Abusing this ecclesiastical power by virtue of conduct giving just cause for scandal or offense is one ground, among others, that presentments may be brought and disciplinary action sought against a Bishop. *See supra* at II. Bp. Ruch has abused his ecclesiastical power with conduct giving just cause for scandal or offense, thereby violating Canon IV.2.4 of the Canons of this Church, by the following:

Bp. Ruch has knowingly welcomed into diocesan churches a number of individuals with histories of predatory behavior and sexual addiction—several with criminal records—and has prepared them for a life of ministry service in a lay or professional capacity. *See infra*, 6-21. He has subsequently sent them out to lead and serve, all the while keeping their troubling behavior secret. Bp. Ruch’s zeal to “plant a revival of Word and Sacrament infused by the power of the Holy Spirit,” (*see* [Ex. 1](#)) is well-known among UMD leaders, as are the ministry training programs he has launched at his home church, Rez, in Wheaton, Illinois, that attract prospective ordinands. *See, e.g.*, [Ex. 2](#). All final decisions for ordinations to the priesthood and church appointments rest on Bp. Ruch’s determination of each individual’s fitness for leadership, and he has, in many cases, overlooked alarming histories of abuse and predation of vulnerable people. *See* [Ex. 3](#). Bp. Ruch’s poor judgment and negligence towards common-sense safety standards in the church setting, and his unwillingness to bar individuals from advancing as a safe and wise

precaution for themselves and those entrusted to them, has not only harmed many, but has also sullied the witness of the Church and its mandate to protect the least of these. This conduct—Bp. Ruch’s pattern and practice of negligent discretion—is an abuse of his ecclesiastical power, and a reasonably objective person would conclude that Bp. Ruch should give account for his actions.

#### **D. Disobedience, or Willful Contravention of the Canons of This Church or of the Constitution or Canons of the Diocese in Which He Holds Office**

Bp. Ruch ordained Joshua Moon to the priesthood with the knowledge of Moon’s past criminal charge and admitted sexual addiction. Bp. Ruch, further, chose not to inform the leaders ministering with Moon or the congregation he oversaw. Bp. Ruch failed to act prudently on the information he received regarding Moon, and he did not conduct the necessary due diligence to ensure Moon’s character was worthy of the office of Presbyter—”a wholesome example and pattern to the entire flock of Christ.” By this negligence, Bp. Ruch has violated Canon IV.2.9 of the Canons of this Church and should give account for his actions.

#### **E. Formal Statement of Presenters**

These presentments, and the signatories to them, charge that Bp. Ruch’s actions fall below the standards the BCP articulates for an ordained priest and Bishop—that he has serially “hurt [and] hinder[ed]” members of the Church and congregations he was charged to protect, oversee, and nourish—therefore violating his ordination vows. Further, in his leadership capacity as Bishop, the pattern and practice of his actions and inactions are just cause for scandal and offense—that he has repeatedly failed to conform his life as a shepherd to the shape of Jesus’ life and minister to the hurting and vulnerable with appropriate urgency. We, the undersigned, swear to the veracity of the claims herein against Bp. Ruch to the best of our knowledge. We believe his actions and inactions resulted in him committing the following canonical violations for which presentments may be brought, namely, Canon IV.2.3, “Violation of ordination vows,” Canon IV.2.4, “Conduct giving just cause for scandal or offense, including the abuse of ecclesiastical power,” and Canon IV.2.9, “Disobedience or willful contravention of the Canons of this Church or of the constitution and canons of the Diocese in which he holds office.”

#### **1. Evidentiary Documentation Substantiating Presentments**

##### ***Mark Rivera***

Bp. Ruch did not respond to the 2019 allegations of sexual abuse in his diocese with a sense of urgency befitting a Bishop. His failure to grasp the gravity of the situation triggered a cascade of events that had profound consequences for both the victims of abuse and the witness of the Church. Bp. Ruch’s response to the Mark Rivera allegations had two catastrophic results in particular: 1) it imperiled the physical and spiritual health of parishioners under his charge, particularly the young victim and her family, alienating them from their own communities of



support, and 2) it invited contempt on, and compromised the witness of, the very entity he swore oaths to honor and protect—the Church.<sup>4</sup>

### **I. Imperiled the Physical and Spiritual Health of Parishioners**

When a specific case of alleged child sexual abuse was presented to Bp. Ruch in 2019, he should have recognized the weighty urgency of the moment, the need for his instant presence and advocacy on behalf of the victim, as well as the danger the situation posed to the witness of the church if he did not rise to the occasion. Unfortunately, Bp. Ruch’s failure to recognize the moment would mean yet another victim would be alienated by church leaders, and yet another headline about a church scandal would be written for a cynical world to read. Neither were inevitable.

Bp. Ruch failed to believe the nine-year-old girl and her mother, who reported on May 18, 2019 to their pastor, Father Rand York (“Fr. York”)<sup>5</sup>, that her daughter had disclosed that she was sexually abused by Mark Rivera. In his interview with Husch Blackwell attorneys, Bp. Ruch stated that he was “personally agnostic” as to the veracity of the victim’s claim. *See* [HB Report at 23](#). Well-documented, peer-reviewed literature dating back to the 1980s has confirmed that allegations of child sexual abuse are found to be credible 92-98% of the time. *See* Mark D. Everson & Barbara W. Boat, “False Allegations of Sexual Abuse by Children and Adolescents,” 28:2 *J. Am. Acad. Child Adolesc. Psychiatry* (1989) 230-235.<sup>6</sup> The expectation here is not that

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<sup>4</sup> Bp. Ruch’s response to the victims of Mark Rivera, lay catechist at Christ Our Light Anglican (“COLA”), has been documented at length in the September 27, 2022 [ACNA Investigation Report](#) (“HB Report”) authored by Husch Blackwell LLP. For the purposes of these presentments, references to the HB Report are made to demonstrate that Bp. Ruch’s handling of the sexual abuse allegations against Mark Rivera is just one example of his pattern and practice of minimizing the danger posed to parishioners by providing men with questionable histories or behavior opportunities for leadership. *See also* [Exs. 4, 5](#).

Furthermore, the HB Report is not an official publication of the ACNA (it is not a “canonical” document), but was instead commissioned and paid for by the ACNA Province to serve as an independent investigation into the “allegations of sexual abuse and mishandling of various efforts to address such allegations.” *See* [HB Report at 1](#). For the purposes of lending credibility to the ACNA, it was essential that an investigation be conducted and a report be produced independent from ACNA influence—i.e., that it be categorically non-canonical. All evidence with respect to allegations of the mishandling of the sexual abuse claims at issue are, of necessity, non-canonical. The alternative would have been an investigation and report about the ACNA, conducted by and issued from within the ACNA. That would have been, by definition, biased. For a recent discussion on the importance of an independent investigation in cases involving abuse allegations in the church, *see* “Responding to Abuse in the Church with Rachael Denhollander,” Interview with Esau McCaulley, YouTube, February 8, 2023, <https://www.youtube.com/watch?v=Coj3jLDj3Tc>. *See* especially at 16:20-18:10 (leaders feel false pressure to be experts, rather than consulting experts); 37:26-44:26 (investigation best practices—publishing scope, survivor buy-in, a full published report); 1:11:40-1:15:00 (benefits of independent firms).

<sup>5</sup> Head priest and founding pastor of COLA. Fr. York’s relationship with Mark Rivera dates back to at least 2013. *See* [HB Report at 5-8](#).

<sup>6</sup> When incidents of allegations in parental custody cases are removed from the pool (where one parent often pressured a child to falsely claim the other had abused them), the statistic rises even higher. *Id.* at 230.

Bp. Ruch should have known about this particular study or statistic (despite its ubiquity in the literature and training seminars for mandated reporters), but rather that, given the last twenty years of intense public scrutiny of the Christian Church’s failure to protect victims of abuse, he would have developed a basic instinct to at least give the public impression that he was attempting to care for the victim and coordinating diocesan resources to that end.<sup>7</sup> Numerous Christian experts have worked to educate clergy and laypeople on the statistics of abuse and how to respond to disclosures. Given this cultural conversation and the educational expectations for clergy about reporting mandates, there is no excuse for Bp. Ruch’s seeming lack of awareness or the negligence that followed. Not only was the well-being of his sheep (this young girl, her family, and the broader diocese) profoundly harmed by his failure to believe her claims, so too was the reputation of the Church’s witness by yet another abuse case.

Bp. Ruch first learned of sexual abuse allegations against Mark Rivera—a long-time friend and former lay leader (*see* [Ex. 6](#)) from his home church, Rez—on Sunday, May 19, 2019 via email from Fr. York, a day after the victim’s mother informed Fr. York personally. *See* [HB Report at 14, 18](#). Bp. Ruch said he was contacted “because it was a serious matter,” and yet he took no affirmative steps to ensure the safety and spiritual well-being of the victims, nor reported the allegations to authorities as required under the law.<sup>8</sup> *Id.* at [19](#). Instead, Bp. Ruch “described

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<sup>7</sup> On this last point, it is inexcusable today for any clergy in any denomination not to be aware of the several highly publicized church scandals that have dominated American headlines the last twenty years. To name just a few: *The Boston Globe*’s 2002 reporting on the sexual abuse of children at the hands of priests in the Roman Catholic Church; the *Washington Post*’s 2011 investigation of the child sex abuse cover-up in Sovereign Grace Ministries; the *Houston Chronicle*’s and *San Antonio Express News*’ 2019 publication of accusations of sexual abuse cover-up by leaders in the Southern Baptist Convention; the *Christianity Today* 2020 article citing allegations of sexual harrassment against Ravi Zacharias. Several more examples could be cited, but the point here is that the bungling of abuse claims and cover-up by Christian leaders has so saturated the American consciousness that it is absurd for a minister to claim unfamiliarity or naivete when confronted with a similar situation. As a default, clergy should be educated, trained, and prepared for a swift response when confronted with a case of abuse allegations in the church, knowing that their credibility and the church they represent is on the line.

<sup>8</sup> Upon learning of the allegations, Bp. Ruch, Fr. York, Chancellor Philbrick (“Chan. Philbrick”), and Canon Beasley all became mandated reporters under Illinois state law. *See* [Abused and Neglected Child Reporting Act](#), 325 ILCS 5/3 - 5/4(a)(9); *see also* [Ex. 7](#). The statute states clearly that clergy “are required to immediately report to the Department when they have *reasonable cause to believe that a child known to them in their professional or official capacities may be an abused child or a neglected child.*” *Id.* at [5/4\(a\)](#), emphasis added. An “abused child” under the defined terms in the statute is defined as “a child whose parent . . . or any person responsible for the child’s welfare . . . commits or allows to be committed any sex offense against such child . . . .” *Id.* at [5/3 “Abused Child” \(c\)](#), emphasis added. That phrase, “any person responsible for the child’s welfare” is dispositive for the correct application of the statute to this case, and its definition is intentionally broadened in the statute to create greater protections for children by designating more mandated reporters. The definition of the phrase reads: “Person responsible for the child’s welfare” means . . . any other person responsible for the child’s welfare *at the time of the alleged abuse or neglect.*” *Id.* at [5/3 “Person responsible for the child’s welfare”](#), emphasis added. The statute further makes clear that “[n]othing in this Section requires a child to come before the mandated reporter in order for the reporter to make a report of suspected child abuse or child neglect.” *Id.* at [5/4\(c\)\(2\)](#).

In the initial report to Fr. York that was communicated to Bp. Ruch and other church leaders, the victim’s mother made clear that the abuse by Rivera occurred *while he was babysitting the child*. As a matter of law, this constitutes a clear communication to “clergy” about an “abused child” whose abuse was done by a “person responsible for the child’s welfare.” Bp. Ruch’s and others’ ignorance of their duty under the law does not provide them a defense, nor

the situation as falling under Canon [William] Beasley’s oversight” (because the victim attended a church affiliated with the Greenhouse Movement (“Greenhouse”), a church-planting organization in the UMD)<sup>9</sup>, and so took no active interest in the matter except to be updated or to coordinate from a distance.<sup>10</sup> *Id.* at [18](#). In the HB Report, Bp. Ruch defended his detachment from the victim and surrounding circumstances by citing scripture (Romans 13:1-7, presumably): “there are officers of the church and officers of the State and, while they help each other, they are separate.” “[U]ncover[ing] . . . whether there was criminal conduct or not [in his diocese]” was a “matter for the State; the church’s responsibility was to provide pastoral care.” *Id.* at [24](#). Bp. Ruch went on to say that, given this scriptural paradigm, his views as to the “credibility of the initial [abuse] report [were] ‘immaterial,’” and that his role was to “‘stay in his lane’ and provide pastoral care for the alleged victim and alleged perpetrator.” *Id.*

But Bp. Ruch did not live up to his own vision. In a June 11, 2019 email to various leaders at COLA and Rez (his first known direct engagement with the situation), Bp. Ruch described his role as a “supply line” for legal guidance and personal support to “brothers on the front line” (Fr. York and Chris Lapeyre<sup>11</sup>), who would “provide the key pastoral and hands-on

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could they have invoked a privilege immunity (the statute nullifies the privilege for clergy in cases involving abused children [except for confessions, which is not applicable here—*see id.* at [5/4\(g\)](#)]) or that the report from the victim’s mother was hearsay (the statute doesn’t require the child to report the abuse [*see id.* at [5/4\(c\)\(2\)](#)]). In fact, under the statute, willful silence makes one guilty of a Class A misdemeanor. *Id.* at [ILCS 5/4.02](#).

Bp. Ruch and others’ failure to immediately report an alleged crime is made more egregious by two facts: 1) Chan. Philbrick, a licensed attorney and the UMD’s legal advisor, researched mandated reporter requirements and advised Bp. Ruch and others that no clergy involved had reporting obligations, and that the Illinois Department of Child and Family Services (“IDCFS”) had no jurisdiction over the matter. *See HB Report at 16-18*. As a matter of statutory interpretation (and plain English), this is a clear error, as demonstrated *supra*. Further, to date, Bp. Ruch has still maintained that he was not a mandated reporter, and even went on to enlist attorney Alec Smith to defend this position publicly at a Rez meeting on November 10, 2022 after his return from his leave of absence (Smith’s faulty interpretation [and public legal representation of that on Bp. Ruch’s behalf] stems from his failure to read the definition of “Person responsible for the child’s welfare” and apply it to the facts); and 2) as leaders in the church, they appealed to the minimum state regulation—not scripture, not experts, not their consciences, not even solicitude for a vulnerable little girl—to best guide them on how to protect a victim of sexual abuse in the church. This breathtaking lack of basic pastoral instincts—in addition to the fact that the highest leaders in the UMD did not know their minimum legal obligations as clergy—alone rises to the level of the violation of ordination vows and conduct that gives just cause for scandal, offense, and the abuse of ecclesiastical power.

<sup>9</sup> *See HB Report at 4* for a brief description of Greenhouse, its origins, and how it fits in the larger UMD under Bp. Ruch’s supervision; *see also* footnote 13 at 13, *infra*.

<sup>10</sup> Bp. Ruch’s belief in Canon Beasley’s “oversight” of the matter was misplaced according to the HB Report. *See HB Report at fn. 10 on 17* where it states that Canon Beasley “was not an active participant in the communications [when the allegations were first discussed],” he “did not communicate at all in the [email] thread [with Bp. Ruch, Fr. York, and others regarding the allegations],” and he “did not have a conversation with Fr. York . . . around the time of the accusations.” Consistent with this behavior, Canon Beasley also refused to participate in the Husch Blackwell investigation.

<sup>11</sup> Lapeyre’s involvement was compromised because he was known by Bp. Ruch to have previously lost his position as a high school teacher due to an inappropriate relationship with a female student. Sober judgment would have required that Lapeyre be immediately disqualified from any involvement in the situation.

leadership.” See [HB Report at 26-27](#). For Mark Rivera, Bp. Ruch did just that and more. In the same June 11 email, Bp. Ruch stated that he had attended Mark Rivera’s first bond hearing and was concerned with securing him legal representation so that he would have fair representation given his indigence. *Id.* By contrast, during the same stretch of time, Bp. Ruch had yet to speak with the victim’s family, and had not directed clergy to offer them a similar show of financial and spiritual support. Rather, Bp. Ruch gave Fr. York permission to contact the child victim’s family to inquire about dropping the charges and seeking reconciliation. See [HB Report at 28](#). In fact, it would be an astounding forty-three days after the crime was first disclosed before Bp. Ruch would speak with the victim’s family. See [Ex. 8](#). This uneven behavior from the Bishop, however rationalized, gives the impression that UMD clergy kept ordinary parishioners at bay—even victims of abuse—but were eager to assist a former colleague familiar to the leadership.

In the wake of the allegations, the child victim’s mother reports that their family was quickly shunned by their home church and priest (Fr. York), and so sought pastoral care at Rez nearby. Unfortunately, she had to wait almost a month for a prayer appointment with two deacons. See [Ex. 9](#). Several subsequent appointments were also missed by the deacon assigned to provide pastoral care to the family, as were the court hearings, which the same deacon had committed to attend. Promises of follow-up pastoral care and reimbursement for counseling were also not fulfilled. *Id.* Meanwhile, Mark Rivera was allowed to continue to attend COLA and was provided with continued pastoral care, including personal visits for prayer by Bp. Ruch himself. See [Ex. 10](#).

Knowing that Mark Rivera had also served at Rez under his supervision, it was incumbent on Bp. Ruch to expedite communications about the criminal allegations to his home congregation so that other possible victims had an opportunity to come forward. But it would not be until almost *two full years* after the first disclosure of Rivera’s child sexual abuse that Bp. Ruch would inform the Rez congregation and diocese. See [Ex. 11](#). Even then, he was not completely truthful in his communication to diocesan churches. By November 25, 2020, Bp. Ruch had been made aware of numerous alleged victims of sexual abuse by Rivera, ranging in age from 9 to 41, with the majority abused as teenagers. See [Ex. 12](#). Yet Bp. Ruch only mentioned three specific victims in his May 4, 2021 disclosure to all UMD churches, and he downplayed the actual total number (referring to them only as “other possible minors”). While he may have become aware of new victims in the months after the November 2020 disclosures, as he claimed, he had been alerted to numerous allegations and at-risk minors prior to this date that he failed to follow-up on and disclose in his diocesan letter. See [HB Report at 31-35](#). Likewise, as evidenced in follow-up emails from victims immediately after his May 4, 2021 letter, Bp. Ruch’s descriptions of the alleged sexual abuse were vague, his emphasis that all known abuse took place off of church property was misleading (9 of the 10 known alleged victims at that time had met and been groomed by Rivera at Rez and/or COLA), and his failure to disclose Rivera’s extensive involvement at Rez for nearly two decades was negligent. Taken together, these actions collectively hindered the opportunity for other victims to be found or

come forward. See [Exs. 13, 14](#). And as if to minimize the scope of the crimes, Bp. Ruch is later reported to have characterized the abuse as contained within a small family group and unconnected to the church. See [Ex. 15](#). This is at odds with Bp. Ruch and Rez leaders' involvement as clergy in response to the allegations, evidenced particularly by Bp. Ruch's June 11, 2019 group email between COLA, Rez, and UMD leaders. See [HB Report at 26-27](#). This profound lack of communication and misinformation intimates that protecting the institution was prioritized over discovering and attending to victims.

Finally, Bp. Ruch's delay in informing diocesan congregations of the Rivera crime, including his own congregation (where Rivera served for almost two decades with access to children and teenagers), hindered the ability of laity and others to inquire and come forward to disclose if they or their children had been victimized by Rivera. Two leaders in the Rez community (Deacon Will Chester and the Reverend Steven Williamson) stated for the record in the Husch Blackwell investigation that they did not receive adequate guidance from Bp. Ruch sufficient to support such an effort. See [HB Report at 23](#). Not only did this waste precious time for investigators, it also resulted in the exposure of numerous uninformed congregants' children to Mark Rivera at the Riverside Club for Adventure and Imagination, a nearby supplemental education center for homeschooled children where Rivera resided from 2006 to 2020. See [Ex. 16](#).

Bp. Ruch returned from his voluntary leave-of-absence almost seven months ago. Although he has stated in multiple letters and in-person meetings that his top priority is to implement a diocesan-wide child protection policy and safety training, no diocesan-wide updates to child protection policy are known to have been officially implemented since his return.

## **II. Invited Contempt on and Compromised the Witness of the Church**

Bp. Ruch has demonstrated an inability to recognize his errors with specificity, to learn from them, and to make decisions that give those under his care confidence that change is afoot. His intransigence—which could be interpreted as a lack of humility—invites contempt on the Church and compromises her witness.

One example of Bp. Ruch's intransigence is his willingness to maintain the same circle of advisors who contributed to the mishandling of the sexual abuse allegations. As has been discussed previously, diocesan Chan. Philbrick cast doubt on the child victim's allegations and incorrectly advised leadership that they were relieved of their statutory obligation to report the Rivera abuse allegations to authorities (and to assist the victim's family in their reporting). See [HB Report at 16-18, 24](#). Chan. Philbrick, however, proceeded to provide legal counsel to Rivera and a referral for a defense attorney. See [HB Report at 27](#). Despite Philbrick's problematic counsel and actions, upon Bp. Ruch's own October 30, 2022 return from his fifteen-month leave of absence, he decided to bring Chan. Philbrick back to continue to lead a Canon Task Force for proposed canon revisions. See [Ex. 17](#). This action demonstrates a Bishop unwilling to address

deficiencies and make necessary changes in leadership to prevent future failures. Bp. Ruch's reinstatement of the status quo in Chan. Philbrick is another demonstration of his pattern and practice of protecting leaders within his inner circle at the expense of the people he vowed to serve.

A second example of Bp. Ruch's intransigence is his persistent public proclamation that he had no mandated reporting obligations upon learning of the Rivera sexual abuse allegations. As already noted in footnote 8 on pages 9-10 *supra*, following his return from the leave of absence, Bp. Ruch held an informational meeting at Rez on November 10, 2022 to "respond to questions and concerns that many of you have shared over the last 16 months of his voluntary leave of absence." See [Ex. 18](#). During this meeting, eyewitnesses attest that Bp. Ruch gave misleading, incomplete, or wrong information in that he claimed there was no connection organizationally between the UMD and Greenhouse<sup>12</sup>, he asserted that the mother of the first child victim was encouraged by Fr. York to call the police (which she denies), and he attempted to rationalize why there was no mandated reporting failure.<sup>13</sup> Bp. Ruch communicated much of this same message at a meeting of concerned congregants at Cornerstone Anglican Church in Portage Park, IL on November 19, 2022. See [Ex. 24](#).

Four years later, Bp. Ruch remains defiant to critique. His unwillingness to part with ineffective counselors, and his obfuscation of his role in the mishandling of abuse allegations is beneath the actions and heart of a Bishop. Like former ACNA Bp. Hobby, Bp. Ruch has broken the bonds of trust with his people when he "[f]ailed to act with urgency, transparency, and timeliness when an accusation of sexual misconduct by a member of the clergy was brought to

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<sup>12</sup> All Greenhouse churches, priests, and deacons came under Bp. Ruch's authority in the UMD, as did the leaders of the Greenhouse Movement. See [HB Report at 4-5](#); see also [Ex. 19](#) listing Bp. Ruch as William Beasley's direct supervisor. COLA, the church of Mark Rivera's victim, described itself as "a congregation of the Greenhouse Movement in the Anglican Diocese of the Upper Midwest" (see [Ex. 20](#) [former COLA homepage, emphasis added]), and until December 2022, Greenhouse was one of the four UMD deaneries holding three seats within the UMD Bishop's Council, including a Dean's position. See [Ex. 21](#) (from former Midwest Anglican webpage). Mark Rivera, as a Greenhouse lay catechist, was under the authority of Fr. York, who was directly under Bp. Ruch's authority. Can. Beasley makes this hierarchical connection explicit in his video explanation of Greenhouse's "flat" hierarchy. See [Ex. 22 at 2:30-2:37](#); see also [UMD C&C Title I, Canon 6, Of Congregations and Parishes](#); [ACNA C&C, Title III, Canon 1, Section 3](#). Bp. Ruch appeared to deflect blame for the handling of the Mark Rivera sexual abuse allegations by stating COLA fell under the jurisdiction of Canon Beasley. See [HB Report at 18-19](#).

<sup>13</sup> This was a very controversial meeting and became the topic of a *Religion News Service* ("RNS") article published on November 17, 2022. As described by RNS's Kathryn Post, Bp. Ruch sat on stage in an armchair and read from a script to answer prescreened questions. Other clergy were stationed at the sanctuary entrance with police officers and barred specific people from entering. RNS also reported that attendees believed Bp. Ruch attempted to distance himself from Greenhouse, and that with the testimony of a separate Rez speaker, Molly Ritchie, some attendees thought "it seemed like [church leaders] were trying to make (the abuse) seem like more of a family situation rather than a church problem." See the full article at [Ex. 23](#).

his attention.”<sup>14</sup> See [Ex. 26](#). Such actions tarnish the witness of the Church, who should at all times demonstrate exemplary commitment to truth, and the swift protection of the most vulnerable.

### ***Joshua Moon***

Bp. Ruch knowingly ordained and subsequently failed to inform a newly-planted Minnesota parish that their rector, Joshua Moon, had a criminal past of soliciting a prostitute. Moon was permanently removed from this newly-planted church in August 2022 for violating ACNA canons for some as-of-yet undisclosed inappropriate action towards a person under his spiritual care. Despite a two-year vetting process that revealed Moon’s gross misdemeanor for a sexual crime in 2013 (what a reasonably objective leader should consider disqualifying for ordination) Bp. Ruch not only green-lighted Moon’s ordination, he also chose not to disclose this history (and did not require Moon to disclose) to those who stood to be affected by it the most. This terrible lapse of judgment endangered and harmed the sheep at Resurrection Anglican in Brooklyn Center, Minnesota (“Resurrection”), and it again undermined the witness of the Church.

#### **I. Imperiled the Physical and Spiritual Health of Parishioners**

Presbyterian pastor Joshua Moon was arrested on September 11, 2013 for attempting to solicit a female prostitute in Plymouth, MN. See [Ex. 27](#). He was subsequently let go from his position as pastor of Good Shepherd Presbyterian Church in Minnetonka, MN, pled guilty on February 27, 2014, and was sentenced to 90 days in the Hennepin County Corrections Workhouse. See [Exs. 28, 29](#). Despite knowledge of this history, including a history of Moon’s admitted sexual addiction, Bp. Ruch would authorize Moon to preach in UMD churches as early as April 2015, and would go on to ordain him to the Anglican priesthood on October 28, 2020, later installing him as rector of a new UMD church plant, Resurrection Anglican, in 2021. See [Exs. 30, 31](#). Members of the church planting team were not informed about Moon’s criminal history. In June 2022, Moon violated the Provincial Canons of the ACNA and his vows of ordination. Moon’s abuse of power and predatory behavior created a situation in which his actions “gave just cause for scandal both at Resurrection Anglican Church and the Diocese . . . .” See [Ex. 32](#). While on public leave of absence, Bp. Ruch stepped in to meet with parties involved, interfering in the investigation during the time period between June 18, 2022 and July 31, 2022.<sup>15</sup> Moon was suspended from pastoral ministry for life; however, he retained his ordination status, and, with the permission of the Bishop, “may preach at parishes, missions, church plants, and other congregations, as requested by the Bishop, and/or serve as an educator under proper supervision.” See [Ex. 33](#). In a February 18, 2023 conversation with two Resurrection Anglican

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<sup>14</sup> Bishop James Hobby of the Diocese of Pittsburgh resigned in October 2020 at the request of the diocesan Standing Committee for allegedly mishandling sexual misconduct of a priest under his episcopal authority. See [Ex. 25](#).

<sup>15</sup> This according to a participant in the Resurrection investigation.

members, Bp. Ruch admitted that he reviewed the investigation conducted by Moon's previous church and concluded that, since the church did not defrock Moon, that was sufficient for continuing Moon's ordination process in the UMD. See [Ex. 30](#), *supra*. Not only did this perpetuate the inaction of Moon's previous church not to defrock him, it also created the conditions where that action may be repeated (should Moon move to another church community and they investigate his background, Bp. Ruch's failure to defrock him may be seen as absolution). Bp. Ruch's lapse in judgment in ordaining Joshua Moon showed a callous indifference to the physical and spiritual safety of the sheep he vowed to protect. His negligent decision ultimately placed Moon in an environment where additional harm was done. This was preventable from the outset.

## **II. Invited Contempt on and Compromised the Witness of the Church**

By allowing Joshua Moon to preach in diocesan churches so soon after his arrest and sentencing, and by ordaining and sending him out to plant a new church without informing congregants of who was leading them, Bp. Ruch brought contempt on the Church and undermined its witness. Bp. Ruch's actions and inactions told the world that, if you happen to be in the good graces of the person in charge, your past criminal conduct will not impede your advancement, even at the risk of harming parishioners. The critique leveled here has nothing to do with the bounds of God's grace. All signatories to these presentments agree that there is no sin Christ has not overcome by his death and resurrection. In contrition, Joshua Moon is entitled to the full panoply of God's forgiveness.

Yet prudence requires faith leaders to exercise caution and restraint before admitting a priest to the service of an unwitting congregation. Joshua Moon never should have been led to believe he could serve in an ordained role in an ACNA parish. And if that wisdom could not have been discerned after much prayer and consultation, surely a threshold concern for future congregants would have motivated Bp. Ruch enough to inform unsuspecting church-goers of Moon's past. In that scenario, at least, they would have had all the information needed to make an informed decision and to take personal responsibility for their gambit. But Bp. Ruch never gave Resurrection that opportunity, and many from that parish are still reeling today. At the very least, aside from the apology Bp. Ruch reportedly made during his visit to Resurrection on February 19, 2023, he owes that congregation an account for how he was convinced of the goodness of his decision, as well as to name his mistakes in detail and state what changes will be made with potential ordinands going forward.

### ***Nephtali Matta***

According to the Rez staff webpage, in the fall of 2022, Nephtali Matta was hired for the role of Pastoral Resident of Evangelism. See [Exs. 34](#), [35](#). Nephtali Matta is a convicted felon in



the state of Colorado for the domestic abuse of his former spouse.<sup>16</sup> He has been approved for the preliminary process to eventual ordination as he serves at Rez, and is already being trusted with the pastoral care of congregants, including the spiritual formation of those new to or interested in the Christian faith.

### **I. Imperiled the Physical and Spiritual Health of Parishioners**

On March 24, 2011, Nephtali Matta, a former minister at Abundant Faith Christian Center in Springfield, IL, was charged with second-degree attempted murder of his now ex-wife, injury with a deadly weapon, assault, and other charges. Matta agreed to a plea deal on June 8, 2012 for the lesser charge of felony menacing with a real or simulated weapon and served a prison sentence. *See Ex. 37*. In late 2022, Bp. Ruch allowed Matta to become one of Rez’s new Pastoral Residents, a role designed for aspiring church planters or eventual senior leadership at Rez. *See Exs. 38, 38A*. One of Matta’s current tasks is leading Alpha at Rez, a program designed specifically for those exploring or new to the Christian faith. *See Exs. 39, 40*. Matta has also preached on at least one occasion at Rez, and is reported to have been assigned as a service chaperone for John Hays, a twice-convicted registered child sex offender who attends Rez.<sup>17</sup> Bp. Ruch has placed Matta in a position of leadership over many parishioners at the church—including those new to the faith—without disclosing to the congregation his violent past. And similar to the stories of Joshua Moon and Chris Lapyere (*see infra*), Bp. Ruch has done this in the apparent belief that Matta’s past actions do not disqualify him from holding a position of pastoral authority.

### **II. Invited Contempt on and Compromised the Witness of the Church**

By placing Matta into a position of leadership at Rez, Bp. Ruch is making the clear statement that he does not believe a criminal record of domestic violence should bar an individual from leadership in the ACNA. This is all the more jarring because, prior to his felony conviction in Colorado, Matta had served in a church leadership position. To the watching world, that a bishop would bestow authority on an individual who has already demonstrated abuse while serving as a minister (with the severity of the charges rising to the level of second-degree attempted murder, no less), signals to them that the Church does not take the biblical standards for pastors and deacons seriously.

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<sup>16</sup> Matta has shared his version of these events on a podcast interview in 2017. *See Ex. 36*. The simple knowledge that Matta had a history of felony conviction for domestic violence should have alerted Bp. Ruch to seek or require more information. It can be inferred, then, that either Bp. Ruch was negligent and did not inquire further into Matta’s background, or that he did investigate and subsequently concluded that Matta’s pattern of violence and criminal record did not disqualify him for potential ordination.

<sup>17</sup> This according to known parishioners at Rez.

**J.G.**<sup>18</sup>

When Bp. Ruch learned on October 25, 2019 that a priest under his authority had badly mishandled a case of alleged sexual abuse of one staff member by another, he did not take appropriate action.<sup>19</sup> J.G., a lay catechist in Greenhouse, was eventually removed from his pastoral ministry duties at Cornerstone - UIC in Chicago, IL and transferred to the organization's headquarters, a building that also housed a childcare center. *See* [HB Report at 41](#). No parents of attending children or fellow staff members at the center were informed of the allegations of sexual abuse against J.G. or that he might pose a threat to them. *Id.* It is also unknown if the supervising priests responsible for these decisions were ever disciplined. Bp. Ruch's promised follow-up with the alleged survivor and pastoral care plan for J.G. were also never fulfilled though J.G. stayed on staff for several months.

### **I. Imperiled the Physical and Spiritual Health of Parishioners**

In the spring of 2018, an adult woman informed a Greenhouse supervisor that she was the victim of sexual abuse by Greenhouse lay catechist, J.G.. *Id.* at [39](#). In response, J.G. was removed from his ministerial role at Cornerstone - UIC and his location assignment was shifted to Oak Park, IL, the site of Greenhouse headquarters and Building Blocks Childcare Center, then directed by Anne Beasley (married to then-Greenhouse Missioner General and UMD Canon, William Beasley). *Id.* at [41](#). Canon Beasley reassigned J.G. to assist with maintenance on the building where the childcare center was operating. According to testimony, he also assisted in the classroom of the childcare center as a childcare worker. When Bp. Ruch first learned of the alleged sexual abuse on October 25, 2019, the decision was made by Fr. Nate Beasley to fire J.G.. *Id.* The alleged survivor further proposed a robust pastoral care plan as an alternative to police involvement, and Bp. Ruch and Greenhouse supervisors readily supported this idea. Strangely, Bp. Ruch also asked for the alleged survivor's approval for J.G. to continue his employment for three more months so that he could secure new employment. The alleged survivor agreed, on the condition that during that time J.G. would be required to participate in a twelve-step program, secure a therapist, and meet regularly with clergy for accountability. As also required in the pastoral plan, a staff member would update J.G.'s alleged survivor, and should he fail to meet the requirements, she would reconsider initiating police contact.

J.G.'s alleged survivor was not updated when his pastoral care plan was not carried out. After months without word regarding the agreement from Bp. Ruch or Fr. Nate Beasley, the

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<sup>18</sup> Initials used at the request of the alleged survivor.

<sup>19</sup> The following narrative is summarized in the [HB Report at 39-41](#), though additional redactions in the report added at the victim's request make it difficult for readers to see all the facts. Apropos, the only HB Report publicly available today is the version published by ACNAtoo on their website. *See* [ACNA Investigation Report](#). This despite a promise from the ACNA to republish the HB Report once additional redactions were performed. That never occurred. The above account of J.G. was fact-checked by the alleged survivor herself and parts are independently supported by the HB Report.

alleged survivor contacted Fr. Beasley and Deacon Valerie McIntyre. To her dismay, she discovered that, not only had J.G.'s pastoral care plan not been enforced, his supervisors were also unaware of whether he had satisfied any requirements during his employment. Further, no parents of the children and staff members of Building Blocks were ever notified of the sexual abuse allegations made against J.G.. *Id.* Sadly, it would be almost two years (August 2021) before any public disclosure of J.G.'s sexual abuse would be made to his past parishioners, and that was only done at the alleged survivor's insistence after she made a police report on July 28, 2021. *See* [Ex. 41](#).

## **II. Invited Contempt on and Compromised the Witness of the Church**

The failure to make J.G.'s abuse known to the communities he put in danger (his past parishioners and the children and staff at Building Blocks Childcare Center), and the refusal to immediately sever all organizational ties with him, summarizes Bp. Ruch's leadership in response to sexual abuse allegations. At bottom, Bp. Ruch fails to appreciate the tremendous danger posed to parishioners and the mission of the church by sexual abuse. His misguided penchant for harboring and attempting to rehabilitate sexual predators comes at the expense of victims and the name of Christ.

### ***Chris Lapeyre***

When Mark Rivera was first accused of child sexual abuse in May 2019, Bp. Ruch appointed COLA lay leader Chris Lapeyre to provide pastoral care to Rivera alongside Fr. York. Bp. Ruch chose Lapeyre for this supervisory role despite his knowledge that Lapeyre was fired from his teaching position at a nearby high school for an inappropriate relationship with a female student. *See* [HB Report at 10](#). Even after learning this fact, Bp. Ruch allowed Lapeyre to continue to serve in leadership at both COLA and Rez, and he did not inform either congregation of Lapeyre's behavior. *See* [HB Report at 11](#); *see also* [Ex. 42](#).<sup>20</sup>

## **I. Imperiled the Physical and Spiritual Health of Parishioners**

In late 2014, high school English teacher Chris Lapeyre was investigated by the police for a reported inappropriate relationship with a student.<sup>21</sup> As a result, Lapeyre's teaching position was terminated in 2015. Lapeyre, a longtime member of Rez, was also a worship leader for COLA at the time, and the Lapeyre family (wife and children) attended services at both churches frequently. Lapeyre explained to Husch Blackwell investigators that his job loss did not have an impact on his participation and leadership at either COLA or Rez. *See* [HB Report at 11](#). In fact, in both 2015 and 2016, Lapeyre was given permission to lead a summer creative writing camp

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<sup>20</sup> Fr. Matt Woodley's May 21, 2022 letter to Rez congregants appeared to be disclosing Lapeyre's history of sexual abuse for the first time. *See* [Ex. 42](#).

<sup>21</sup> Lapeyre's police report can be publicly accessed online.

for high school students on Rez’s property. See [Ex. 43](#). A concerned parishioner brought questions to Deacon Valerie McIntyre around that time about the safety of youth with Lapeyre, but McIntyre brushed those fears aside. See [HB Report at 11](#). According to an email in July 2021 from the same concerned parishioner, at some point after 2014, Lapeyre was interviewed by Rez pastoral staff member Fr. Kevin Miller. *Id.* at [10](#). Despite Lapeyre having been fired for cause due to an inappropriate relationship with a female student, Bp. Ruch continued to allow Lapeyre to lead worship at COLA, play on the worship team at Rez, and interact freely with children and teens. *Id.* at [11](#). In fact, according to a woman whom Lapeyre had allegedly groomed and sexually abused from 2011 to 2012 (prior to the police investigation of another alleged victim in 2014-2015), Lapeyre had already confessed to Fr. Stephen Gauthier (UMD Canon Theologian and priest at Rez) this prior inappropriate relationship. See [Ex. 44](#). Therefore, concerns should have been raised already among diocesan leadership about Lapeyre’s conduct. Lapeyre would later secure a job as a visiting instructor for the English Department at Wheaton College (“Wheaton”), whose hiring process reportedly requires a pastoral recommendation letter.<sup>22</sup> Because Lapeyre’s former police investigation did not result in criminal charges, the pastoral reference letter would have been a crucial alert to the college about Lapeyre’s predatory behavior. While teaching at Wheaton for the next four years, Lapeyre would have access to 264 students, some of whom may have attended Rez and would have seen Lapeyre playing on the church’s worship team, furthering trust in their instructor and rendering them more vulnerable to grooming and abuse.<sup>23</sup> See [Ex. 45](#).

It was during this time in 2019 that Fr. York was informed of sexual abuse claims against Mark Rivera, which he shared with Bp. Ruch. One of the first actions taken by Bp. Ruch was to place Lapeyre on his crisis response team. See [HB Report at 26](#). Lapeyre and Fr. York were specifically tapped to care for Mark Rivera, the victim’s abuser. In November 2020, adult victim Joanna Rudenborg sent a letter to Bp. Ruch and others in the COLA community disclosing she had been raped by Rivera twice. See [Ex. 46](#). Included in this letter was the revelation that Lapeyre had known of Rivera’s first rape of Ms. Rudenborg (February 2018), but had chosen to keep this a secret. See [Ex. 47](#). Equally disturbing, according to a May 21, 2022 congregational letter from Rez pastor Fr. Matt Woodley, Lapeyre “confessed” to two members of Rez’s pastoral staff in December 2020 that he had groomed a high school student and later engaged in a sexual relationship with her as an adult. See [Ex. 42](#). Bp. Ruch’s response at Rez was to place restrictions on Lapeyre’s leadership, though the congregation was not informed of Lapeyre’s predatory behavior. *Id.* Woodley’s 2022 letter goes on to explain that new details of Lapeyre’s abusive past became known in the fall of 2021, and in response, Bp. Ruch simply placed additional

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<sup>22</sup> A call was made to a member of Wheaton’s Human Resources Department, who reported that a pastoral reference is generally required. Also, several tenure-track and adjunct professors were surveyed. All stated they were required to submit pastoral reference letters.

<sup>23</sup> Statistics gathered by a Wheaton student from student-accessible class records from the registrar.

restrictions on him, again choosing not to inform all congregants.<sup>24</sup> *Id.* In response to the May 2022 letter that finally informed the congregation of Lapeyre’s history, a former congregant wrote privately to Woodley to explain that the restrictions Rez had formerly placed on Lapeyre were unenforceable given that most at Rez had no idea of Lapeyre’s past actions or risk. See [Ex. 48](#).

## **II. Invited Contempt on and Compromised the Witness of the Church**

Chris Lapeyre demonstrated repeatedly that he could not be trusted and that his “confessions” were not complete. Yet Bp. Ruch continued to grant him opportunities to access vulnerable people—including children—for years without restriction. When fuller disclosures came from Lapeyre’s numerous victims, Rez leadership hurriedly put restrictions in place and attempted to publicly justify their anemic responses. Bp. Ruch knew of Lapeyre’s inappropriate behavior going back almost a decade and still granted him unfettered access to hundreds of vulnerable and uninformed individuals. This is a stain on the witness of the Church and its claim to be a bulwark against those who prey on innocent children.

### ***Timothy Blackmon***

In May 2020, Rez worship team member Timothy Blackmon was fired from his position as Wheaton’s Chaplain for actions that rose to the level of a public scandal. At Rez, however, Blackmon remained onstage and, with the public blessing and encouragement of Bp. Ruch, would go on to become a head pastor of a non-ACNA church. Bp. Ruch’s public promotion of a disgraced Blackmon told a watching world that hateful words and lewd actions need not disqualify one from shepherding a flock.

## **I. Imperiled the Physical and Spiritual Health of Parishioners**

Former Rez member Timothy Blackmon was fired from his position as Chaplain of Wheaton on May 26, 2020 due to “inappropriate comments and actions of a racial and sexual nature.”<sup>25</sup> See [Exs. 49, 50](#). After his dismissal from Wheaton, Blackmon remained on the Rez worship team for over a year. See [Ex. 51](#). He would later be hired as head pastor of Second Christian Reformed Church in Grand Haven, Michigan. While on his leave of absence, Bp. Ruch

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<sup>24</sup> One additional restriction was to forbid Lapeyre from attending Sunday morning service. Needless to say, this should have been Bp. Ruch’s first action, followed by a public announcement and church-wide email documenting Lapeyre’s past behavior and providing an opportunity for additional victims to come forward. It is inexcusable that Bp. Ruch and other Rez leaders never considered the possibility that Lapeyre used Rez to target other victims, and that it was incumbent on them to create a safe space for possible additional victims to disclose.

<sup>25</sup> According to the *Ministry Watch* article, Wheaton cited several incidents that contributed to their decision to fire Blackmon, including that he mocked an online sexual harassment training during a staff meeting by suggesting a female colleague sit in his lap and complete the training for him, he made comments to a newlywed female colleague about her sex life, and he sent a meme about masturbation to college staff. The article states that Blackmon did not dispute his actions or comments, and even stated they were “foolish.” See [Ex. 49](#), *supra*.

not only attended Blackmon’s installation service on August 7, 2022, but he also delivered a charge and gave a prayer of blessing from the church’s pulpit. See [Ex. 52](#). This communicated to all present and listening that Bp. Ruch did not find Blackmon’s prior actions to be disqualifying for pastoral leadership, and it further gestured a confidence in Blackmon that is incongruent with those entrusted with the spiritual care of individuals. This is yet another example of Bp. Ruch exercising questionable judgment in favor of a leader with a history of sexual impropriety—here, multiple instances of improper sexually-charged comments or actions.

## **II. Invited Contempt on and Compromised the Witness of the Church**

With his public and unqualified support of Blackmon, Bp. Ruch signaled to the world that the Church does not need to take seriously those behaviors and attitudes that other institutions judge inimical to their mission. And here, as in the stories of Rivera, Moon, Lapeyre, and J.G., Bp. Ruch confused mercy with indifference, and by lavishly extending one, he mistakenly heralded the other.<sup>26</sup>

### ***John Hays***

When former Chicago-area pastor and convicted child sex offender John Hays reached out to Rez via a post-prison ministry, Bp. Ruch allowed him to attend Rez. Hays soon began anonymously attending services at Rez with hundreds of people—many families with children—without anyone outside of leadership being informed of Hays’ criminal history.

## **I. Imperiled the Physical and Spiritual Health of Parishioners**

In 2019, with Bp. Ruch’s knowledge, registered child sex offender and former pastor at First Presbyterian Church in River Forest, IL, John Hays, began attending Rez. See [Ex. 53](#). Initially, only a few staff were notified of Hays’ physical identity, and many did not know what service he attended. Shortly after his introduction to Rez, Hays also began attending a small group. Participants in this small group were also not informed of Hays’ criminal past (with the exception of Nephtali Matta, who attended). According to a text message sent to many Rez parents on November 30, 2022, two congregants discovered Hays’ history of child sexual abuse and brought concerns to Rez pastoral staff. See [Ex. 54](#). Even still, church leadership remained committed to keeping Hays’ criminal past a secret from the broader church community. Not until ACNAtoo published the text message from one of the alarmed congregants and links to news articles about Hays’ prior convictions (see [Ex. 55](#)), did Rez pastor Fr. Steve Williamson send an email to church families communicating the leadership’s knowledge of Hays’ criminal convictions. See [Ex. 56](#). In the email, Fr. Williamson described the church’s pastoral care plan

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<sup>26</sup> Recall the Archbishop’s warning on this score to a newly-ordained Bishop at his ordination ceremony: “Be to the flock of Christ a shepherd, not a wolf; feed them, do not devour them. Hold up the weak, heal the sick, bind up the broken, bring back the lapsed, and seek the lost. *Do not confuse mercy with indifference; so minister discipline, that you forget not mercy.*” See [BCP at 507](#), emphasis added.

for Hays, which at least one congregant rebuffed in a detailed response. *See* [Ex. 57](#). This care plan does not adequately protect congregants in all circumstances because it includes restrictions that cannot be enforced without the entire congregation being aware of Hays’ history. Extending grace is paramount to the identity of the church, but in order to provide safety to the entire congregation—Hays included—all must be informed and given the opportunity to choose to participate in such accountability. According to Rez parishioners, Hays continues to attend services at Rez. *Id.*

## **II. Invited Contempt on and Compromised the Witness of the Church**

In the state of Illinois, a registered child sex offender must maintain a minimum distance of 500 feet from all schools, and they may not enter any public park or playground area. *See* [Ex. 58](#). Yet Bp. Ruch chose to secretly allow a twice-convicted child sex offender to sit anonymously among children and their families. Even more obtuse, Hays’ presence was confirmed at the November 10, 2022 “Family Meeting” discussed *supra* where numerous individuals were either denied entry or attempted to be escorted out—including a child victim’s mother—(by Fr. Matt Woodley, Fr. Brett Crull, Deacon Margie Fawcett, and Pastor Meghan Robins) because they “made people feel unsafe.” The irony of these decisions displays Bp. Ruch’s absurd confusion about what constitutes legitimate danger to the church and her witness.

## **V. Conclusion**

The apostle Paul writes that the Body of Christ, like a human body, has many parts. Each part, Paul explains, should have equal concern for the others. “If one part suffers, every part suffers with it” (1 Corinthians 12:26). In our desire to live out that compassion for our brothers and sisters in the UMD, we seek to live into the Anglican principle of conciliarism. “We take council *together*, just as the apostolic church did in the great Jerusalem Council in Acts 15. It is a way that we walk together in the light (1 John 1:7-9) so that we are truly one, holy, apostolic, and catholic church in Christ. One of the guiding principles of conciliarism is that *‘what touches all must be decided by all.’*” *See* [ACNA Governance Taskforce: Provincial Canonical Amendments 2023 \(Draft 1\)](#), American Anglican Council.

Bp. Ruch returned from his leave of absence on October 30, 2022 despite two unresolved investigations into his conduct—the Husch Blackwell Investigation into his handling of the abuse by Mark Rivera, and the Telios Law investigation into allegations of abuse of power.<sup>27</sup> *See* [Exs. 59, 60](#). He returned unilaterally, without due consultation with the UMD Bishop’s Council or his name being cleared, and without transparent, humble, and public repentance. Furthermore, his pattern and practice of knowingly welcoming and elevating individuals who could prey on his congregations has continued beyond the events of 2019 that compelled the ACNA Province to initiate third-party investigations. This portends that devastating harm may be repeated in our

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<sup>27</sup> Telios Law, PLLC was retained in 2022 by the ACNA to investigate allegations of abuse of power, including abuse of ecclesiastical power, as well as similar forms of misconduct by clergy or laity in the UMD.

diocese. Given these facts, and the additional evidentiary documentation provided above, we believe Bp. Ruch has violated his ordination vows, both as a priest and a bishop. We believe he has hurt and hindered Christ's sheep by his negligence, and that his conduct is a cause for egregious scandal and offense. To reiterate the concerns as stated above, through a pattern and practice of knowingly elevating numerous former criminal offenders or those credibly accused of serious wrongdoing to positions of ecclesial authority in churches in the UMD, and by granting these former offenders unsupervised access to uninformed congregants—many of whom are women and children—Bp. Ruch has harmed and endangered parishioners under his care. Likewise, Bp. Ruch has knowingly and silently welcomed—without informing congregants—church members whose past actions included violence or abuse. By preventing the accountability that would result from communal knowledge, he has transformed what should be, of all spaces, a sanctuary for the most vulnerable into a target for predation.

The consequences of a Bishop's words, actions, and attitude are not limited to those individuals with whom he directly interacts. Rather, his character and posture guide, influence, and shape his entire diocese, as well as the denominational communion as a whole. We, the undersigned presenters, believe the above evidence substantiates the charges against Bp. Ruch, namely, that he violated Canon IV.2.3, Canon IV.2.4, and Canon IV.2.9, thereby meriting presentment. *See supra* at IV. A, B, C. His negligent action and inaction have created space for more wolves to prey, more vulnerable sheep to be hurt, and the further erosion of trust in the church. When sheep under his care suffer from poor shepherding, the entire flock suffers. Jesus, the Good Shepherd, told his disciples, "Things that cause people to stumble are bound to come, but woe to anyone through whom they come. It would be better for them to be thrown into the sea with a millstone tied around their neck than to cause one of these little ones to stumble."<sup>28</sup> Recognizing just how jealously our Savior guards his flock, it is the responsibility and mandate of all believers in Christ's Body to stop, give their full attention, and take action when brothers and sisters cry out for help. In signing these presentments, we clergy and adult baptized lay members in good standing, seek to do our part. We beseech you brothers, Bishops in the ACNA, to do yours.

Archbishop Foley Beach and all members of the College of Bishops, we clergy and laity of the UMD and within the larger ACNA, solemnly bring these presentment charges before you. We ask for your undivided attention and immediate response.

Signed,

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<sup>28</sup> Luke 17:1-2, NIV, 1984.



**Clergy**

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**Adult Baptized Lay Members in Good Standing**

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