



Independent Investigation of Highland Community Church

Final Investigative Report and Recommendations

March 22, 2023

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I. INTRODUCTION

In June 2020, two employees at Highlands Community Church (“Highlands” or “HCC”) reported to the lead pastor that they had been sexually abused by a staff pastor, Derek Nelson. The lead pastor contacted the chair of the Elder board and they assigned two other pastors to question the reporting victims and Nelson. On October 5, 2020, HCC entered into an agreement with Godly Response to Abuse in the Christian Environment (“GRACE”) for GRACE to conduct an independent investigation of the allegations, provide a final report summarizing its investigative findings and propose recommendations.

The investigation began in November 2020 and continued until June, 2021. In June 2021, GRACE paused this investigation in order to examine specific legal issues. Due to litigation directly connected to the allegations covered in the scope of investigation, the investigation pause was extended. In August 2022, HCC notified GRACE that the litigation had been concluded and no longer posed a barrier to GRACE’s investigation. HCC pushed for the investigation to continue and not be paused. Further, once the investigation resumed, HCC was responsive and helpful whenever GRACE requested assistance. GRACE resumed its investigation in September and its interviewing in early February, 2023. The delay caused by the pause in the investigation was not the fault of any witness, reporting victim, or leadership at HCC. GRACE recognizes that the delay caused pain for many and sympathizes for any hardship caused thereby.

II. METHODOLOGY

A. Scope

The engagement agreement between Highlands Community Church (HCC) and GRACE specifies that “GRACE shall assess any and all allegations of sexual misconduct¹ by Derek Nelson that are directly or indirectly related to HIGHLANDS, and whether HIGHLANDS had any knowledge of such allegations, and if so, how HIGHLANDS responded to such allegations.”

B. Witness Interviews and Documentation Evidence

GRACE interviewed thirty-seven witnesses in person or through video conference. Because this investigation was not a judicial proceeding, GRACE did not have the power to subpoena witnesses or documents; all information provided to GRACE was done voluntarily. To protect the identities of the reported victims and witnesses, pseudonyms are used throughout this report.²

¹ Sexual misconduct is defined as behavior which is 1) unwelcome or unwanted and 2) sexual or intimate in nature. Examples include but are not limited to derogatory or indecent statements about a person's body; slurs, epithets, anecdotes, jokes, or innuendos of a sexual or intimate nature; verbal advances, propositions, or invitations of a sexual or intimate nature; suggestive or obscene gestures or communications; unwanted attention such as leering or staring; "groping" or any unwanted touches of a sexual or intimate nature, adult sexual assault, and sexual abuse of a minor.

² The two reporting victims are both assigned a number as a pseudonym, RV1 and RV2. The numbers reflect the chronological sequence of the physical sexual abuse they both reportedly experienced.

Derek Nelson was asked to interview with GRACE. He declined to do so by stating:

After counsel, I have been advised to not participate in the GRACE investigation. I do not have confidence in the process to be unbiased. Given the span of time and how the communication/the investigation has been handled to this point, I question now what can be accomplished now with integrity. I have provided information to the Highlands attorneys as requested in the legal process. I have not spoken poorly about Highlands or the individuals involved. I have not found it beneficial to ‘publicly’ defend myself against misinformation, disgusting social media and blog attacks and a one sided narrative. I have focused on taking personal responsibility for what is true whenever possible, working on me, my relationship with God and my family.³

Beyond witness testimony, GRACE investigators examined evidence provided by witnesses, including emails and other personal communications, phone records, social media posts, written correspondence and policies.

HCC has had four lead pastors. The original pastor was not involved in matters related to the scope of this investigation. Two were in the position of lead pastor during Nelson’s employment at HCC. They will be referred to as Lead Pastor 1 (serving from 1990 to July 2018) and Lead Pastor 2 (serving from July 2018 to October 2020). The current lead pastor served two different stints in a staff pastor role during Nelson’s employment.

C. Survey

GRACE created a confidential online survey. The link to the survey was also provided to several individuals who were believed to have relevant information. The purpose of the survey, the scope of the investigation, and definitions of misconduct were articulated at the beginning of the survey. Prior to completion, each respondent was required to acknowledge having read these instructions. In total, the survey had 40 responses and 14 individuals provided their names and contact information, most of whom were interviewed by GRACE investigators.

III. INVESTIGATIVE FINDINGS

A. Introduction

GRACE received reports that two young employees at HCC were first groomed, then sexually abused by their mentor and boss, Derek Nelson. The alleged abuse was more sordid and contemptible in that it was a betrayal by a trusted and supposed spiritual leader. Further, given the fact that the abuse was perpetrated during what was purportedly premarital counseling the abuse resulted in significant pain to the victims and their spouses. The abuse had, and continues to have, a profound impact on the victims, their wives and families, friends and the church.

³ Email from Derek Nelson to GRACE, December 19, 2022. GRACE contacted Derek Nelson on November 12, 2022, and received correspondence from Nelson on November 15, 2022, that Nelson declined to meet with GRACE at that time due to travel restraints and that Nelson would follow up with GRACE with additional details. GRACE received no correspondence from Nelson until his December 19, 2022 email. *Id.*

B. Allegations of Sexual Misconduct

1. Reported Victim 1

An understanding of the reported abuse Reported Victim #1 (RV1) suffered requires an appreciation for the significant and controlling mentoring role that Nelson played in his life as a youth and young man.

In 1995, Derek Nelson joined the HCC staff at age 23 and worked in the music ministry and also with children and youth ministries. Nelson was quickly recognized for his talent, hard work and leadership abilities. RV1, over 10 years younger than Nelson, grew up in the church.

Like many young people, RV1 experienced difficulty at home during his teen years. Though he was aware of Nelson at an earlier age, RV1 recalls that he was 15 when, as he put it, Nelson “inserted himself in my life very intentionally.” According to RV1, Nelson told him, “I always remember having my eye on you.” At a time when RV1 was feeling misunderstood by his parents and growing more distant from them, he remembers Nelson telling him, “I see things in you that your parents don’t see.” These affirmations were coming from a talented, late twenty-something, prominent leader in his family’s church. In addition, Nelson was, in RV1’s words, “the life of the party, the extrovert leader. If you were in with Derek, you were in.”

Nelson devoted much time to RV1, took him on missions trips, and treated him to special trips. Early on Nelson began telling RV1 a message he repeated into RV1’s adulthood, “I see things in you nobody else sees,” and “your parents can’t care for you like I do.” Not only was this message affirming but it formed an emotional hold over RV1, a dependency that would grow for years. RV1 reported that he now believes Nelson was “manipulating that desire on my part to share my testimony and do missions and use my gifts.”⁴

When RV1 was in high school, he went on a mission trip with Nelson and others. RV1 said he roomed with Nelson, sleeping in the same bed. On the mission trip, an experience with a faulty shower head was later described by RV1 as making him feel uncomfortable and weird at the time. RV1 said Nelson insisted on holding the shower head in place while RV1 showered. The close proximity to his youth leader while showering naked is one of the memories RV1 has of the normalizing this close physical contact but also in ways where Nelson was being helpful.⁵ Also, GRACE received reports of experiences of Nelson joining in with 16 year old naked boys slapping each other on the butts and snapping towels at each other. RV1 recalled Nelson participating and wrestling with the boys and grabbing or touching their genitals. It was seen at the time as playful, but also served to normalize this behavior.

RV1 described how Nelson had a way of publicly talking about these uncomfortable experiences, e.g. telling people that Nelson slept in the same bed with RV1, which had the effect of further

⁴ RV1 at 5.

⁵ RV1 at 4.

normalizing it and endorsing the behavior by the fact that others knew and never questioned Nelson.⁶

RV1 described being the beneficiary of both special attention and gifts. RV1 went to college and received internship offers in his non-ministry academic area. RV1 said he turned down those offers in order to spend time working with Nelson at HCC. RV1 recalled that he felt it was cool that Nelson was investing in him.

RV1 said that Nelson paid for a gym membership for RV1 when he was in his late teens, early twenties. RV1 noted that this was an example of a financial gift, but also of normalizing a physical connection and nudity. RV1 said Nelson was uncomfortable about being overweight and, since there were no curtains on the shower stalls, and preferred RV1 to shower in the stall across from him. Also, Nelson always had a hot tub and encouraged RV1 to hang out at night in the hot tub naked. RV1 said there were five or six camps/retreats every year and Nelson wanted to go early and hang out in the hot tub. RV1 said that at this time he and Nelson usually slept in the same bed at these events, even when they had the whole camp to themselves. Looking back, RV1 said it was just something that was not discussed or talked about.

RV1 said that Nelson's payment for trips, fancy hotels and high price meals made it more difficult to refuse giving back rubs or joining in naked hot tub sessions. RV1 sees it now as a power play, a generous gift but with strings attached. "I don't think in 20 years I ever paid for a meal," when it was just the two of them. RV1 said that Nelson made it feel like "nobody else at HCC believes in you but I believe in you."⁷

Regarding Nelson as his mentor, RV1 said Nelson was supposed to be mentoring him on how to preach and other ministry. "He never did any of that. I had to figure out how to preach myself. But he would spend time telling me how you emotionally work with a crowd. RV1 said Nelson also told him it took years for Nelson to figure out the senior pastor and to train him." Nelson, according to RV1, offered to teach him how to train the new pastor. RV1 came to realize that he was being coached on how to manipulate people - the boss and crowds.⁸

When RV1 began dating the woman who would become his wife, it impacted his relationship with Nelson. RV1's wife noticed the response and told RV1, "He's responding like you've cheated on him and he controls your life." A few months later, she and Nelson met for coffee and RV1's wife said Nelson told her, "It's not that I don't like you.....I'm just really hurt by RV1. I've done everything for RV1 for so long. And then to have a friend, like basically just stop hanging out with me and not be a part of my life is super hurtful." RV1's wife said Nelson went on to say, "RV1 has a lot of problems and really I am the only one that can see that. I need to help him with his problems.....RV1 doesn't really know what he needs. But I can help him know that and tell him what he needs." RV1's wife was offended by these descriptions of RV1 but felt she couldn't say anything because Nelson was his boss. She recalls telling RV1, "Derek is super controlling."⁹

⁶ RV1 at 4.

⁷ RV1 at 29

⁸ RV1 at 7.

⁹ RV1's Wife at 8-9.

RV1 said that for years he was told by Nelson that he “was not a good communicator and...nobody would hire me because there’s not an ability to articulate thoughts well, and not emotionally in touch...and he could help me with that.” RV1 said he had unhealthy thinking, that he was the problem and that Nelson was helping him work through this problem. RV1 believes that if he hadn’t recognized the unhealthy relationship with Nelson before, he certainly should have when his wife entered the picture.¹⁰

However, RV1 said he asked Nelson to do their premarital wedding counseling, despite his wife not wanting him to.

The advice and strong suggestions (emotional manipulation / guilt trips) given by Derek as I was relating to [my fiancée] were in areas of contraception, sex life and other details looking back that were completely across the line. I wish we had done premarital counseling with someone who opened the bible, invited their spouse, and actually helped us prepare for our marriage. [My fiancée] for years often said she felt like she was competing with Derek for my attention. That is destructive for any marriage. Many challenges [my fiancée] and I faced I can trace directly to Derek’s relational advice, work expectations or relational unhealth that felt like competition for [my fiancée].¹¹

One of the ways RV1 described being manipulated, besides gifts and trips, was in the way Nelson made RV1 feel dependent on Nelson. Said RV1, “He’s making it feel like nobody else believes in you, you couldn’t get a job anywhere else, you’re not a good communicator, but I see things in you nobody else sees. So yeah. So I think the simplest explanation I have, kind of looking back on the harassment, was that the emphasis is on emotional manipulation, just all over the place that peaked in sexual experiences.”¹²

Before RV1’s wedding, Nelson suggested he and RV1 go away for a few days to talk about marriage, being a good husband and sex. Nelson reportedly paid for the entire trip. While having a \$300 steak dinner, “He [Nelson] specifically said, ‘...what we have is really special. We need to start thinking about somebody who’s like 10 years younger than you, that we could invite into being a part of our leadership.’ Because it’s discipleship. He’s [Nelson’s] disciplined me, who am I discipling?”¹³

According to RV1, during this trip, Nelson prepared experiences involving explicit sexual content and conduct that included talking and acting out how to physically prepare for sex the first time. RV1 said that he certainly did not feel like doing any of the sexually oriented experiences and was uncomfortable the entire time, but didn’t feel like he could say no. As a virgin, RV1 said he did not realize how hurtful and harmful these memories would become. RV1 said “Nelson took advantage of me wanting to do a good job for my wife....Anytime I felt

¹⁰ RV1 at 15.

¹¹ RV1 letter.

¹² RV1 at 29.

¹³ RV1 at 8.

uncomfortable, it was constantly, ‘Well we want to make sure you have a good experience.’ Tapping into what I really wanted with my wife and then he just inserted himself there.”¹⁴

RV1 stated the night before his wedding also forms an odd and painful memory. Nelson reportedly paid for a hotel room in a very expensive hotel for RV1 and his wife to spend their first night together. Nelson then suggested that he get the room for the evening before the wedding and that he and RV1 spend the night and prep the room for the newlyweds. Why the room needed to be “prepped” was not clear. RV1 said he didn’t feel he could say “no” since Nelson was paying a lot of money for the room. During that “night before,” Nelson, according to RV1, prepared a bath, bought a bottle of wine and took pictures of RV1 in the bath. Nelson sent photos to RV1’s fiancé. Then Nelson and RV1 allegedly slept in the bed that would the next night be the bride and groom’s bed.

An elder later would recall a comment that the elder assumed was a joke but later wondered about. Nelson said to RV1 in front of the elder and others, "Hey, you could never leave this church because I know too much about you." And it was said in jest and everybody kind of laughed and blew it off.”The elder said that he now looks back and wonders about Nelson’s comment.¹⁵

RV1, in explanation of his delay in disclosure, said about the abuse, “it has been boxed, unspoken, and not until another victim came forward did I fully allow myself [to] reflect on my own history to see how traumatic it was.”¹⁶

2. Reported Victim 2

RV2 was hired by Nelson, then the children and student ministries director, at 19 years old. RV2 said he quickly realized Nelson had “a massive amount of authority at HCC” and that “nothing happened at HCC unless Derek signs off on it.”¹⁷

RV2 also learned that Nelson needed to be involved in the details, the minutia and micromanaged people. RV2 also observed that Nelson’s marriage did not appear to be in good shape, “that was clear to everyone.” Nelson worked extremely late and insisted on going to children and youth camps even though there were staff to cover those. He said to RV2, “It is so nice to just be able to get away from the family. This is so life-giving to me.”

RV2 said Nelson had a way of “piling debt on me.” When RV2 was hired full time at HCC, Nelson spun it as, “Hey, I put in all this work and did this for you. This would never have happened if it wasn’t for me.” Nelson frequently took him out to eat and insisted on paying. It made me feel like I had to please him and Nelson needed to have lots of attention and fawning from those around him.¹⁸

¹⁴ RV1 at 19

¹⁵ RV1 letter

¹⁶ Witness interview at 20.

¹⁷ RV2 at p 3.

¹⁸ RV2 at 18.

RV2 explained that he was ready for a change of assignment and there were full time jobs available that he really desired, but Nelson was the only staff person tasked with filling the positions. At this time, Nelson was RV2's primary authority, had control of RV2's obligations and whereabouts, was familiar with RV2's performance and capabilities, and was the staff member tasked with hiring for these positions. Nelson knew that RV2 wanted to advance to one of the open positions and used that zeal and passion "to make me feel powerless." RV2 said, "the reason why he didn't give me those positions was because then he would have less authority over me."¹⁹

RV2 explained that he and his fiance had paid for premarital counseling independent of HCC. However, Nelson insisted, though he was very busy, they should do premarital counseling with him as well. RV2 said they only met for a few sessions. It was an example, according to RV2, of the way Nelson had of doing something for you, but making you feel like you owe him.

According to RV2, corroborated by others, Nelson and he would go out to lunch together 2 to 4 times a week and Nelson always paid the tab. Occasionally the lunches were expensive, high end meals. RV2 also described how Nelson took him alone on vacations and church trips. Nelson paid for everything on these trips. RV2 informed GRACE of two vacations with Nelson, which were each fully separate from church activities or outings and described these vacations as "very influential in grooming." RV2 said that Nelson booked expensive hotels, meals, and first class flights for these vacations. Also, generally Nelson was in charge of staffing room assignments for camps, retreats and other staff outings. Most often, Nelson paired RV2 with himself as a roommate and, frequently they slept in the same bed together. RV2 sees these now as methods of making RV2 feel indebted, as well as controlling and grooming behavior. The gifts, the trips, the power over advancement, the belief that the job he held himself was due to Nelson, all contributed to RV2 feeling a need to please Nelson and not disappoint him.²⁰ RV2 said Nelson "instilled in me the idea that Derek is my only chance to get another job in ministry. This was another reason I felt the need to please him and do his will constantly because of the influence that he had."²¹

A couple of years into RV2's time at HCC, a church vehicle as part of a caravan, broke down. RV2 said Nelson had RV2 remain with Nelson and the broken down vehicle for hours on the side of the road. While waiting with the disabled vehicle, RV2 said Nelson insisted that they talk about RV2's insecurities with the woman he was dating (whom he would later marry). Nelson, said RV2, had a way of causing RV2 to share things that he later regretted sharing.

RV2 said that Nelson "forced his way into needing to know about the most deep and personal parts of my life. And he did that in a way that was masked under the guise of discipleship, under the guise of, 'I am your mentor. I am your pastor. You need to be open and honest with me and talk things through with me.'"²² RV2 said Nelson's instruction was to confide in him because RV2's girlfriend would not be able to handle it and Nelson could, telling RV2 that he could not trust his girlfriend, but he could trust Nelson. RV2 said he ended up getting very bad advice

¹⁹ RV2 communications with GRACE.

²⁰ RV2 written statement.

²¹ RV2 at 40.

²² RV2 at 13.

which led him to be more reliant on Nelson than before. Also, after RV2 married his girlfriend, he struggled to unlearn the dependency that had been formed with Nelson.

RV2 described in March 2019, he went on a trip to Thailand with Nelson and other pastors from HCC to visit missionaries. While staying at a resort, Nelson suggested they take the resort shuttle to get a massage. RV2, who said he never had a massage before, agreed. RV2 said, though no touching of genitals occurred, it was a very sexual experience. RV2 reported being uncomfortable. Within an hour or two, Nelson suggested they return for another massage. RV2 said, "I thought it was really weird at that time, I had never had a massage before, I didn't know that Thailand is known for that, and it was really weird and I expressed disgust. Nelson mirrored my disgust and then asked 'Do you want to go again?' RV2 stated he really did not want to go through another massage, but agreed in order to please and not disappoint Nelson. Also while in Thailand, Nelson adamantly insisted that RV2 talk about his sexual relationship with RV2's fiancée. To persuade RV2 to disclose details, Nelson reportedly stated this was discipleship and RV2 needed to be accountable. Nelson described, according to RV2, how recently a HCC staff member was fired for immoral sexual conduct. Nelson emphasized to RV2 that the employee was fired from the church for hiding the sin. RV2 reflected that this was another form of manipulation by Nelson couched in spiritual terminology and premised on the notion that this was for RV2's benefit.

In April 2019, months before RV2 was to be married, a summer camp planning meeting was going to occur at a lake house. Four other youth ministry staffers, in addition to RV2, were going to be attending the lake house meetings along with Nelson. RV2 said that Nelson invited RV2 to go up a day early so he could teach RV2 about how to have a good sexual relationship with his wife. RV2 stated Nelson told him that he wanted RV2 to be properly equipped for his honeymoon and not experience any surprises. Nelson reportedly shared stories of friends who had experienced chemical burns on their penises from lube, and friction burns from improper condom use. Nelson mentioned he had mentored RV1 since high school and had a similar talk with RV1 before his honeymoon and RV1 considered it, according to Nelson, to be a helpful preparation. What reportedly followed involved Nelson describing how to use a lubricant, having RV2 trying on condoms, Nelson looking at, touching and grabbing RV2's erect penis, instructing RV2 to masturbate and Nelson demonstrating the proper way to dispose of a condom. RV2 stated that he was troubled, uncomfortable and afraid throughout the entire encounter. He didn't want to participate but he trusted Nelson. RV2 said the touchings of his penis were without his consent, that he felt cornered and trapped in the bathroom. RV2 explained that he both trusted and feared Nelson. He said he had feelings of helplessness and felt intimidated by Nelson and his reputation for discrediting anyone who challenged him.

RV2 reported that later after Nelson was fired, he learned from the other youth ministry staffers, that the next day when they arrived at the lake house, Nelson came up to them and told them that RV2 had the idea to go to the store and pick out condoms and try them on. Nelson, they told RV2, claimed to the other youth workers that not only were the "try on condom activities" RV2's idea, but that RV2 was really pushy about the experience. RV2 told GRACE that he now realizes how vile it was that Nelson so overtly discussed some of the details of the incident. He believed that Nelson did so to further control the narrative and desensitize the others if RV2 were to report

Nelson's actions. RV2 said that one of Nelson's tactics was to "normalize" behavior, in effect to fool people into thinking it must be okay.²³

A month or so after the abuse experience, RV2 told a close, longtime friend about Nelson's "helping to prepare him for his wedding night event." The close friend initially only remarked that it was weird.²⁴ However, a year later, May of 2020, the friend came to RV2 and told him that what Nelson did to him was not only wrong but sexual abuse. RV2 stated the friend did not know Nelson and had no connection to HCC. According to RV2, "it just took the blinders off. Derek had created this incredibly rich facade for how to think about everything....."²⁵ RV2 said "it took someone Derek didn't have influence over and couldn't touch."

RV2's wife told GRACE that in May 2020 she arrived home and could sense that something was wrong. When she and her husband were alone, he told her Nelson had molested him. "Immediately, everything made complete sense.....it's difficult to recognize sexual abuse unless it's ...named. But you don't want to believe anything is true because that reality is absolutely horrifying."²⁶

3. The Abuse Disclosure

After talking to his wife, RV2 contacted RV1 and told him he had been sexually abused by Nelson. Later that day, both RV1 and RV2 disclosed to the lead pastor that they had been sexually abused by Nelson. The lead pastor informed both victims that he would contact the elder chair and address the issue immediately. The lead pastor notified a staff pastor and two staff pastors were assigned to interview the two reporting victims and Nelson. RV1 and RV2 were interviewed separately approximately a week after the lead pastor was notified. Nelson was interviewed shortly thereafter.²⁷

C. HCC's Knowledge and Response to the Allegations

1. Initial Knowledge and Response

After speaking to the victims, the lead pastor spoke with the elder board and another staff pastor, and they determined to place Nelson on administrative leave pending an investigation. In their interviews, both victims recounted the sexual abuse that occurred during the supposed "premarital counseling sessions." Nelson was accused of providing and using pornography and/or images of sexual positions, utilizing sexually oriented objects, the use of condoms, sexual activity in front of Nelson and Nelson touching their privates. Both victims described being coerced and pressured into participating, being convinced by Nelson that this activity would make them better husbands, and trusting that Nelson was acting in their best interest.

²³ RV2 at 12-13.

²⁴ RV2 at 20.

²⁵ RV2 at 21.

²⁶ RV2's Wife at 3.

²⁷ Witness Interview at 24.

In his interview Nelson initially denied any sexual wrongdoing. He identified the two victims as individuals he had met with regarding information for their wedding nights. At first he denied physically touching them but then admitted he may have “crossed a line.” In a second interview a few days later, according to one of the interviewing pastors, Nelson “basically told us the same story that the victims had told.” However, Nelson only admitted to touching one of the victims.²⁸

The lead pastor then terminated Nelson’s employment at HCC, granting a severance package, including three months salary and up to \$10,000 for counseling for Nelson and his wife.²⁹

RV1 and RV2 said that they were pleased that lead pastor 2 and the HCC leadership responded quickly and decisively to their disclosure of abuse. HCC issued a video announcing Nelson’s termination. The announcement included a written text of the video announcement as well as a statement from Nelson.³⁰

The announcement was criticized on a number of grounds. One was the use of the phrase “inappropriate sexual behavior” as too vague and inaccurate. Another criticism was the failure to identify the sex of the two victims. It was commendable to protect the identity of the reporting victims. However, given the extensive contact and interaction Nelson had with males, and particularly teen and young adult males, several said the fact that the two reporting victims were male should have been clearly stated. Additionally, when questioned as to why the sex of the reporting victims was not revealed, some elders responded that the reported victims had requested that information be kept confidential. However, while one reported victim attested to making a request of anonymity, neither reported victim attested to requesting that their gender be kept confidential. In an email from RV1 to HCC leadership on September 20, 2020, RV1 said, “‘Sexually inappropriate behavior’ is exceptionally weak, not accurate and only touches on the surface of what Derek did to me and many many others while employed at Highlands. It could falsely lead some to think he messed up twice instead of actually communicating the harassment, grooming, and predatory behavior as a master manipulator that psychologically damaged many many people and then at least twice found expression in homosexual assault.”³¹

Also, including an apology from Nelson gave him a voice at a time the victims had no voice and allowed him to appear repentant when he had not confessed abusive behavior, but to “crossing a line.” One staff pastor critical of the statement said that he believed allowing Nelson to participate in the announcement was church leadership “throwing him a bone” rather than considering the care for the victims and the church as a whole.³²

HCC also offered to pay for the victims’ counseling. Both victims continued working their jobs through the summer of 2020. During this time the victims were on the receiving end of Nelson related questions and comments from coworkers and congregants who were unaware that the staff members were victims. RV2 reported being told by HCC leadership not to share information about the allegations until after HCC made an announcement. RV2 said, “that didn’t

²⁸ Witness Interview at 39.

²⁹ Document (event timeline).

³⁰ See transcript of announcement as an Appendix to report. Analysis of the statement appears later in this report.

³¹ RV1 email to HCC leadership, September 20, 2020.

³² Witness Interview at 65.

protect me as a victim. I was not psychologically safe.” RV2 stated that when the staff were notified that Derek was terminated from his position, RV2 was instructed to “see how others respond and respond accordingly to that.” RV2 stated that he believed the instruction was given in the interest of protecting his identity but said, “I really wanted to talk to my close friends about it but was not allowed to. I was cut off from my support system... I don’t think [the staff member] had any idea what I was going through, that my life was on fire, I was drowning, and I needed support.” RV1 also reported being asked not to tell others he was a victim of Nelson.

One staff person, knowledgeable of the lead pastor and elder board leadership’s interaction with both victims, summed up his concern with the comment, the elders responded “biblically but not pastorally.” He explained,

They would tell you that they were handling it from a biblical standpoint, which yes, they were. I mean, they were leaning back on passages of scripture in regards to elder qualifications and those types of things. However, and from my perspective, they were not handling it from more of a pastoral perspective. When the victims came out, when the names came out, there wasn't a lot of shepherding from the elder board to the victims. They were left on their own a little bit.³³

RV1 and RV2 described the absence of contact by HCC with them during this time. Both reported victims stated that any conversation or support received from HCC was initiated by the reported victims. RV1 said, “no elder has reached out to me since last June when they knew that it was me as a victim. The elders have had a lawyer on retainer and utilized them since last June... I simply wanted to say that my heart was one to be heard and to see the church family healed and yet every time I try to, then I get slandered and dismissed.”³⁴ RV1 described the elders' comments to him as including “If it was such a big deal, why didn’t you say something years ago” and “remember all the good things Derek did for you, and we checked your elder reviews of Derek over the years, and you never raised an issue.”³⁵ RV1 also said, “So far, the only safe communication I now currently have between myself and the church is through [my lawyer].”³⁶

RV2 reported having two conversations with HCC leadership. One conversation was with an individual HCC leader, who reportedly suggested that RV2 seek legal counsel. The other included HCC elders, RV2, and his wife, in which RV2 and his wife spoke to what they were going through. They reportedly were met with responses such as “I had no idea,” but received no further contact from anyone at HCC. RV2 said, “after this started the two hardest years of my life. I heard nothing from HCC. There was no shepherding by HCC.” A newly appointed elder told GRACE that he reached out to RV2 on August 12, 2021, and was told that RV2 was advised by legal counsel not to speak with the elder at that time. One staff member reportedly maintained contact with RV2, not as a representative of HCC leadership, but as a personal friend.

³³ Witness Interview at 10.

³⁴ RV1 Tr. at 3.

³⁵ RV1 Tr. at 3.

³⁶ RV1 Tr. at 3.

A staff pastor stated that, in his opinion, both the subject matter of the abuse and the fear that lawsuits would be forthcoming caused the elders to not want to talk to the victims and played significant roles in not properly caring for the victims.

An elder board member shared that the elders, prior to RV1 and RV2's disclosures in early June 2020, had not received complaints about Nelson that concerned sexual misconduct of any kind. He stated that he saw Nelson with both RV1 and RV2 and there seemed to be no animosity between them at all and they seemed to be buddy-buddy. As far as they knew, according to the elder, the victims and Nelson got along fine.³⁷

Until August 17, 2020 only a few people in leadership and few close friends to whom RV1 and RV2 confided were aware of the identities of the reporting victims of Nelson's abuse.

2. Intersection of Nelson Allegations and Lead Pastor's DUI

On January 18, 2019 the lead pastor at HCC was arrested for driving under the influence of alcohol (DUI). He had been at HCC less than six months. GRACE's report will not fully address the issues surrounding how the lead pastor and the church leadership dealt with this serious matter. However, the manner in which the lead pastor and church leadership dealt with the DUI, impacted how HCC responded to the abuse allegations against Nelson, how HCC responded to the victims, and the perceptions of some church members toward HCC leadership's handling of the Nelson allegations.

At the lead pastor's request, the chair and vice chair of the elder board met with him the day following his arrest. Brief details leading up to the arrest were discussed. The elders reported that the lead pastor impressed them as very emotional, broken and remorseful. The lead pastor related that his alcohol use was due to his coping with the grief of losing his son in 2012. The elders accepted the lead pastor's version of events and his assertion that he does not have an alcohol problem. They also characterized the pastor's initiating contact with elder leaders as a "proactive confession of a past sin" rather than a recognition that he had been caught and accused of a crime, arrested and would be publically charged in the local courthouse. Within a couple of days, the entire Elder Board was notified of the DUI arrest.

In subsequent meetings, the elders determined that they would initiate an accountability plan for the lead pastor but that no others would be told about the incident, including the church pastors, staff and congregation. In other words, the elders, with the lead pastor acquiescing to their leadership over him, made a judgment that they would keep the arrest and crime a secret and privately develop a plan of accountability. The lead pastor would say later that he requested multiple times for the elders to "allow" him to speak freely to the congregation about the DUI only to have the elders tell him no. Later the elders stated that since the lead pastor was directly accountable to the elder board and not the HCC membership, a public announcement was "unnecessary."³⁸

³⁷ Witness Interview at 32.

³⁸ Witness Letter.

Since Nelson and RV1 were on the Elder Board, they were made aware of the DUI. One pastor who learned about the DUI in 2020 stated that the matter was not dealt with well at all. “Swept under the rug” was the phrase he used. A former elder who was on the board at the time of the DUI stated that it was a mistake by the elders not to give the lead pastor a leave of absence and have the pastor work on this issue. However, this former elder also said that the lead pastor was also at fault for not telling the board the truth about his DUI and bluntly remarked, “As a narcissist, he is good at deceiving people and playing on the emotions of people.”³⁹

Multiple witnesses described to GRACE that they noticed the dynamic between the lead pastor and Nelson change following the disclosure of the DUI. Prior to the DUI, several witnesses observed, the lead pastor appeared to be reigning in Nelson and limiting his influence within HCC. After the DUI, these witnesses reported Nelson seemed to regain some of the power and influence he had prior to August of 2018.⁴⁰

In February 2020, 13 months following the DUI arrest of lead pastor 2, an HCC staff pastor was contacted by a congregant at HCC. The congregant stated that he had seen the HCC lead pastor at an auto business having an ignition interlock device (car breathalyzer) calibrated. The staff pastor was shocked and knew that such a device is generally court mandated for those convicted of alcohol impaired driving offenses. The pastor went to RV1, who was then an executive pastor and an elder. The staff pastor told RV1 he was going to confront the lead pastor and did not know how the meeting would go. The staff pastor said he informed the lead pastor what he had learned and asked what was going on. The staff pastor said the lead pastor confirmed that he had been arrested for DUI, blamed the drinking and driving on dealing with his son’s death and “made it out to be that he had one too many drinks.” The staff pastor said he responded by telling the lead pastor he was not going to publicize the DUI but neither was he going to lie about it either. Also, he said biblically, the lead pastor, as an elder, needed to be brought before the church and rebuked. The lead pastor responded, according to the staff pastor, that the elders disagreed and wanted it to be kept secret. The staff pastor said that this was the wrong decision and eventually the lead pastor will be put in a bad spot when the truth comes out.⁴¹ Within a couple of weeks the COVID -19 pandemic arrived with the serious public health concerns and the accompanying shutdowns and profound disruptions to social life, including, of course, great disruption to churches.

Note - It is unclear how much the pandemic is responsible for what followed in 2020 regarding the issues at HCC within the scope of this report. It would be unwise to either blame the missteps, poor decisions and miscommunications that occurred on COVID or to ignore the impact this disruption had on the life of those involved. Certainly where there were wrong choices made, many of the consequences were exacerbated by the pandemic.

At the end of July the staff pastor who had confronted lead pastor 2 regarding the DUI arrest resigned. Prior to this, RV1, who supervised this pastor, placed him on a performance improvement plan. Once the announcement of Nelson’s dismissal was made, the staff pastor was concerned that there seemed to be little concern for other victims especially given the many

³⁹ Witness Interview at 24.

⁴⁰ Witness Interview at 5.

⁴¹ Witness Interview at 5-6.

years that Nelson was involved in youth ministry. Also, the cryptic nature of the Nelson announcement along with the fact that Nelson was permitted to help draft the announcement were also very troubling to him. The staff pastor expressed his opinion that a third party investigation needed to be conducted into the Nelson allegations. According to this staff pastor, lead pastor 2 was adamantly opposed to a third party investigation. At that point, the staff pastor decided to resign.

Some in leadership at the time, lead pastor 2 and some elders, accused this staff pastor of threatening to publicly announce the DUI and also disclose the names of the Nelson victims. Some in leadership also stated that this staff pastor was disgruntled over being placed on the performance improvement plan. The staff pastor denies ever intending or threatening to publicize the DUI or to expose the names of Nelson's victims. He further stated that he believes lead pastor 2 either initiated or encouraged the false rumor that the staff pastor was intending to publicly disclose the lead pastor's DUI and either disclose the names of Nelson's victims or spread lies about Nelson's abuse. Lead pastor 2 insists that he was told that those were the former staff pastor's intention and that is what led to a staff and elder meeting where the lead pastor intended to tell the staff, prior to informing the congregation, about the DUI, apparently in order to get ahead of the disclosure by others. The victims reported to GRACE that they did not believe this pastor would have either revealed their identities, or that he threatened to do so, or that he would have taken any action that would have added to the pain of the victims' abuse.

3. Reported Victims' Identities Disclosed

On Monday, August 17, 2020 an HCC staff and Elder meeting took place. This meeting was described by lead pastor 2 as, "the first meeting of its kind."⁴² It was explained it was the first time a meeting including the entire elder board and staff team was held. Many of the staff members did not know who the elders were and there appeared to be a disconnect between the two, staff and elders. Lead pastor 2 wanted to bring the two groups together, calling himself the "linchpin"⁴³ in the structural hierarchy of the church.

Most in attendance did not know the purpose of the meeting. The lead pastor and a small number of other leaders knew that the purpose of this meeting was for lead pastor 2 to notify all in attendance of his DUI, prior to announcing it to the congregation on the following Sunday. According to RV1, the night before the meeting, he was contacted by lead pastor 2 and an elder. It was discussed that lead pastor 2 would announce to the staff the DUI arrest. RV1 said it was made clear that RV1 did not need to share that he was one of Nelson's victims. RV1 decided that evening that he would identify himself as one of Nelson's victims. He said that he "had been trained to do what was best for Highlands and what seemed best for Highlands was for me to tell my story."⁴⁴ RV1 said he soon regretted that decision.

RV2 later said that he was contacted the night before the meeting by a church leader and told that the former staff pastor, described as a disgruntled employee, is extorting the church leadership by demanding that HCC disclose the lead pastor's DUI and call for an independent investigation of

⁴² Witness Interview at 12.

⁴³ Witness Interview at 12.

⁴⁴ RV1 at 53.

Nelson. And, according to the church leader, the disgruntled former pastor would name Nelson's victims if HCC doesn't do those two things. RV2 said that the reason for the call was just as a "heads up", a warning that it would be an intense meeting.

Only minutes before the meeting was to start, in a small storage room next to where the meeting was to take place, lead pastor 2 and RV1 met with RV2. Lead pastor 2 said that RV1 was going to disclose in the meeting that he was one of Nelson's victims. RV2 recalled that RV1 was crying. It was suggested that perhaps RV2 may want to consider doing that as well. RV2 said he was told that the recently resigned staff pastor was going to be spreading lies about the victim, and maybe RV2 would want to get ahead of those lies and tell his story. When asked if he wanted to tell, RV2, saying that he was totally taken by surprise, responded without thinking, and said "yes", he would share as well. All agree that the lead pastor encouraged RV2 to call his wife and run the idea by her. However, the meeting was starting at that very moment. As the meeting was underway, RV2 contacted his wife but they had no time to discuss the issue. RV2 said he knew he was being encouraged to speak in this meeting and just as he had, until recently, looked up to Nelson and protected him, he felt compelled to protect the lead pastor.⁴⁵

What is known to have taken place during this meeting is the following: lead pastor 2 notifies all in attendance of his DUI. According to a pastor present, Lead pastor 2 goes into a long and very dramatic account about how sad he was about his son's death. Lead Pastor said he had some drinks, drove his car, got pulled over and arrested. He immediately confessed to the elders. "He just paints this awful story where you just feel terrible for the guy."⁴⁶ Another staff person observed that lead pastor 2 "is an incredible storyteller. So when you tie the death of your son into your story, that's what he does every time he shares his DUI" and it was perceived by some on staff as manipulation.⁴⁷

RV1 disclosed being one of Nelson's victims, and RV2 also disclosed himself as being a victim at the hand of Nelson. It was a very emotional meeting and many were crying as they heard about, first, the DUI followed by the revelation that their colleagues were the reporting victims of Nelson. Immediately after doing so, RV2 felt as though he was pressured into identifying himself.⁴⁸ RV1 said he soon realized that it was a mistake for him to tell at that time as well.

One staff pastor present described the meeting as "super weird". He said that the premise of the meeting was that a former pastor who had recently resigned from HCC was "under the influence of Satan and spreading lies" about lead pastor 2. He said that the lead pastor clearly painted himself as a victim. So when the tearful and painful meeting concluded with an elder leading a prayer for all three who spoke, it created the impression that the church leadership viewed all three (RV1, RV2 and lead pastor 2) as victims. He said he spoke to lead pastor 2 later that day, and said, "The way that you shared all of that, it feels so manipulative, the way that you paint this sad, sad story about how hard your life is, in order to, now everybody's on your side and

⁴⁵ RV2 at 32.

⁴⁶ Witness Interview at 34.

⁴⁷ RV1 at 61.

⁴⁸ RV2 at 36

feeling bad for you. That's just, that's not, in my opinion, what it looks like to apologize or repent for something." So he did change his tune a little bit, in how he presented it to the church.⁴⁹

RV1 described a leadership staff meeting which took place immediately following the above, whereby a former staff member scolded lead pastor 2 for ultimately combining his DUI announcement with that of two staff members identifying themselves as victims of Nelson, calling it manipulation. Another current staff member, present in the meeting, described "being in shock regarding the way the meeting transpired and felt the meeting was "inappropriate" being the two events were separate."⁵⁰ Other staff members not present, but were told about the meeting recounted being "super angry" and upset on how the meeting transpired.

RV2 reported that he really struggled with how the meeting was handled and the way he felt manipulated into speaking and identifying himself as a victim in front of the entire staff and Board of Elders. He stated that he went home sick and suffered for several days from that ordeal. During the first week of September, he spoke to Lead Pastor 2 about the way he was forced to identify himself. RV2 said he told Lead Pastor 2, "What you did was not good." According to RV2 the pastor refused to accept any responsibility for the decision. Shortly thereafter RV2, accompanied by RV1, confronted Lead Pastor 2 a second time. During this meeting, Lead Pastor 2 told RV2 that he made his own decision and cannot blame Lead Pastor 2 or anybody else. According to RV2, Lead Pastor 2 said, "You need to 'man up' and face the truth." RV2 said that after more discussion, Lead Pastor 2 apologized and told him that he was authorizing paid time off for RV2. "You decide how much time you need."⁵¹ RV2 said he took 10 weeks off, beginning mid September.

The announcement on Sunday regarding the DUI was made by lead pastor 2. Some believed at the time that lead pastor 2 minimized the serious nature of the DUI. According to one participant in the service, lead pastor 2 in acknowledging that he makes mistakes said, "Look Highlands. I make mistakes. I pick my nose at stoplights sometimes."

There were false statements made that the DUI charge was dismissed (the charge was actually deferred until November 2024), and the serious nature of the charge, including that his alcohol level was 2.5 times the legal limit while speeding excessively, were not disclosed. These important and easy to find details were not known to the Elder Board. The lead pastor allegedly misrepresented them and the Elders failed to make any inquiries.

In addition to lead pastor 2's statement, the Elder Board issued a written statement dated Saturday, August 17, 2020. The announcement inaccurately states that the charges have been dismissed. Further, the announcement characterizes the lead pastor's actions as "proactively testifying against himself" (despite the fact he did so only after he was arrested on substantial evidence for a crime that endangered the public and criminal charges were publicly filed against him) which led the Elders to conclude that scripture did not require a public rebuke of the pastor.

4. Additional Responses by HCC

⁴⁹ Witness Interview at 36.

⁵⁰ Witness Interview at 12

⁵¹ RV2 at 37.

In further response to the allegations, HCC engaged a third party to conduct an assessment of HCC's ministry. The assessment described a "Bow-tie" leadership structure in which one person "leads with vision and teaching and key members rise to leadership and carry out the other operations of the church... a leadership board (elders) who participate in the ministry but also serve as the overall council and protect the doctrine of the church and create the polity and governance structure."⁵²

The assessment determined that "neither the staff nor Elders felt the freedom to relate with one another in a natural way because most decisions must go through the 'knot' in the middle... Decisions are not made collaboratively and neither Elders or staff are ever fully represented without bias when subject to the interpretation or the bias of the person serving as the knot in the middle... Derek Nelson, though he wasn't an executive pastor yet, occupied the 'knot' for approximately the last five years of [the former senior pastor's] time... [the former senior pastor] and the board allowed Derek to have this power."⁵³

The third party assessment also spoke to the presence of "people upset that a woman was preaching and they voiced these concerns to an elder who spoke to [the former senior pastor]."⁵⁴ The third party assessor said, "I had two elders answer the 'origin of the ick' [question] as [a woman] preaching."⁵⁵ One staff member described some staff members being infuriated by the implication that the two elders believed that a woman preaching was worse than the abuse by Nelson, and worse than the former lead pastor's conviction of a DUI and dishonesty about the DUI.⁵⁶

In response to the third party assessment, HCC turned over the entire elder board in August of 2021, updated their bylaws "to require that elders take a year off after 6 consecutive years of service,"⁵⁷ and made attempts to address the "bow-tie" leadership structure "through increased relational opportunities with the elders, staff, and congregation."⁵⁸

On May 23, 2021, HCC hosted a lament prayer service which included, among other sentiments, "Lord, we lament and grieve with the victims of sexual abuse, including known victims, unknown victims, and their family members. We lament the physical, mental, emotional, and spiritual suffering that they have experienced because of this abuse... we lament the failure of Your Church to protect victims of sexual abuse and to prevent their suffering. We lament that sin festered within the Highlands Community for years and that we failed to prevent it or detect it until after much harm had occurred."⁵⁹

In approximately August of 2020, RV1 requested five weeks of time off from his staff position from the lead pastor. RV1 said, "I was clear with the lead pastor. "I don't know if I'm going to

⁵² Third-party assessment, at 6.

⁵³ Third-party assessment, at 6.

⁵⁴ Third-party assessment, at

⁵⁵ Third part assessor interview at 11.

⁵⁶ Staff Member interview at 71.

⁵⁷ HCC response to third-party assessment.

⁵⁸ HCC response to third-party assessment.

⁵⁹ May 23, 2021 Lament Prayer Service.

step back on staff or if I just need to move on. That's a part of the discussion. But I just need to get healthy."⁶⁰ RV1 was granted five weeks of time off by the lead pastor, in accordance with HCC's policy. Upon taking leave, RV1 was given a letter by the lead pastor and reportedly told, "Read this when you're on break. When you feel like you've processed everything you need to, you've got all the tools you need to be healthy, then open this letter up, and read it."⁶¹

RV1 provided GRACE with a copy of the letter, in which the former lead pastor spoke of praying for RV1's well-being and referenced a doctrinal disagreement between the elders, RV1, and RV1's wife. The letter stated in part,

When you see me again, please give me a big bear hug and then, express to me where you stand on these..

Let me know if you're going to be okay; if you have tools to work through what was done to you...

If you are ready, let me know which of these three things you want to do:

- a. Correct your stance biblically, correct your wife, then serve with me for the long haul.
- b. Agree to disagree with me, but defer to my interpretation as the primary interpretation of Highlands, help me preach the way I was designed to preach, lead your bride well should dissension rise again, then serve with me for the long haul.
- c. Let me know that you want to move to a new place where no one knows about Derek and give your family a fresh start.⁶²

The letter offered no opportunities of care or support for RV1. RV1 reported that the letter "forced" his resignation, which he offered to HCC leadership on October 3, 2020. In his resignation notice to leadership, RV1 said,

The reason I'm leaving is the lack of humility and accountability on the part of the board and [the former senior pastor]. There hasn't been demonstrated humility or a mutual submission by the elders or [the former senior pastor]. And this is a systemic issue that allowed Derek to flourish on the board and what has not been directly addressed at all, but rather only reinforced in the last two years by the board... [it] uses the Bible to hide behind, instead of being quick to take ownership of failure, unmitigatingly asking for forgiveness and being gracious. The elders and [the former senior pastor] continue an oppressive culture of fear rather than grace.⁶³

⁶⁰ RV1 Interview at 56.

⁶¹ *Id.*

⁶² Former Senior Pastor letter to RV1, approximately August, 2020.

⁶³ RV1 Interview at 57.

On October 6, 2020, RV1 had a meeting with HCC elders in which he discussed his resignation, read aloud the letter by the former senior pastor, asked for help for his family including paid leave and compensation for counseling, and offered “let me help the church with what I think I uniquely can do with you the next three months, or the next month, before I step off.”⁶⁴

RV1 followed up with HCC leadership and arranged a meeting in November 2020 with the elders for the purpose of RV1 and his wife sharing their experience. RV1 said that certain leaders apologized for how RV1 and his wife had been treated by HCC, and led RV1 to believe that further action would be taken. RV1 did not hear from the elders for approximately a week, and contacted two elders by phone. After these conversations, RV1 wrote an email to the elders, stating, “It sounds like lawyers have advised you not to talk to me. I don't have legal counsel representing me. I'm not paying a lawyer. I am trying to resolve this with the elders as scripture makes clear. The board is pushing me to hire legal and sue the church. All caps, I don't want to. I want the elders to care for my family, as I made abundantly clear, October 6th, over a month ago. My wife and I aren't currently sleeping well. We're hurt you've ignored us, even after last week, and haven't been able to call us to say, we care about you.”⁶⁵ RV1 reported that staff did not feel comfortable or were informed by HCC leadership that they were prohibited from contacting RV1 and his wife.

An amount for counseling was paid by HCC for the reported victims and Nelson. HCC paid for nine eight months of salary, benefits, and counseling for RV1, as well as a confidential settlement. HCC also compensated RV2 for three months of salary and benefits, two years of counseling, and a confidential settlement. RV1 later wrote to HCC leadership, “Knowingly or not, they rolled the dice believing they could pinch every dime out of me and get me to sign a non-disparage clause and move on without any ramifications. Once again - giant betrayal that goes to the core of the trauma I have experienced at Highlands. Mediation was the most painful and numbing experience for me since being ignored and passively told to get a lawyer by the church back in November of 2020. My church at mediation turned on me - again.”⁶⁶ RV1 also said, “The church made the point through the mediator that ‘if you sue the church it will probably close.’ The very clear point being we are the problem.”⁶⁷

D. Additional Allegations of Sexual Misconduct and Grooming

To reiterate the scope of GRACE’s investigation:

⁶⁴ RV1 Interview at 63.

⁶⁵ RV1 Interview at 55.

⁶⁶ RV1 Mediation Reflections.

⁶⁷ RV1 Mediation Reflections.

“GRACE shall assess any and all allegations of sexual misconduct⁶⁸ by Derek Nelson that are directly or indirectly related to HIGHLANDS, and whether HIGHLANDS had any knowledge of such allegations, and if so, how HIGHLANDS responded to such allegations.”

GRACE did receive reports from several individuals that they were concerned that certain specific individuals were the victims of sexual misconduct by Nelson. In some cases, GRACE was able to speak to those individuals directly. In other cases, the person reporting the concern did not share the identity of the person about whom they were concerned. In still other instances, GRACE received no response from the person about whom the witness was concerned or was unable to contact them.

GRACE did not receive any reports that someone other than RV1 and RV2 were physically touched in a specific sexual manner. Nor did anyone report to GRACE that they had witnessed a physical sexual touching or been directly told by someone (other than RV1 and RV2) that they were the victims of a sexual touching. Nor did GRACE receive a report that a “verbal advance, proposition or invitation of a sexual nature” was made to anyone.

However, GRACE did encounter individuals who experienced or witnessed behavior that has caused them to believe that they or others were being groomed for sexual misconduct. Further, GRACE encountered individuals who were directly harmed by the sexual misconduct experienced by RV1 and RV2.

RV2 reported that at one summer camp he was rooming with Nelson in a camping trailer. While at the camp, a high school camper learned that a relative had died. RV2 said that Nelson brought the child to their camper and had the high schooler sleep with him in Nelson’s small camping trailer bed. Though he never witnessed any sexual touching or conduct, RV2 stated that he believed Nelson was taking advantage of an emotionally compromised minor.⁶⁹

An HCC pastor reported that he learned there was a long tradition at winter camp for highschool boys to strip down to their underwear and go into the snow “just as a big fun thing.” The pastor said that Nelson told him that he didn’t approve of it, “that no student pastor wants to approve of this and nor should you.” However, the pastor said at the winter camp 2019-2020, that the boys slid down this big hill in their underwear and then Nelson got them all together and took photos of them all in their underwear. The pastor noted that students are going to go and do things that teenagers do but noted that “it is weird when the adult who makes it seem like they don’t want to be a part of what is happening and then went outside and participates in it.” The pastor added, I kick myself because I look back on that and I felt weird because it’s my boss.....but even as a student pastor I have an amount of responsibility for something like that happening in front of me....”⁷⁰

⁶⁸ Sexual misconduct is defined as behavior which is 1) unwelcome or unwanted and 2) sexual or intimate in nature. Examples include but are not limited to derogatory or indecent statements about a person's body; slurs, epithets, anecdotes, jokes, or innuendos of a sexual or intimate nature; verbal advances, propositions, or invitations of a sexual or intimate nature; suggestive or obscene gestures or communications; unwanted attention such as leering or staring; "groping" or any unwanted touches of a sexual or intimate nature, adult sexual assault, and sexual abuse of a minor.

⁶⁹ RV2 at 43.

⁷⁰ Witness Interview at 15.

One former youth member and volunteer recalled a variety of behaviors, now as an adult and especially with the knowledge of RV1 and RV2's reports, believes that Nelson was grooming church youth. This former volunteer recalled Nelson telling crass jokes or comments and considered that okay but if a teen told a similar joke or comment, Nelson would "play the pastor role" and admonish the person. It was the double standard, "no regard for their own rules" that the former volunteer now sees as a red flag.⁷¹ This former volunteer also noted the frequent occasions for teen boys to be with Nelson in a hot tub.⁷² Most times, he recalled, guys wouldn't have a swimsuit and ended up naked in the hot tub. He recalled a specific hot tub experience when he was a teenager and where it was just himself, another teen and Nelson. They went to a house where Nelson was house sitting. After arriving, they were invited by Nelson to go in the hot tub but Nelson said he didn't know where any extra bathing suits were. So they were in the hot tub naked. It was dark in a backyard but when a teen went to grab something to drink, the motion detector light came on illuminating the naked teen. The teen was embarrassed. But looking back on it now, the former volunteer believes it was intentionally set up by Nelson.⁷³

Another behavior this former volunteer recalled was he was 13-15, described a game Nelson played:

He would do what he called building an airport on a kid and he'd lay them across to his stomach (across his lap with their stomach up) and he'd done this to me multiple times. But he would grab a student, male student, lay them across his lap and then, "Hey, here comes the bulldozer. And then here comes the airplanes." And he'd rub up and down your chest and then at the end, "Oh, airplanes crash." And he'd almost always smack you in the testicles at the end. Crash, bam. Everyone would laugh because somebody's got their nuts smacked and middle school boys think that's hilarious. But obviously from a pastor or leadership or any circumstance, that's highly inappropriate to be smacking boys in the nuts.⁷⁴

Another former youth member, who later volunteered as a leader and was mentored by Nelson, was asked if they had witnessed anything between Nelson and youth that was either misconduct or grooming or didn't look right. He spoke of the frequency Nelson wanted to have young boys over to use his hot tub. He said maybe Nelson just enjoyed the hot tub but it felt like he "normalized being vulnerable and kind of intimate in that way. Always having high schoolers over and packing it full of kids and then other times just one or two or three kids." According to this person, most of the time there were teens in the hot tub, there were no other adults around besides Nelson. Sometimes there was another leader like RV1 present. He didn't recall Nelson's wife ever being around when the teens were there in the hot tub.⁷⁵

This former volunteer also described a time at a church camp, when he was around 16 years old, and he had developed a painful rash between his inner thigh and scrotum. He said he asked Nelson, who had assumed the role of camp nurse, for some ointment. Instead of handing the 16

⁷¹ Witness Interview at 4.

⁷² Witness Interview at 6.

⁷³ Witness Interview at 15.

⁷⁴ Witness Interview at 6.

⁷⁵ Witness Interview at 11.

year old some ointment to apply, Nelson had the teen lay down and then applied the ointment on the boy. Looking back on that experience as an adult, he believes it was inappropriate for any adult not to insist or at least suggest a 16 year old apply the ointment themselves.⁷⁶

Another former youth member and youth staffer reported that, while he was not a victim of sexual abuse, he believes that as a young adult he was being groomed by Nelson. He said,

I cannot think of a time that I would qualify as molested or sexually abused. However, from what I understand of grooming, I think those patterns were very present in our relationship. One of the things that I've seen with abuse in the past, especially in kind of a Christian spiritual leadership context, is there's often a persistent pressure towards sexual accountability around masturbation and things along those lines. It opens up sexual conversations that sometimes leads towards abuse. Those [topics of sexual accountability and masturbation] ...were regularly suggested from Derek, and every time I said no, because I didn't feel comfortable.⁷⁷

This former youth staffer said he was not uncomfortable with the topic of sexual accountability and masturbation but uncomfortable with the manner in which Nelson brought it up and persisted in wanting the staffer to agree to discuss the topic with Nelson. He added that once he firmly resisted having the “sex topic” conversations with Nelson, he was treated negatively by Nelson, after being treated favorably. This person said he believes he was being punished for not relenting to Nelson and having the sex talks with Nelson.⁷⁸

Further, now as a parent and busy professional who has been involved in church ministries, he is alarmed looking back on the inordinate amount of time he observed Nelson spending with young men rather than with his wife and family. He said he witnessed not only an excessive amount of time Nelson spent with teen boys and young men but also with the level of physical affection he experienced and saw others receive. “Again, I would not say that it was sexual touching, but regular affection, hugs, hand on back, shoulders, tight embrace, even playful joking, tickling, things along those lines.”⁷⁹

This former staffer said that while he spent a lot of time with Nelson, including trips, meals and other one on one occasions, he recalled being jealous as a kid of the attention and praise he witnessed RV1 getting and “wanting that for myself.”⁸⁰

Lead pastor 2 told GRACE that after Nelson was fired, one of the parents of a boy in Nelson’s discipleship group told him that Nelson had purchased matching underwear for the boys in the group.⁸¹

⁷⁶ Witness Interview at 8.

⁷⁷ Witness Interview at 2.

⁷⁸ Witness Interview at 7.

⁷⁹ Witness Interview at 3.

⁸⁰ Witness Interview at 8.

⁸¹ Lead Pastor 2 at 18.

It is clear that different youth and youth leaders had different experiences with Nelson. GRACE spoke with two former youth members, who also served as leaders as teens. Later as young adults they both assisted on the youth ministry team, all under the leadership of Nelson. Both men said they considered Nelson a mentor, someone they wanted to be with and learn from as a teen and young adult, and also viewed him as a friend. They both traveled with Nelson on long trips where they were alone with him. They both received premarital counseling from Nelson, described the counseling in positive terms, and experienced none of the sexual misconduct from Nelson as described by RV1 and RV2. They both know RV1 and RV2 and believe their allegations against Nelson are true. Neither considered themselves victims of sexual abuse.

These two men are now in their thirties, are both professionals and fathers. They both described believing that Nelson groomed them in an effort to set them up for abuse. They both described themselves as strong willed, outspoken and independent. And indicated that either their personalities, life circumstances, or relationship with Nelson, or a combination of all three, caused them to be less vulnerable than others to Nelson's grooming behaviors. Finally, both men describe significant pain they have experienced from learning of the accusations and reflecting on their own experiences with Nelson at HCC.

E. Descriptions of Nelson's Leadership

Several employees, former employees, pastors and former pastors, and former members of the youth group commented on both Nelson's significant talents and his tendency toward manipulation and control.

1. Talented, Driven and Charismatic

One former volunteer remarked that Nelson taught the abuse prevention training (which included sexual and physical abuse) that HCC provided for youth workers and understood that all reports would go through Nelson. The volunteer noted that he/she did not become aware of any abuse (other than the present reports after they were disclosed) but would not have felt comfortable in going to the lead pastor if a concern about abuse had arisen.⁸²

A former long-time elder reported that, in his view, Nelson struggled with perfectionism but he never observed anything negative between Nelson and RV1 and RV2. His perspective was that Nelson's reputation within the staff was extraordinarily good.⁸³ He was shocked that there was any sexual impropriety involving Nelson. What others saw as control issues, this person saw as perfectionism. The former elder praised Nelson's abilities as a discipler of young men. When discussing Nelson's success as a discipler, this elder stated that RV1 was a good example of Nelson's discipleship.⁸⁴ According to the former elder, a person observed during a discussion about the GRACE investigation and the subject of grooming that, "there is a fine line between discipleship and grooming." The former elder stated that in his opinion the line is "boundaries."⁸⁵

⁸² Witness Interview.

⁸³ Witness Interview at 7.

⁸⁴ Witness Interview at 11.

⁸⁵ Witness Interview at 13.

A former volunteer and staff member, when asked by GRACE why were there no checks and balances on Nelson, replied:

Derek is good. He is good at what he does. That is not to be debated. He is talented. He can lead a group. He can lead a meeting. You want a ministry to succeed? Put Derek in charge. He works hard; a very, very, very hard worker. And he's extremely talented. No one will get in their way. No one wants to step in front of the engine that is steaming forward at full speed.he never backed off any of the tasks that you would give him. Furthermore, his priorities were to be the biggest, the best, the fastest, all of that together, at the cost of whatever road kill came.⁸⁶

2. Played Favorites

The former volunteer and staff member mentioned above also shared that Nelson played favorites with the youth and treated a favored group of boys in ways that made others, boys and girls, wonder why they were not favored. Girls, in particular, noticed and were impacted by the favoritism that seemed to reinforce the church's larger culture of, in this volunteer's opinion, females being second class citizens in the kingdom of heaven. This sentiment was echoed by a HCC staff member who recalled times where the "special treatment" for Nelson's boys discipleship group (D group) resulted in others feeling left out and separated.⁸⁷

A current staff member spoke of Nelson's consistent preferential treatment of the boys, and the fact that he did not "deal" with the girls. This staff member on a number of occasions questioned Nelson on this, however stated he always had an explanation or way to make the complaint feel invalid/misconstrued.⁸⁸ Parents also made complaints as to why their daughters were not allowed on pre-trips.

The same staff member noted, Nelson picked the boys who would stay in the cabin with him, or the one close to him. He'd allow certain boys to sleep in and participate in special activities, such as skiing. When asked about it, Derek always had a "good explanation," and would often say he had parent permission, and/or was working with these boys to train them for leadership.⁸⁹

A former youth member described himself as one of Nelson's "in-crowd" guys. They experienced hot tub nights, out for ice cream or a movie, and to be one of the select to go early to set up for the camps. Nelson would select which boy got to sleep with Nelson. According to this person, Nelson made it fun and made you feel good. He recalled many hot tub nights with Nelson, sometimes a large group of boys, sometimes one or two, always with Nelson in the hot tub with them. He also knew that RV1 frequently traveled with Nelson one on one.⁹⁰

⁸⁶ Witness Interview at 11.

⁸⁷ Witness Interview at 5.

⁸⁸ Witness Interview at 4.

⁸⁹ Witness Interview at 5.

⁹⁰ Witness Interview at 6.

3. Manipulative and Controlling

Numerous witnesses described that for several years, if you wanted to get something done at HCC, you went through Nelson. According to many, that dynamic existed for some time but noticeably increased in the years leading up to the transition to a new lead pastor in the late summer of 2018. One former pastor said that Nelson, regarding his preference for a candidate for new lead pastor, uncharacteristically openly stated his preference for a certain pastor. (“he was usually more covert”). Nelson, according to this former pastor, said, “I’m choosing this guy because I am going to get what I want.”⁹¹

A current staff member described Nelson’s ability to manipulate and commented on there being no open path to report concerns, “Derek pretty much, and I knew this and others knew it too, Derek ran the church. So if we had anything that... Yeah, we had no place to go. He’s a master manipulator. So he would turn things around. So when you would say something, by the end, your concern, you would feel stupid on being able to... So why would you go say something, because what you had to say was dumb.”⁹²

A former pastor told GRACE that he observed Nelson’s manipulation and ability and preference for controlling things from behind the scenes. In one instance, after Nelson failed to convince the lead pastor to go his way, he enlisted the help of RV1 who argued for Nelson’s position. This pastor observed what he termed a “bizarre relationship between RV1 and Nelson” and that RV1, who was clearly intelligent, seemed to be arguing a topic he didn’t personally believe but was being manipulated by Nelson.⁹³

A former volunteer also noticed a high level of control that Nelson maintained over minute details of camp and retreat activities, even after his move to the executive pastor role, which resulted in a lot of control and power over these events. This volunteer experienced the frustration of not feeling like there was anyone to register complaints to about Nelson, given his control and personality. In this person’s opinion, the current leadership from lead pastor to the youth pastor is in a better position than during the several years leading up to 2021.⁹⁴

A former pastor commented on Nelson’s wide ranging influence at HCC, “I felt like Derek’s hand was in every single area at Highlands. He was very articulate and very sharp....So I always found it just a bit odd and strange and frustrating that it’s like everything seemed to go to him.”⁹⁵ The former pastor referred to Nelson as the “master spinner”; and “we could be at the same event and could have witnessed the same thing and he would describe it and how awesome it washe just had a way of spinning things..... I was like, ‘Man he is good at this.’ He could sell things.” Regarding Nelson and RV1’s relationship, this pastor observed that they were very close and that Nelson “had a lot of influence over [RV1], obviously.”⁹⁶

⁹¹ Witness Interview at 3.

⁹² Witness Interview at 15

⁹³ Witness Interview at 2.

⁹⁴ Witness Interview at 8, 20.

⁹⁵ Witness Interview at 4.

⁹⁶ Witness Interview at 9.

A former staffer referred to the youth camps and retreats as exhausting but that Nelson thrived on the constant, nonstop activity. The former staffer said that he did not experience any sexual abuse, but his opinion about the allegations, as he understands them, are that they are very true. He says that is primarily based on things he observed and experienced.⁹⁷ This person struggled with the fact that he feels he owes Nelson for investing in him while at the same time struggling with believing he had been used and manipulated by Nelson.⁹⁸

Especially noteworthy are the similar reports from RV1's and RV2's wives' descriptions of Nelson's behavior while they were dating their future husbands and as newlyweds.. The strange fixation on the victims' dating relationships were noticed by the women.

This issue of girlfriends and jealousy and control was not limited to RV1 and RV2. Another person noted that while he was serving as a staff pastor, Nelson's behavior created drama in his relationship with his girlfriend. Nelson "had a way of making you feel weird" about when to include your girlfriend and when not to. This person stated that his girlfriend, "always described the way that it felt with Derek, for her, like [Derek was] another girl who has a crush on your boyfriend."⁹⁹

4. Powerful and Influential

It was said by many interviewed, both former and current staff members, that the level of power and influence Nelson came to have was remarkable. It grew with his time at the church and was really seen to rise during the years preceding lead pastor 1's departure from the church. A former pastor expressed his desire to sit down with lead pastor 1 and ask questions on this very topic. He stated, "I mean how Derek got so much pull and power in certain areas because it's like he functioned as an executive pastor or almost a lead pastor because he just had so much say. I mean in everything, he had say."¹⁰⁰

A current staff member explained the sentiment among many, including herself, was that for the last five years of lead pastor 1's time as executive pastor of HCC, Nelson was the "de facto pastor of Highlands Community Church." The staff member explained, "he got whatever he wanted," "we knew we had no way to stand up to him," and "There was nowhere to take a concern to be heard. The only thing you could maybe gain was getting yourself released and fired."¹⁰¹

Another former pastor described Nelson stepping in and "filling a gap," during the time lead pastor one was transitioning out of his position. He further explained Nelson was providing direction the staff wanted and "clarity" that was needed. This was seen as a consolidation of power and the talk, according to this former pastor, was that Nelson was "running the church; he was the shadow senior pastor."¹⁰²

⁹⁷ Witness Interview at 7.

⁹⁸ Witness Interview at 9.

⁹⁹ Witness Interview at 19.

¹⁰⁰ Witness Interview at 8.

¹⁰¹ Witness Interview at 6.

¹⁰² Witness Interview at 4.

A current member and volunteer described lead pastor 1 being “checked out” his last five years serving as lead pastor of HCC. Due to this Nelson and lead pastor 1 were seen as “equals,” when in reality Nelson should have been reporting to lead pastor 1.¹⁰³

A common theme among many who were interviewed in this investigation, was a lack of knowledge on who to report to when it pertained to concerns involving Nelson. As articulated in the examples given in this report, “red flags” and concerns regarding Nelson’s favoritism, manipulation, and grooming behavior were observed, but often witnesses spoke of feeling they had no avenues to address these concerns.

A current staff member gave a specific example of seeing Nelson leaving the church with several students alone. She felt as though it was not “appropriate” for Nelson to be doing so, but stated she didn’t know who to report or talk to about the incident. This same staff member had a friend come to her witnessing the same exact incident, at another time. Nelson was not the person for this staff member to speak to about what was witnessed, but also felt as though he and lead pastor 1 were “close” so there was no comfort in reporting to him.

A current staff member, who witnessed Nelson’s favoritism and inappropriate actions, was asked what about the hierarchy and structure at HCC prevented staff and others from reporting? The staff member stated, “Derek pretty much, and I knew this and others knew it too, Derek ran the church. So if we had anything that... Yeah, we had no place to go.”¹⁰⁴

An example given by RV2, in the Additional Allegations of Sexual Misconduct and Grooming section of this report, was of an incident whereby Nelson slept in the same bed as a student during a summer camp. A current pastor, who was present at the camp, but not aware of the incident at the time, stated there were rules against this and referenced the Team Member Handbook. The pastor explained that it was required to have two adults in a room and adults should not drive with students, but stated “Derek consistently broke those rules.” With regard to this incident being reported to leadership, the current pastor stated, “No. And I think probably because they felt like Derek was the top of the chain and the Elder Board felt very distant in many ways. You just didn't feel like you could really reach out to them. So, it was like, ‘Well, if the person that's at the top is doing this, then who else do you report to?’”¹⁰⁵

Information obtained in several interviews also spoke to the hierarchy established for many years at HCC, specifically the executive leadership team, consisting of three members. It was known or referred to by many as the “Holy Trinity.” This triad consisted of Nelson, lead pastor 1 and a former executive staff member. With the described close knit relationship and friendships between the three, reporting and addressing issues concerning one proved to be problematic.

A current staff member explained, “We call ourselves elder-ruled. If we are, the elders should have some power. I watched [lead pastor 1] take that away from the elder board. He's the one who created the executive elder board of just three people who he told the other two what they

¹⁰³ Witness Interview at 24.

¹⁰⁴ Witness Interview at 15.

¹⁰⁵ Witness Interview at 26.

thought and they told the rest of the board to rubber stamp it.”¹⁰⁶ A current pastor shared a similar sentiment, “[Nelson] was the staff voice to the elder board.” It was also apparent Nelson had influence over the elder board and he displayed this by making statements to the fact, “the elders would never go for this...the elders want this.” This seemed most apparent when Nelson did not approve of something or specifically wanted something to happen.¹⁰⁷

Leader pastor 1 was interviewed by the GRACE team and described being “stunned” upon learning of the sexual abuse allegations against Nelson. “Immediately, when I first learned of it, just would rack my brain thinking back what was there that I missed, was there something? I missed nothing, nothing was there for me to see, the metaphor of “Where there's smoke, there's fire,” there wasn't even that, that I was able to see or that anyone else was able to see and even gave a modicum of a “Hey [Lead pastor 1], there's something here” or whether staff or someone in the congregation or those that had matriculated up through the children's student ministries and into the college ministry and many that would stay within the church as young couples, there was nothing there, nothing there that I saw.”¹⁰⁸

Lead pastor 1 was asked about Nelson’s marriage and his knowledge of any difficulties between Nelson and his wife. His response was, “Never. In fact, if anything, the opposite, appreciation.”¹⁰⁹ A former staff member and volunteer offered information to the contrary. This staff member, as a close friend to the wife of Nelson, felt compelled by the “Holy Spirit” to notify lead pastor 1 as to the “serious problems” in Nelson’s marriage. Lead pastor 1 first asked if Matthew 18 was satisfied, to which the former staff member admitted making several attempts to speak to Nelson. This resulted in an additional attempt to meet with Nelson, as the earlier attempts were met with avoidance. The former staff member was able to meet and discuss her concerns with Nelson regarding his marriage, and described the meeting as such, “That was the most exhausting, difficult meeting..... Because you're dealing with a master manipulator, master controller.” Nelson went from “tears to anger” while trying to provide a response.

Ultimately, the decision to bring Nelson’s marital problems to lead pastor 1 was accomplished the next day, with Nelson present in the room. The former staff member shared with lead pastor 1, “some specific and not super specific” problems in Nelson’s marriage. What was said was, “It's not my purpose, or do I feel my responsibility to tell you what's wrong with the marriage. What is my responsibility is to tell you what I heard [Nelson’s wife] say. And that is that ‘this marriage is sinking. I can't hold on any longer.’”¹¹⁰ This led to lead pastor 1 requesting to speak with Nelson’s wife, in the presence of Nelson and the former staff member. More was shared on the state of Nelson’s marriage by his wife in this meeting.

IV. INVESTIGATIVE ANALYSIS

A. Are Adult Victims of Clergy Abuse Truly Victims?

¹⁰⁶ Witness Interview at 22.

¹⁰⁷ Witness Interview at 27.

¹⁰⁸ Witness Interview at 13.

¹⁰⁹ Witness Interview at 13.

¹¹⁰ Witness Interview at 12.

GRACE encountered witnesses who, while not approving of the conduct alleged by RV1 and RV2, and admitted to by Nelson, nevertheless questioned whether RV1 and RV2 were victims and whether or not they are to be blamed for what occurred. The opinion of some was that since RV1 and RV2 were adults and there were no allegations that they were compelled by force to submit to the sexual acts, then they could not be victims. Further, some expressed that the victims, RV1 particularly given his age and staff responsibilities at HCC, should have reported Nelson's abuse earlier. However, an understanding of grooming, of the spiritual abuse aspect of the abuse, and the control and manipulation on the part of Nelson is essential. Also, Nelson's reputation for success and his position of power and influence with, and over, key leaders at HCC needs to be appreciated. It is clear that both the failure to understand the dynamics of abuse and the role HCC leadership played, even if unwittingly, to empower and support Nelson, are key factors in Nelson's abuse and the delays in disclosure of the abuse.

Michigan therapist Mark Scheffers noted at least 6 reasons why adult victims of clergy sexual abuse are not to blame.¹¹¹ These reasons do not apply only in the clergy-parishioner relationship. In fact, Nelson's profound influence and authority over both RV1 and RV2 at the critical formational beginnings of their ministry gave him even more control than often is present in clergy-parishioner relationships. Despite the fact that RV1 and RV2 were also colleagues of Nelson, there was such a stark difference in the power and influence Nelson had as compared to RV1 and RV2. In fact, being under Nelson's influence for several years and having him as a mentor was a key to the significant command Nelson held over RV1 and RV2. The six reasons Scheffers identifies are applicable and relevant here. They are listed below in italics.

1. *You had a right to expect your abuser would honor his professional contract.*

"When your pastor initiated sexual contact with you he broke that contract....You had every right to expect he would honor the boundaries inherent in his professional contract."

Both RV1 and RV2 were not expected, and should not be expected, to be "on their guard" with Nelson. They had every reason to believe that he had their best interest, and their best spiritual interest, at heart. By the time each of them arrived at the time of the sexual molests, they had been mentored by Nelson for years. (RV1, at least 8 years; in RV2's case over 3 years.)

2. *Your idealization of your pastor was normal.*

"Idealizing a person in authority is normal. When we idealize someone we hope that we will receive the care we need from that person. We also hope that we will in some ways become like the person we idealize."

Nelson's charisma, success in ministry, respect and the influence he held in the HCC community were not illusory or a figment of RV1 and RV2's imagination. They didn't put Nelson on a pedestal. HCC had placed him on a pedestal and a position of power.

3. *Your abuser's grooming was incremental and entrapping.*

"Since he groomed you incrementally, he gradually trapped you. You are not to blame for being trapped."

As discussed further below, the incremental grooming works to desensitize the victim and normalize the behavior.

4. *Your attachment to your pastor was normal. His intensification of that attachment was not.*

"The pastor is employed to provide care for the parishioner; the parishioner is not paid to provide care for the pastor."

¹¹¹ See <https://www.markscheffers.com/>.

RV1 and RV2 were not parishioners. But they were both in a mentee-mentor relationship with Nelson for years prior to their sexual abuse. The support and care they had a right to seek and expect from Nelson should not have been reciprocal. RV1, and other pastors at HCC, described how Nelson was needy and sought at times to exploit the relationship.

5. *Your abuser controlled the relationship.*

“Because the pastor has more control, what occurred between you and him cannot be consensual. Consent exists only where both parties have equal power. Although your abuser likely tried to make you share responsibility for what happened, you did not have the power to consent to it.”

Nelson was in a position of control over RV1 and RV2 for the years leading up to the sexual abuse and for years following. He had convinced RV1 and RV2 that their current positions and their advancement in the ministry were in his hands.

6. *You are not to blame for being naïve and needy.*

“Like many victims of abuse, you may blame yourself by saying, “I was so naïve and needy.”

As a young and idealistic youth member (RV1) or a teenage staff person (RV2), the reporting victims were not only idealistic and eager to learn from Nelson, but also naïve and needy. They are not to be blamed for being credulous or gullible. The fact that they were impressionable and trusting were positive traits that were exploited and manipulated by Nelson.

B. The Commonality of Delayed Disclosure

RV1 and RV2 disclosed the sexual abuse to church officials after some time had passed, with RV1 disclosing the physical sexual abuse over 10 years after the abuse and RV2 disclosing approximately 13 months after the physical sexual abuse occurred. As discussed in this section, delayed reporting of abuse is common and should not be considered an indication of incredibility or blameworthiness on behalf of the reported victims.

A common effect of grooming by an offender is the inability of the victims to recognize the acts as abusive.¹¹² Each reported victim described their inability to comprehend Nelson’s acts as sexually abusive both during the abuse and for a significant period of time afterwards. RV2 reported that he did not understand that Nelson’s acts were abusive until a friend informed him that he believed that Nelson had sexually abused him and he educated himself on sexual abuse. RV1 reported that he did not recognize the acts as abusive until RV2 disclosed his experience to RV1. Each reported victim was under the primary authority of Nelson at the time of the abuse and viewed the abuse as Nelson being helpful and as spiritual mentorship to prepare them for marriage. Nelson reportedly spent much time and effort in desensitizing the reported victims to sexual activity, while promoting the mindset that he was a caring spiritual leader and that the sexual contact was normal, appropriate, and necessary for spiritual growth. Also, Nelson, while gaining the victims’ trust, identified, and exploited two innocent and powerful desires both victims possessed: to be effective at ministry and to be good husbands to their wives. Additionally, the reported victims had not received training from HCC on abuse topics prior to the abuse. Further, each reported victim disclosed the abuse immediately after they learned and

¹¹² *Id.* at 466.

understood that the acts were abusive. The reported victims should not be blamed for their inability to recognize the acts as abusive and the resulting delay in disclosure, as factors contributed to their lack of understanding including Nelson's reported spiritual authority and grooming tactics, and HCC's lack of training on abuse topics.

Author Wade Mullen said, "Choosing to expose an abuser, especially one with power, carries great risk. Nevertheless, we tend to be quick to question the motivations of survivors who tell and we are not so quick to consider the many strong motivations that exist for never telling."¹¹³ The reported victims were adults when they were sexually abused by Nelson, and were staff members at HCC. Both RV1 and RV2 said that they have been faced with variations of the "why didn't you tell earlier?" question. Wade Mullen has written on factors that prevent survivors from disclosing or significantly delay disclosure. He cites 12 reasons, walls, that prevent survivors of abuse from disclosing.¹¹⁴ While all do not apply to RV1, RV2 and HCC, many of them illuminate and underscore RV1 and RV2's stories. Mullen listed barriers to disclosure that bear similarity to fears expressed by the reported victims, including:

- "the understandable belief that the credibility of the truth-teller will be called into question. If the story threatens the identity, power, or position of a well-known and loved individual, then many might immediately seek to discredit the story to protect the more powerful individual."
- "Some might feel they have a moral responsibility to remain loyal or submissive. Religious communities sometimes inculcate such virtues into followers, without exceptions, conditioning them to believe that to remain silent is to be a good follower..."
- "Survivors are often very close to their abuser... Therefore, survivors might have a natural concern for the well-being of the abuser or for the tight-knit group of family, friends, or co-workers and perhaps will fear what will happen to those they are exposing. They also know many close to the abuser might suggest they lack compassion, mercy, forgiveness, for not just 'letting it go.'"
- "Fear of being blamed for the abuse can easily outweigh any motivation to tell."
- "Telling a story of abuse requires tremendous courage and vulnerability because it is impossible to know how others will respond. Some respond by simply distancing themselves because they lack the emotional maturity to hear ugly truths or be present with someone with an abuse story. Their silence can be unspeakably painful."
- "If the abuse took place years ago, survivors might believe they will be accused for not coming forward sooner. When people ask, 'Why did it take so long for this to be told?' they are suggesting the survivor is at fault for not reporting the abuse."
- "Survivors often suffer relational loss after their story is made known."
- "Survivors risk losing their reputation if they go public, especially if the accused is a powerful individual."¹¹⁵

The reported victim's fear that they would not be believed seems to have been dissuaded by HCC leadership, who immediately terminated Nelson upon learning of the allegations. However, as Mullen explains, the victim's fear of not being believed is common and not unreasonable. The fear of the reported victims can be further understood by examining Nelson's status as a

¹¹³ Mullen, Wade. see <https://wademullen.substack.com/p/12-walls-that-prevent-abuse-survivors>

¹¹⁴ *Id.*

¹¹⁵ *Id.*

powerful and influential spiritual authority, both in the lives and careers of the reporting victims but also in the lives of the HCC community as a whole.

The infusion of faith into sexual abuse, particularly when perpetrated by a spiritual leader, decreases the likelihood of disclosure in powerful ways. Dr. Langberg explains, “Spiritual power is yet another kind of power that can be dangerous unless it is exercised in obedience to God. This form of power is used to control, manipulate, or intimidate others to meet one’s own needs or the needs of a particular organization, often by using words cloaked in nice-sounding language and concepts.”¹¹⁶ Numerous witnesses spoke of the high level of authority and control Nelson had at HCC and in the lives of the reported victims, who were under Nelson’s mentorship and spiritual care. There are many reasons why a reported victim of a spiritual leader may not disclose allegations right away, including shame, fear of judgment, and fear of hurting the abuser or causing some kind of disruption. It is also important to recognize that a major goal of grooming is decreasing the likelihood of disclosure. Grooming dynamics, including dynamics of community grooming and victim grooming, are discussed in a later section.

While a faith-based environment presents unique barriers to disclosure, disclosure delay by abuse survivors in all contexts is common. According to recent studies regarding child abuse, “The average age at the time of reporting is about 52 years.”¹¹⁷ Adult sexual abuse also continues to be underreported. Researchers estimate that 25% of sexual assaults were reported to U.S. law enforcement in 2018.¹¹⁸ While the majority of survivors of sexual assault eventually tell someone, disclosure most often occurs weeks, months or years after the assault.¹¹⁹

Additional barriers to disclosure are presented by the gender of the reporting victims and alleged offender. Although inflicting comparable trauma, the dynamics of abuse victimization are different for men than for women. As a result, men are much less likely to disclose abuse than women.¹²⁰ For example, one study of 487 adult male survivors determined an average disclosure delay of 21.38 years, with a full discussion of the abuse not occurring until 28.23 years.¹²¹

Several dynamics contribute to barriers to male disclosure of sexual abuse. Since the experience of abuse “violates masculine norms such as self-protection, many [men] felt weak, frightened, confused, or guilty around the time of the abuse.”¹²² Rather than disclosing abuse and connecting to resources for healing, most boys choose culture-enforced responses such as “toughing it out, being macho, remaining stoic, and handling it themselves.”¹²³ Other dynamics include “difficulty

¹¹⁶ Langberg, Diane. *Redeeming Power*, at 9.

¹¹⁷ See <https://childusa.org/wp-content/uploads/2020/04/Delayed-Disclosure-Factsheet-2020.pdf>; Also see Youth Victimization, Prevalence and Implications, Department of Justice, 2003, Page 11.

¹¹⁸ See US Department of Justice, *Criminal Victimization-2018*, <https://www.nsvrc.org/sites/default/files/2021-04/cv18.pdf>

¹¹⁹ Francis, Loxton and James, The Culture of Pretence, *Journal of Clinical Nursing*, 2016.

¹²⁰ 1in6. "Statistics." 1in6, <https://1in6.org/statistic/> (accessed March 1, 2023).

¹²¹ Scott D. Easton, *Disclosure of Child Sexual Abuse Among Adult Male Survivors*, 41 *CLINICAL SOCIAL WORK JOURNAL* 344-355 (2013).

¹²² Scott D. Easton, Leia Y. Saltzman, & Danny G. Willis, *Would You Tell Under Circumstances Like That? Barriers to Disclosure of Child Sexual Abuse for Men*, 15 *PSYCHOLOGY OF MEN & MASCULINITY* 460, 463 (2013).

¹²³ *Id.* at 463.

trusting others,”¹²⁴ “fear that disclosure [will] lead others to suspect them of becoming a future perpetrator or predator,”¹²⁵ fears of many male survivors “that others would use their abuse experience as evidence of homosexuality,” and reinforces the “additional barrier to disclosure” experienced by boys who “question their own sexual orientation” following abuse by another male,¹²⁶ concerns related to “their own basic safety and security... and physical wellbeing,”¹²⁷ and “fear of unknown consequences” of disclosure.¹²⁸

As discussed in this section, RV1 and RV2 faced numerous barriers to disclosure. Blame placed on RV1 and RV2 for delaying their disclosures, despite their staff positions, shows an ignorance of the long lasting effects of trauma and the ever-reaching tendrils of Nelson’s reported grooming efforts and authority over both the HCC community and the reported victims.

C. Sexual Misconduct

The scope of GRACE’s investigation includes an analysis of reported sexual misconduct by Derek Nelson. Sexual Misconduct¹²⁹ is defined as any verbal, nonverbal and/or physical acts of an immoral, indecent, improper, or sexual nature that are 1) unwelcome or 2) performed without consent or 3) committed by one in a position of authority upon a subordinate or 4) committed by an adult upon someone under the age of 18 regardless of consent.¹³⁰

Each reported victim alleged physical acts by Nelson that were immoral, indecent, improper, and of a sexual nature. Each reported victim reported that Nelson groomed them over a period of years for the purpose of facilitating sexual contact, which was viewed as unwelcome and unwanted by the reported victims. Further, Nelson was in a position of authority over the reported victims.

Additionally, other reports of Nelson’s behavior could be considered evidence of sexual misconduct. The US Department of Justice provided 13 examples of “[a]ctivities that can be sexually arousing to adults who have a sexual interest in children.”¹³¹ Nelson is accused of acts

¹²⁴ *Id.* at 464.

¹²⁵ *Id.*

¹²⁶ Victor I. Vieth, Rita Farrell, Rachel Johnson, Tomiko Mackey, Caiti Dahl, Kathleen Nolan, Robert J. Peters, & Tyler Council, "Where the Boys Are: Investigating and Prosecuting Cases of Child Sexual Abuse When the Victim is Male," Zero Abuse Project (2022).

¹²⁷ *Id.* at 465.

¹²⁸ *Id.* at 465.

¹²⁹ Examples include, but are not limited to, derogatory or indecent statements about a person’s body; slurs, epithets, anecdotes, jokes, or innuendos of a sexual or intimate nature; verbal advances, propositions, or invitations of a sexual or intimate nature; suggestive or obscene gestures or communications; unwanted attention such as leering or staring; “groping” or any unwanted touches of a sexual or intimate nature, adult sexual assault, and sexual abuse of a minor.

¹³⁰ “Without consent” means that consent is not freely given or obtained, and is accomplished through force, intimidation, violence, manipulation, coercion, threat, deception, aggressive come-on, disregard for nonverbal cues of discomfort, or misuse of authority or power.

¹³¹ U.S. Dep’t of Justice, National Sex Offender Public Website, SMART Program. “Get Answers about Sexual Abuse and Associated Risks: Common Questions.” *See*

that bear similarity to 11 of the 13 examples of sexually arousing activities by adults who have a sexual interest in children. These behaviors include: “bathing a child, walking in on a child changing, tickling and ‘accidentally’ touching genitalia, activities that involve removing clothes (massage, swimming), wrestling in underwear, playing games that include touching genitalia, [discussing] sexual development, discussing sexually explicit information under the guise of education, telling... sexually explicit jokes, [displaying] sexually explicit images, and taking pictures of children in underwear.”¹³²

Other reported acts and practices of Nelson cause particular concern. First, Nelson’s reported practice of bathing in a hot tub with unclothed minors suggests conduct that was intimate, improper, indecent, and of a sexual nature. Bathing in a hot tub with unclothed minors presents a setting in which the adult is within close distance of the minors and has a full range of view of the minors bathing with him. These dynamics are increased when numerous minors are present, as the space available between the adult and exposed minors is diminished. Further, minors that participated in this practice spoke of motion sensor lighting that surrounded the hot tub, which would be triggered whenever a minor got up and left the hot tub. This factor not only increased possible visibility of the minors’ nudity, but also had the effect of discouraging the minors from leaving the hot tub due to their fear of exposure and embarrassment.

Further, Nelson’s reported acts of rubbing ointment on a 16 year old’s upper inner thigh and scrotum and “smacking boys in the nuts” during an airplane game initiated by Nelson indicate behavior that is consistent with the tendency of abusers to “desensitize the victim towards sexual contact” and suggests occasions in which Nelson made physical contact with the genitalia of minor boys under the guise of a “helpful,” “accidental,” or “playful” touch. In 1988, one study observed that “75% of intrafamilial and 56% of stranger perpetrators in their sample used accidental touching as a grooming strategy. It was the abuser’s intent that the purposeful touch appears to be an accident.”¹³³ Nelson’s reported application of the ointment appeared to be helping an ailing teenager, but was inappropriate, improper, and indecent given the teenager’s age and capability of applying the ointment himself, and the absence of any familial relationship with Nelson or the licensing of Nelson to provide medical care. Reports regarding Nelson’s “airplane game” demonstrate that the game was viewed by the minor boys as funny and encouraged by their peers and Nelson. The “airplane game” reportedly facilitated Nelson’s contact with the boys’ genitalia, while all were clothed, in a way that seemed playful and fun. Nelson’s reported acts are consistent with grooming tactics utilized by perpetrators.

https://www.americanbar.org/groups/public_interest/child_law/resources/child_law_practiceonline/child_law_practice/vol-34/november-2015/understanding-sexual-grooming-in-child-abuse-cases/

¹³² U.S. Dep’t of Justice, National Sex Offender Public Website, SMART Program. “Get Answers about Sexual Abuse and Associated Risks: Common Questions.” *See*

https://www.americanbar.org/groups/public_interest/child_law/resources/child_law_practiceonline/child_law_practice/vol-34/november-2015/understanding-sexual-grooming-in-child-abuse-cases/

¹³³ Robert J. Peters, Technology-Facilitated Child Abuse, in Robert Geffner, Victor Vieth, Viola Vaughan-Eden, Alan Rosenbaum, Kevin Hamberger & Jacqueline White (Eds), *Handbook of Interpersonal Violence Across the Lifespan* (2020).

Key study was: Spraitz, J. D., & Bowen, K. N. (2019). Examination of a nascent taxonomy of priest sexual grooming. *Sexual Abuse*, 31, 707–728. <https://doi.org/10.1177/1079063218809095>.

Additional tactics of groomers as defined by the US Department of Justice as examples of “[a]ctivities that can be sexually arousing to adults who have a sexual interest in children,”¹³⁴ are “wrestling in underwear” and “taking pictures of children in underwear.” Nelson has been accused of both tactics. Not only is Nelson alleged to have taken pictures of minor boys in their underwear while on a skiing excursion, he is also accused of purchasing matching underwear for minor boys as gifts. Nelson’s conduct in these instances demonstrate Nelson’s condonation and endorsement of behavior disapproved by other leadership, and Nelson’s facilitation of his presence with, and opportunistic photography of, minor boys in a vulnerable and semi-exposed state. Additional grooming tactics relevant to the reports against Nelson will be discussed and analyzed in the following section.

D. Grooming Dynamics

Grooming is the deceptive manipulation of a victim in order to facilitate compliance with sexual abuse and prevent disclosure. Grooming has three goals: create a situation in which the sexual abuse can be more easily enacted; facilitate future acts against the victim; decrease the likelihood of disclosure.¹³⁵ Offenders are known to not only groom victims, but also the community that surrounds the victims. Dynamics relevant to the grooming of the community at HCC and the reported victims will be discussed with pertinent analysis in this section.

1. Grooming the Community

An additional dynamic to grooming is the fact that the offender does not only groom the victim but may also groom the community and institutions that surround the victim. Community grooming has been described as “Where abusers become to the community exactly what is needed, and they help to further positions of authority for themselves so that people will perceive them as trustworthy. Thus, the community believes the abuser has special insight towards children, increasing trust toward the abuser, and decreasing the chance that a child will disclose the abuse and be believed.”¹³⁶

Examples of this dynamic are presented by the following items of relevance:

- Staff members spoke of Nelson’s preferential treatment of boys. When confronted by staff members, Nelson reportedly always had an explanation or ways to make the staff member feel invalidated or misconstrued. Nelson reportedly would excuse his

¹³⁴ U.S. Dep’t of Justice, National Sex Offender Public Website, SMART Program. “Get Answers about Sexual Abuse and Associated Risks: Common Questions.” *See* https://www.americanbar.org/groups/public_interest/child_law/resources/child_law_practiceonline/child_law_practice/vol-34/november-2015/understanding-sexual-grooming-in-child-abuse-cases/

¹³⁵ Georgia M. Winters, Leah E. Kaylor & Elizabeth L. Jeglic (2021): Toward a Universal Definition of Child Sexual Grooming, *Deviant Behavior*, DOI: 10.1080/01639625.2021.1941427.

¹³⁶ Abel, G + Harlow, N (2001). *The Stop Child Molestation book: What ordinary people can do in their ordinary lives to save 3 million children.*

Berliner, Lt Conte Jr. (1990). *The process of victimization. The victim's perspective.* *Child Abuse + Neglect*, Vol. 14, Issue 1, 29-40.

preferential treatment of boys by stating he had parental permission or that he was training the boys for leadership.

- Witnesses spoke of the high level of control and authority Nelson had at HCC. Numerous witnesses attested to the inability of accomplishing anything without Nelson's approval. Concerns were also raised of an inability to register a complaint about Nelson to anyone because of Nelson's control and personality. Reports were also received of Nelson's tendency to micromanage and maintain a high level of control over specific areas of ministry, specifically including youth camps and retreats.
- Nelson's level of authority reportedly allowed him to retain positions of authority he may not have been suited for, such as a role offering pre-marital counseling when Nelson was well known to have a troubled marriage. Nelson's reported statement that time away from family was "life-giving" not only provides insight into Nelson's troubled marriage but also suggests that Nelson was setting an example potentially damaging for those under his mentorship and influence.
- Witnesses spoke of the tendency of Nelson to manipulate others around him. One staff member said, "He's a master manipulator. So he would turn things around. So when you would say something, by the end, your concern, you would feel stupid... So why would you go say something, because what you had to say was dumb."¹³⁷ Another witness described Nelson as the "master spinner" and said, "He is good at this... He could sell things... He just had a way of spinning things."¹³⁸
- A former staff person reported a feeling of owing Nelson a debt for the level of investment Nelson contributed to the staff person, despite believing he was used and manipulated by Nelson. Reported victims described a similar dynamic.
- There was strong indication that Nelson had groomed the elder board, enabling him to gain more control and the opportunity to manipulate without being detected. The effect of the grooming appears to have persisted even after the abuse disclosures. A former elder told one victim to "remember all the good things Derek did for you." Another former elder, in his interview with GRACE, praised Nelson for his discipleship successes. This elder cited one of the victims as an example of Nelson's ability to disciple youth even after knowing that the victim was a victim of Nelson's abuse.

According to Dr. Anna Salter, "The front that offenders typically offer to the outside world is usually a 'good person,' someone who the community believes has a good character and who would never do such a thing. Sometimes if the molestations and rapes are occurring outside the home, they even portray the same image to their family."¹³⁹ GRACE's findings suggest that Nelson contributed benefits to the community through his drive, talent, and charisma, and by doing so, gained a position of authority that seems to have granted Nelson impermeability to

¹³⁷ Witness Interview at 15.

¹³⁸ Witness Interview at 9.

¹³⁹ Anna C. Salter, *Predators: Pedophiles, Rapists, and Other Sex Offenders*, 35 (2003).

complaints and questioning. This high level of control and unaccountability enabled Nelson with the freedom to commit the reported acts of grooming, as discussed in the following section.

2. Six Stages of Grooming Victims

Nelson's conduct with the reported victims was consistent with the six stages of grooming articulated by forensic psychiatrist Michael Welner.¹⁴⁰ Dr. Welner describes and explains the progressive nature of grooming and the six identifiable stages that can culminate in actual molestation. The offenders progress in a slow and deliberate manner over a period of time until a sexual relationship is obtained. The process is such that victims are led and trapped into a place of seemingly willing participation and often continuation. These stages are detailed with relevant analysis below.

Targeting the Victim

In the initial stage, potential victims are selected or chosen through anticipated susceptibility. Age, maturity, and parental status can all be factors.

GRACE received the following reports which are relevant to the targeting stage of grooming:

- Nelson reportedly formed strong bonds with young men, ranging from teenagers to adults.
- RV1 recalls that he was 15 when, as he put it, Nelson "inserted himself in my life very intentionally." According to RV1, Nelson told him, "I always remember having my eye on you."
- RV2 witnessed Nelson facilitate sharing a bed with a minor whose relative had just passed away. RV2 believed Nelson was taking advantage of an emotionally compromised minor.
- A current staff member spoke of Nelson's consistent preferential treatment of the boys, and the fact that he did not "deal" with the girls.

Nelson reportedly focused on boys and young men, formed strong bonds with them, and gave them specialized treatment, trips, and gifts. Nelson's alleged pattern of behavior suggests the targeting of certain young boys and the presence of grooming behavior.

Gaining the Victim's Trust

Offenders observe and identify the needs of potential victims and strategies to fill these voids. Because Nelson was a leader responsible for the victims' safety *and* spiritual leadership, he easily gained access to the victims.

¹⁴⁰ Georgia M. Winters & Elizabeth L. Jeglic (2017) Stages of Sexual Grooming: Recognizing Potentially Predatory Behaviors of Child Molesters, *Deviant Behavior*, 38:6, 724-733, DOI: 10.1080/01639625.2016.1197656

Nelson was reported to be an extremely likable, charismatic, influential, and trusted person by the HCC community and those under his care and mentorship. RV1 reported that Nelson formed an emotional hold over RV1 that continued into adulthood. Nelson was described as having an “in-crowd,” of young men, both teenagers and adults, which joined together regularly for nights of bathing in a hot tub, getting ice cream, seeing movies at the theater, and performing service activities for camp. On numerous occasions, Nelson would reportedly designate a child to share his bed. Nelson reportedly normalized this conduct, made the experience fun for the child, and made the chosen child feel special. GRACE received one report that those boys not within the “in-crowd” felt jealousy and wanted to be a part of Nelson’s group.

Nelson’s reported influence, charisma, and likeability not only fostered the trust of the reported victims, but of their families and support systems. RV2’s wife said, “I’m a mental health counselor... It’s crazy actually when all of this came out, I had just presented on grooming and sexual abuse in my class, and the crazy part of it is I couldn’t even recognize what was happening with my own husband... that just shows just how pervasive grooming and sexual abuse can become. It just weaves itself into the fabric of relationships and it becomes so difficult to see when you’re with someone for so long that you trust.”¹⁴¹

Nelson’s charisma and likeability coupled with his position of authority increased his opportunities to access the reported victims, who trusted him and considered him to be a safe spiritual mentor and role model prior to and during the alleged abuse.

Filling the Need

In this stage, offenders begin to fill the identified areas of need. The abuser is usually someone the child knows well. Dr. Salter said that those closest to individuals “are those with whom they have the most frequent contact and whom they are taught to obey—parents, teachers, religious leaders.”¹⁴²

Multiple witnesses described the strong bond between Nelson and young men under his care. Nelson’s reported statements to RV1 reflect attempts by Nelson to fill areas of need, including, “I see things in you that nobody else sees” and “your parents can’t care for you like I do.” RV2 reported receiving similar comments from Nelson while under the primary authority of Nelson.

Nelson reportedly filled other areas of need for RV1, RV2, and others, both tangible and intangible. Examples include:

- Nelson’s reported devotion of time to RV1 and RV2, including, but not limited to, payment for special trips in expensive hotels; frequent meals reportedly compensated for by Nelson, occasionally at a high price; special attention; and gifts.
- It appears that Nelson created a need by fostering an insecurity in RV1 that he was not a good communicator and unhirable because he was inarticulate and emotionally out of touch. Nelson seems to have purported to fill this need by stating he could help RV1 in

¹⁴¹ RV2’s Wife at 2.

¹⁴² *Predators*, at 229.

those areas. RV1 reported feeling as if he was “the problem” and that Nelson was helping him work through this problem. RV2 reported a similar dynamic.

- Nelson’s reported assistance with hygiene, physical exercise, and medical care, such as being present at times when a minor boy was showering and the report that Nelson applied ointment to a volunteer’s leg and groin area.
- Nelson’s reported occupational influence, which power increased by the level of need of RV1 and RV2, when both were under Nelson’s mentorship and primary authority and seeking ministry opportunities. Statements which evidence Nelson’s occupational influence over RV1 and RV2 include “Nelson was manipulating that desire on my part to share my testimony and do missions and use my gifts.”¹⁴³ and RV2’s statement that Nelson had “a massive amount of authority at HCC” and that “nothing happened at HCC unless Derek signs off on it.” Nelson was also reported to be the only staff person capable of providing advanced employment, and used that zeal and passion “to make [RV2] feel powerless.”
- Nelson would reportedly operate as if, “I put in all this work and did this for you. This would never have happened if it wasn’t for me,” and would make reported victims feel as if they “owed” Nelson as recompense for the areas of need reportedly filled by Nelson.

The offender’s practice of “filling the need” may have the effect of building a strong bond between victim and offender, a view of the offender as opportunistic and necessary to please because of the offender’s ability to provide occupational benefits, and/or a fostering of guilt in the victim and a feeling of obligation to provide recompense to the offender for the areas of need filled. Additionally, the victim’s relationship with the offender relates to the victim’s inability to recognize the acts as abusive, and may pressure the victim to conceal instances of abuse to protect themselves or the offender,¹⁴⁴ as discussed in a previous section.

Isolating the Victim

Offenders begin to use the nature of the relationship to find ways to be alone with the potential victim. It is also in places of isolation that boundaries are tested. An offender can claim innocence if a boundary-crossing behavior results in confrontation knowing that there are no witnesses to the behavior. The risk of safety is greater when isolation is coupled with the victim’s increased state of vulnerability in situations where the victim is asleep or unclothed. When the power of an offender meets the vulnerability of a person in need, the risk that the offender will prey upon the vulnerable is increased by the vulnerable person’s inability to defend themselves against sexual misconduct.

Reports of instances of isolation by Nelson with boys and/or young men include overnight stays in hotel rooms, Nelson’s regular act of sharing a bed with a child or young adult, Nelson’s presence during times where a minor boy was taking showers and Nelson’s arrangement of special trips.

Wade Mullen observed that abusers will dissuade the victim from trusting anyone else. “Isolation is key to the success of abuse: as victims are severed from sources of external help, the abuser

¹⁴³ RV1 at 5.

¹⁴⁴ Jeffrey H. Brickman, *Investigation and Prosecution of Abuse*, 40 (3rd ed. 2004).

ensures that, should the victims ever decide to confront the abuser or appeal for help, no one will be able to hear their call.¹⁴⁵ In regards to both RV1 and RV2, Nelson insisted they confide in him. In one way or another implying that others couldn't be trusted, others wouldn't understand, or others don't value you the way I do.

The positive reputation of reported offenders, the vulnerability of the reported victims, spiritual power, and emotional bonds all make it easier for a reported offender to isolate a victim. Sexual misconduct often happens in isolation, as opposed to in the presence of others, because there is less risk of being caught.

Desensitization of the Victim

As the victim develops a deeper level of comfort and trust, the offender begins to gradually and consistently sexualize the relationship. According to Dr. Salter, sexual offenders “worm their way into” the affections of the victim to manipulate the victim into sexual contact, using “naivety, loyalty, and trust. Giving gifts, showing attention and praise, taking kids for trips—all of these are part of the ‘worming in’ or ‘grooming process.’¹⁴⁶ Physical touching tends to be utilized prior to sexual touching. Nelson’s reported acts of desensitization include:

- Nelson joining in with 16 year old naked boys slapping each other on the butts and snapping towels at each other.
- Another witness reported Nelson’s physical affection with “regular affection, hugs, hand on back, shoulders, tight embrace, even playful joking, tickling, things along those lines.”¹⁴⁷
- Reports of Nelson’s regular practice of bathing in a hot tub with minor boys who were unclothed.
- Reports of Nelson participating and wrestling with the boys and grabbing or touching their genitals, which was viewed at the time as playful.
- Reports of Nelson’s “airplane game” where Nelson would lay a minor boy over his lap, touch their chest, and “smack” their genitalia (while all were clothed).

A reported offender’s grooming act of desensitization of reported victims causes confusion in the minds of reported victims and others, and allows opportunity for the offender to avoid consequences for abuse masked as accidental, playful, or helpful touch or practices designed to accomplish interaction with the reported victims while in a vulnerable state, while exposed or semi-exposed.

Maintaining Control

After the sexual abuse has begun to take place, “offenders commonly use secrecy and blame to maintain the child’s continued participation and silence.”¹⁴⁸ According to Dr. Salter, “The combination of authority and trust enhances the victimizer’s likelihood of success.” Salter

¹⁴⁵ Mullen, *Something's Not Right*, p 74.

¹⁴⁶ *Predators*, at 130.

¹⁴⁷ Witness Interview at 3.

¹⁴⁸ *Id.*

explains that with increased access and control over the victim, “the victimizer can limit... self-protective actions and prevent disclosure.”¹⁴⁹

Nelson was reported to have a tendency to ostracize, isolate, and control the reported victims away from their community, loved ones, and family members. Evidence of controlling behaviors include reported statements by Nelson that “I see things in you that your parents don’t see,” “I see things in you nobody else sees.” An “your parents can’t care for you like I do.” RV1’s wife felt unable to confront Nelson’s controlling nature, as Nelson was her husband’s boss. Nelson’s reported attempts to separate the reported victims from their support system, may be viewed as a strategy of Nelson to facilitate grooming and abuse and avoid disclosure.

Secrecy and blame are key tactics of offenders designed to discourage abuse disclosures. HCC should be aware of this dynamic and the other grooming dynamics listed moving forward.

E. Misuse of Spiritual Authority

Reports against Nelson suggest Nelson’s abuse of spiritual authority. Spiritual abuse is explained by psychologist Dr. Diane Langberg, who said:

Here are two words that should never go together: *spiritual* and *abuse*. It’s a diabolical pairing. The Spirit of God hates abuse, uncovers abuse, and cares for the abused. But we often see spirituality being misused to damage a person created in the image of God. Spiritual abuse involves using the sacred to harm or deceive the soul of another....

A powerful position in a religious context carries inherent spiritual authority. Pastor, priest, elder, Christian school teacher, and youth leader are all positions that invite trust. Their spiritual authority lends credence to words spoken claiming to accurately represent God. A certain character is assumed when, in fact, position may be used to hide character. Remember, Jesus’s strongest rebukes were for those religious leaders who used the words of God to crush and control.¹⁵⁰

Nelson was praised by witnesses as a discipler of young men, and was admonished by witnesses for being controlling and manipulative. One witness observed a “bizarre relationship” between RV1 and Nelson in which RV1 would argue a topic he didn’t personally believe, but was manipulated to support by Nelson. RV1 reported that he now believes Nelson was “manipulating that desire on my part to share my testimony and do missions and use my gifts.”¹⁵¹

Spiritual leadership is often granted to those with charisma and expertise. Dr. Langberg pointed out two qualities of leadership that “Sadly, many of us in Christendom have looked for... in our leaders”: expertise and charisma.¹⁵² Dr. Langberg said,

¹⁴⁹ Investigation and Prosecution of Child Abuse, at 40.

¹⁵⁰ Langberg, Diane, *Redeeming Power* at 126-127.

¹⁵¹ RV1 at 5.

¹⁵² Langberg, Diane. *Redeeming Power*, at 127-128.

The demand for expertise often forces leaders to be defined in terms of their abilities... Charismatic leaders can unify divided bodies, build enthusiasm, and galvanize people to action; they can help people feel optimistic by sending a message that things are going in a good direction... When a leader's powerful presence coincides with a growing church... their followers believe that the leader is the one who has made it all happen. It follows that any attack on or criticism of that leader will not be believed or must be denied. A threat to the leader is a threat to all...When ministry outcomes come to govern the work, tremendous anxiety results--anxiety about sustaining success, anxiety about being discovered a fraud, anxiety that someone else is doing it better... Leaders are often driven to do whatever it takes to make themselves feel better, even if that means using people, substances, or illicit behaviors to alleviate the ever-present anxiety.¹⁵³

Nelson reportedly advanced to a high level of authority as a direct result of his charisma, talent, and drive. Nelson reportedly used his spiritual authority to facilitate premarital pastoral counseling with RV1 and RV2, despite Nelson being well known as having a troubled marriage. Nelson's reported "premarital counseling" included spending the night with each reported victim prior to their wedding for the purpose of preparing them for the marriage bed. Nelson reportedly used his spiritual authority to coerce the reported victims that this was necessary to please their future wives, though they each felt the practice was uncomfortable and unwanted, and sexually abused RV1 and RV2 during these overnight stays. Nelson's reported abuse of RV1 and RV2 and Nelson's relation of the abuse to the marriage bed is especially vile and cruel.

RV2's wife explained the profound traumatic effect the abuse has had on her husband. She also described how damaging the abuse was to them as a couple.. She explained that the actions and topics that Nelson used during his abuse of RV2, have had a traumatic effect on their marital relationship. "I mean obviously, I feel like Derek has just got his little grimy fingers in every aspect of our life."¹⁵⁴

RV2's wife said that she and RV2 "were saving having sex until marriage. That was a religious belief that we wanted to follow. And so we didn't have sex until marriage. And what I think is so atrocious and the audacity of Derek to take advantage of something that is so sacred and use it for his own sexual pleasure is absolutely just... Just the betrayal is so immense and the hurt and the deep... it's also just cruel is what it is. It is absolutely cruel."¹⁵⁵

These reported acts not only caused great harm to the reported victims, but also to the reported victim's wives. Sexual abuse in association with marital intimacy may have the effect of planting a seed in the minds of each spouse of insecurity, confusion, shame, and perhaps a viewpoint of marital intimacy as a traumatic experience.

¹⁵³ Langberg, Diane. *Redeeming Power*, at 127-128.

¹⁵⁴ RV2's Wife at 19.

¹⁵⁵ RV2's Wife at 5.

F. Analysis of HCC’s Knowledge and Response to Allegations

1. HCC’s Initial Announcement to the Congregation

On June 11, 2020, HCC released a video as the initial announcement, to the congregation, regarding the firing of Nelson.¹⁵⁶ In cases of abuse, it is crucial to be transparent and empathetic, the information being shared is provided in a useful and meaningful way. Those conveying the information need to act in a manner that is worthy of trust.

Scripture can be a powerful source of wisdom, direction, and comfort. When sharing these sacred words, content and timing are both essential.¹⁵⁷ Some witnesses conveyed concerns about the tone established by starting the announcement with I Timothy 5:19-21. Rather than Scripture that conveyed care and concern for those who had been hurt, or safety and protection for those who may be vulnerable, this Scripture placed immediate emphasis on church governance. In this instance, the content and timing of the passage chosen for the announcement may have contributed to the sense that the church was more focused on governance roles than on safety and care for survivors and the congregation.

There were two sentences that communicated appropriate concern for the victims. In the second paragraph, HCC stated: “We grieve for the adult victims and recognize their courage in coming forward.” It was good to put the victims first. In the final paragraph, they said, “Highlands family, once again, we ask that you join us in praying for all involved, first and foremost, for the victims and those who have been impacted.” However, other statements tended to minimize Nelson’s actions, express support for his ministry, and to seek to control how congregants process this information. This is most clearly seen when the announcement says the abuse allegedly occurred in the context of an “otherwise fruitful ministry.” Such a comment can easily be seen as saying that “fruitfulness” of the ministry - an accomplishment of the reported offender - is more important than and worth the cost of the abuse survivors allegedly suffered at his hands.

With the victims, abuse survivors and potential victims in mind, describing the victimization they endured as “inappropriate sexual behavior” was both minimizing and sanitizing. The disclosures provided by the victims as well as the admissions by Nelson clearly articulate and describe sexual abuse. It must be called such. The announcement of Nelson’s firing and the strong statement of intolerance of his actions was a strong point. However, the announcement quickly, with brief mention of what is being done to care for and support the victims, turns its focus toward Nelson. In the announcement, almost twice as much time is spent talking about care and support of Nelson and his family as is spent talking about care and support of the reported victims.¹⁵⁸ In addition to the amount of time devoted to each, the choice of wording could convey a deeper connection and relationship with Nelson than the reported victims. While the announcement says the church will be “praying for” and will “support” the reported victims as leadership “grieves,” the announcement goes on to say that they are “heartbroken” for Nelson and his family and will “come alongside them,” a seemingly more intimate form of support. Pain is described as an emotion felt by leadership and Nelson himself; no mention is made of the pain

¹⁵⁶ See Appendix 1 for text of HCC announcement.

¹⁵⁷ See Proverbs 15:23. “A person finds joy in giving an apt reply, and how good is a timely word!”

¹⁵⁸ The transcript of the announcement has 8 lines that address care for the reported victims and 14 lines that address care for Nelson and his family.

the victim's endured or will continue to endure. Additionally, requests that the congregation pray for the reported victims offer few specifics, while requests that the congregation pray for Nelson and his family are specific and include prayer for restoration prior to a clear demonstration of repentance.

When issuing an announcement about abuse allegations, it is important for the church to determine the purpose for the announcement. Determining this can help the church choose content that gives clarity to the intended purpose. Protection of those who are vulnerable and care for those who have been harmed must be the clear focus of this type of an announcement. When leadership released the initial announcement, they spent a good deal of time talking about church leadership, describing the hurt leadership felt and describing how well leadership believed they had responded. This could lead to the appearance that the announcement was intended to generate sympathy for leadership or exonerate and praise their actions. The initial announcement also focused on limiting how people shared information. This could lead to the appearance of damage control at the expense of reported victims or others who may have been harmed, whether the harm occurred at HCC or elsewhere.

The power and influence Nelson was able to obtain during his time at HCC reappears in the announcement by way of a written letter, authored by Nelson. He is given a platform, to speak mostly of himself, his "choices and hidden sin," with no outward apology to the victims for the abuse they suffered at his hand. He clearly looks to evoke compassion and trust by describing his own suffering and going out on a limb to publicly admit to "sin," not abuse. Allowing Nelson to have a voice in this announcement, emphasizing himself, ultimately communicates to the victims he is more valuable than they are. It is worth noting that in Nelson's one paragraph statement he uses the word "I" 12 times; the word "my" 11 times; and "me" once. This is very typical of "apologies" from abusers. These are words more designed to evoke compassion and trust *for the abuser* than concern for the victims.

When utilizing a trauma informed approach to abuse, it is crucial to provide and allow for the congregation, and all involved, to seek peer support. Although the announcement does provide an avenue for communication through the "Elder page" of the HCC website, leadership strictly limits where the congregation and victims can seek support. They ask the congregation only to seek support within the "church community." This can be viewed as a control tactic and prioritizes the church and Nelson, over the support of the victims and the congregation. It can also reinforce shame and encourage judgment should the victims and/or congregation step outside of the church community to seek support from their own personal support network.

This announcement should not only serve as a means to inform the congregation, but should also serve as an open pathway for potential victims to come forward. By making such a bold and unsupported statement that, "at this point we have no reason to think that Derek ever acted inappropriately with minors," leadership may have hindered new victims from coming forward and altered parental inquiries with their children. Additionally, multiple witnesses do allege "inappropriate" behavior with people who were minors when the behavior by Nelson allegedly occurred. Instead of the wording used in the announcement, a call for parents to speak with their children could have better facilitated safety, care, and accountability. A more accurate and effective statement could have been that "currently there are no known minor victims, but we cannot say with certainty that there are none. If you are a minor or an adult who experienced abuse by Nelson or anyone else, please let us or the authorities know."

Finally, HCC leadership at the time of this announcement had not yet learned about all the details from the reported victims about the years of alleged grooming behaviors and more specific details regarding the alleged sexual abuse. However, they did know enough to know that at least two men were reporting being abused as young men while under the supervision and mentoring of their abuser, a longtime HCC pastor. There should have been a direct and unambiguous apology to the reported victims on behalf of HCC and HCC leadership and a recognition that the church failed to protect those under the care of an HCC pastor.

2. Response to Reported Victims

The victims, and their wives, all reported a feeling of isolation and exclusion once their disclosures were made. Some of the isolation could be due to miscommunication due to a variety of reasons. One, the pandemic, certainly played a role in disrupting many relationships. The controversy involving the lead pastor, first the disclosure of the DUI, followed by the disclosures of the misrepresentations surrounding the DUI and culminating in the pastor's departure, certainly was a huge distraction to church leadership and likely led to poor communication with the victims. Finally, a lack of understanding of what the victims and their families were facing resulted in poor communication, even when good faith efforts were made. Though the context was addressing how a coach can effectively communicate with his players, the words of legendary basketball coach Red Auerbach seem to apply to some of the miscommunication: "A good coach will tell you what to do and everything like that. But a great coach will tell what to do in such a way that you'll absorb it and you will react. See, it's not what you say, it's what they hear."¹⁵⁹ HCC leadership failed to consider how their words (and their silence) would be heard by the victims.

However, miscommunication is not a complete explanation for some of the treatment of, and communication with, the victims. Unthoughtful comments from church leaders that, perhaps unwittingly, cast blame on the victims or minimized their abuse experience were extremely hurtful. Also, the silence was equally painful. Both victims spoke movingly about the pain they suffered from isolation from the community they needed most - their church. Each victim spoke about the lack of initiation of help coming from the church. They both expressed gratitude for having counseling paid for, for the support of close friends, and for being granted leave with salary and benefits. However, the victims described the frustration of feeling that any support came only at their request and initiation, and that their requests for financial support were met with the involvement of lawyers, and mediation. One victim said,

For those two and a half years when I was knocked down to the ground and fighting to get up...it would have been great to know I had someone fighting with me. My wife fought very hard through the battle with me, and we came out on the other side.....continually asking for them [HCC] to help us was me fighting for myself. I don't want to fight for myself anymore for this church. I want the church

¹⁵⁹NPR broadcast, 10/23/2006. <https://www.npr.org/templates/story/story.php?storyId=6404926>

to fight for me. They never checked in and asked how I was doing and if they could do anything to help.¹⁶⁰

3. The Importance of Trauma-Informed Principles

GRACE commends HCC for initiating this independent third-party investigation into the allegations against Derek Nelson. This decision is a positive step towards increasing HCC's awareness of the dynamics of abuse and trauma-informed principles. The six principles of trauma-informed practice¹⁶¹ include: 1. *Safety*; 2. *Trustworthiness and transparency*; 3. *Peer support*; 4. *Collaboration and mutuality*; 5. *Empowerment, voice, and choice*; and 6. *Historical, cultural, and gender factors of trauma*. The objective of the six principles of trauma-informed practice is to strengthen the understanding of trauma and trauma-informed practice; to understand the connection between trauma, trauma-informed practice, and faith; and to explore ways faith communities can better reflect an understanding of trauma and trauma-informed practice.

Safety

The first principle of trauma informed practice is *Safety*. Scripture abounds with instruction on safety and protecting children.¹⁶²

HCC's initial response, spearheaded by Lead Pastor 2, was expeditious and purposeful. HCC promoted safety by gathering information and quickly terminating Nelson, thereby cutting off Nelson's contact with vulnerable youth at HCC.

However, reports suggest that over time, HCC leadership failed to ensure safety by failing to act on concerns about Nelson held by many in the HCC community. While reports suggest that Nelson groomed the community of HCC, the administrative environment allowed for Nelson's maintained spiritual authority over staff and children despite knowledge of Nelson's sharing of beds with minors, bathing in the hot tub with minors while the minors were unclothed, photographing minors while they were only wearing underwear, spending time alone with minors, and providing certain minors with special gifts or trips. HCC leadership, under the influence of the authority, control, talent, and drive of Nelson, enabled Nelson to a high position of authority in which his conduct was unaddressed.

A common problem within faith-based organizations is a failure to understand basic dynamics of sexual abuse relating to victims and offenders.¹⁶³ HCC leaders must understand that "Niceness is

¹⁶⁰ RV2 Communications with GRACE.

¹⁶¹ SAMHSA, The Substance Abuse and Mental Health Services Association, has formulated six principles of trauma informed practice that prescribe to best practice standards. More information can be found at https://ncsacw.acf.hhs.gov/userfiles/files/SAMHSA_Trauma.pdf.

¹⁶² eg. Ezra 8:1 (Fast seeking safety); Psalm 82:3-4 (Justice to the weak); Proverbs 22:3 (Wise person protects from coming danger); Mark 10:14 (Suffer the little children); Titus 1:7 (Faith leaders cannot be violent).

¹⁶³ Janine Betz, Analysis of Child Abuse Training at Accredited Seminaries, unpublished research, Gundersen National Child Protection Training Center (2015). (According to a 2015 study of the course catalogues of every

a decision... a strategy of social interaction; it is not a character trait.”¹⁶⁴ Well known psychologist and author Dr. Anna Salter explains that deception and secrecy are “the lifeblood of sexual aggression.”¹⁶⁵ Appreciating, therefore, the danger of offenders is even more important for Christian organizations¹⁶⁶ because “[i]t is precisely our lack of knowledge and understanding that gives predators their edge.”¹⁶⁷

Believing that a person we know is capable of sexual misconduct is usually difficult to accept. As ugly as these realities can be, pursuing truth through education about abuse¹⁶⁸ and offender dynamics is one of the best and most important ways we can protect our congregations and ourselves. Educating all demographics of the church body about the dynamics of abuse and the dangers of how offenders operate must be a top and ongoing priority for institutions that serve the vulnerable. Churches that communicate proactively with the wounded, and are vocal about the realities of abuse by addressing it transparently through education, sermons, support, and care for survivors are communicating a clear message: your pain is not too much for us to bear.¹⁶⁹

Additionally, the circumstances surrounding the pressured disclosure by RV1 and RV2 to staff presented a lack of attention to the psychological safety of the reported victims. RV1 and RV2 were reportedly encouraged by Lead Pastor 2 to believe that a disgruntled leader would identify them if Lead Pastor 2 did not disclose his DUI arrest and if an independent investigation of Nelson was not initiated. Lead Pastor 2 emphasized the need to get everything out in the open. RV1 and RV2 were given short notice of a staff meeting regarding the same, and understandably felt pressured to reveal themselves as reporting victims of sexual misconduct by Nelson. During this meeting, according to witnesses, Lead Pastor 2 reportedly “painted himself as a victim.” Commingling the disclosures of sexual misconduct by reported victims with the criminal act of driving under the influence is inappropriate and may suggest that the bad actor convicted of a DUI deserves equal treatment, attention, and sympathy as the reported victims of sexual misconduct by a prominent leader, or may suggest a damaging viewpoint of the reported victims as “bad actors” who were “owning up to something,” as Lead Pastor 2 was.

Additionally, Lead Pastor 2 compromised RV1’s psychological safety by delivering RV1 a letter to read during his time off to focus on healing and restoration. Lead Pastor 2 reportedly

accredited seminary in the United States, researchers found only 3% of seminaries had a focused course on child maltreatment).

¹⁶⁴ Gavin D. Becker, *The Gift of Fear* (1997).

¹⁶⁵ Anna Salter, *Predators, Pedophiles, Rapists and Other Sex Offenders: Who They Are, How They Operate, and How We Can Protect Ourselves and Our Children*, 2003.

¹⁶⁶ *Id.*

¹⁶⁷ *Id.*

¹⁶⁸ According to various studies, approximately 9% to 16% of boys in the United States are molested before they reach the age of 18. See Badgley (1984); Salter (1992); Timnick (1985a; 1985b). Lawson and Chaffin (1992) reported that 57% of children who were interviewed by hospital staff after finding STDs failed to disclose that they had been sexually assaulted.

¹⁶⁹ Rachel Denhollander states, “Survivors of abuse desperately need our response to reflect this aspect of biblical truth. As survivors of abuse are seeking to know if the evil they experienced is seen and believed, desiring to know what it matters, evangelicals can answer with a resounding “Yes!”—pointing to the cross, where God incarnate suffered, and saying “This is how much it matters.” Rachael Denhollander, *Justice: The Foundation of a Christian Approach to Abuse*, FATHOM (Nov. 19, 2018)

<https://www.fathommag.com/stories/justice-the-foundation-of-a-christian-approach-to-abuse>.

encouraged RV1 to read the letter “When you feel like you've processed everything you need to, you've got all the tools you need to be healthy.” This reported statement displayed a lack of understanding the effects of sexual abuse and trauma, and assumed that a few weeks time would effectuate RV1’s healing. While the letter contained prayers for RV1’s well being and other sentiments, the letter also contained reference to the abuse and an attack on RV1’s doctrinal stance. The letter demanded compliance with the doctrinal practice, or the resignation of RV1. Regardless of HCC’s doctrinal stances, this communication from an HCC pastor disregarded RV1’s psychological safety during a time dedicated to healing and restoration.

The disclosure of sexual misconduct can be, and often is, a retraumatizing experience. RV1 and RV2 displayed a lack of psychological safety at the meeting through their expressions that it was a mistake to disclose their identities during this meeting and RV2 felt pressured to do so.

It is important that safety be defined by the needs of those ministered to by HCC. According to SAMHSA, the goal of the safety principle is that “throughout the organization, staff and the people they serve, whether children or adults, feel physically and psychologically safe; the physical setting is safe and interpersonal interactions promote a sense of safety. Understanding safety as defined by those served is a high priority.”¹⁷⁰

Regarding interpersonal interactions, HCC should prioritize the psychological safety of those they minister to through careful attention to any preaching or discussion surrounding discipline, abuse, sex, blame, the impact of sex on connection and attachment, the risk of ongoing abuse, and the response to known sexual offenders.

Trustworthiness and Transparency

The second principle of trauma informed practice is *Trustworthiness and Transparency*. Scripture encouraging trustworthiness and transparency includes Genesis 37 (Joseph and his brothers), Exodus 20:16 (false witness), Proverbs 10:9 (walk in transparency), Ephesians 4:25 (speak the truth as members of one body), and Colossians 3:9-10 (don’t lie).

Nelson’s statement to the congregation admits to “choices and hidden sin,” but does not offer an apology to the reported victims or other ownership to his actions. Nelson also demonstrated a lack of ownership in his email to GRACE, “I have not found it beneficial to ‘publicly’ defend myself against misinformation, disgusting social media and blog attacks and a one sided narrative. I have focused on taking personal responsibility for what is true whenever possible, working on me, my relationship with God, and my family.”¹⁷¹

True repentance, Psychologist Diane Langberg counsels, is demanding, difficult and takes time:

Repentance is hard. It means a complete change of our thought processes, our impulses and choices, little by little – over and over yet again. It is not simply stopping a behavior. It is not words and tears. It is a slow undoing of deceptions – deceptions that allow us to

¹⁷⁰ See https://ncsacw.acf.hhs.gov/userfiles/files/SAMHSA_Trauma.pdf.

¹⁷¹ Email from Derek Nelson to GRACE, December 19, 2022.

feel okay about ourselves. It is however the path that follows Christ, whose central focus and motive was to always please the Father – no matter the cost. He invites us to come.¹⁷²

As mentioned previously, HCC’s announcement to the congregation regarding the allegations against Nelson reflected careful attention to the care and support of Nelson and his family, support for Nelson’s ministry, and the inclusion and implied endorsement of Nelson’s statement. HCC’s announcement described the disclosures of RV1 and RV2 as “inappropriate sexual behavior,” which does not accurately reflect the disclosures and indicates a lack of transparency of HCC with the congregation.

Further, an announcement to the congregation dated June 11, 2020, stated “We additionally recognize that you, as part of our church will be impacted to varying degrees by this difficult news. Derek’s actions have caused broken trust, that will take time to heal,” and “For the protection of the victims, Derek’s family, and the church, we ask that you not share this information outside the church community or on social media.” This announcement fails to take accountability for the actions of HCC leadership that allowed promotion of Nelson to a high level of authority and allowed his impermeability to reports of misconduct. This announcement also fails to offer congregants with support options other than through HCC leadership, lacks a call for information, and ignores the possibility that the congregation may not trust HCC leadership.

On September 15, 2022, the new Elder Board released a letter to the congregation. This letter followed the announcement on September 9, 2022, that the investigation was resuming. Several changes are noted in this letter from the initial announcement that was made in 2020. The overall tone appears more humble and more focused on caring for victims and other survivors. The Elders list several concrete steps they intend to take, which creates a level of both transparency and accountability. The letter, including the steps they commit to take, reflects Scriptural and trauma-informed principles more closely than the initial announcement.

While several elements of the September 15 letter show potential growth and learning on the part of leadership, some concerns remain. In the introductory paragraphs, they acknowledge the pain “many have experienced.” While it is good to acknowledge the pain, the letter at this point does not acknowledge the role that the actions of people representing HCC played in causing or intensifying that pain. This could be perceived as not accepting responsibility for potential harm, and that is emphasized as the letter says that leadership could have done a better job, rather than that they should have done a better job.

The letter includes a section dedicated to “Our Shepherding of Women.” In this section, HCC acknowledges that they have not adequately addressed the risks¹⁷³ associated with their

¹⁷² *Id.*

¹⁷³ All beliefs have risks. Identifying risks does not require a church to change their beliefs, but it does call that church to take proactive steps to mitigate the risk, whether that risk is inherent in the belief or is present because of potential misapplication of that belief.

complementarian view of the role of women. In acknowledging this, the letter uses language that seems to minimize the impact and significance of the impact their actions had on the church.

While saying they “failed at times” and have “not always” adequately addressed this risk seems to minimize the significance of the matter, a simple statement that they “failed” or “did not” adequately manage these risks could have more effectively conveyed HCC’s understanding that the experience of women in the church is important.

HCC should conduct its decision making with transparency, as this will promote a maintained trust of HCC leadership within the congregation and others ministered to by HCC.

Peer Support

The third principle of trauma informed practice is *Peer Support*.¹⁷⁴ Research is clear that one of the biggest factors contributing to resilience after trauma is supportive relationships. Trauma-informed practice seeks to strengthen relationships, and thereby peer support, in several ways. These strategies are based on the idea that peer support can derive from most people in someone’s network of relationships, including family, friends, faith communities, neighborhoods, coworkers, classmates, and others who may be in the person’s life. Often, the strongest source of peer support comes from others with similar experiences. Facilitating peer support involves helping the person identify who might be in a supportive relationship in their life, enhancing the skills to access support without exhausting the source or developing over-dependence, and helping the people in that person’s life to be the needed support.

GRACE received a report of elders responding “Biblically” and not “Pastorally” towards the reporting victims after disclosure, and were described as not providing shepherding to the reported victims. Biblical practices include shepherding and caring (e.g. 1 Peter 5, “Shepherd the flock of God which is among you”; Acts 20, “take heed to yourselves and to all the flock, among which the Holy Spirit has made you overseers.”) Further, complications arose from concerns over legal liability and potential and actual litigation, which seem to have negatively affected HCC’s level of care and support for the reporting victims. A current HCC elder, prior to becoming an elder, told GRACE, “We’ve entrusted our kids to this broken individual (Nelson) and we are grief stricken because it’s like we skipped due diligence.”¹⁷⁵ The HCC elders, in their 2020 communications, did not convey that same level of grief nor sense of having failed in what they had been entrusted with. According to RV1, RV2 and their wives, the elders (with a couple of splendid exceptions) did not shepherd them through a very difficult time.

Additionally, interviews with several in HCC leadership indicate little remorse by many for how the allegations were handled, and a little shock or regret that Nelson was entrusted by them and reportedly abused his authority. One former elder stated that “there is a fine line between discipleship and grooming.” This statement fails to recognize that the differences between

¹⁷⁴ Scripture encouraging peer support includes Proverbs 17:17 (a brother is born for adversity), Proverbs 27:17 (iron sharpening iron), Ecclesiastes 4:9-12 (two are better than one), Galatians 6:2 (bear one another’s burdens), and 1 Thessalonians 5:11 (encourage and build up one another).

¹⁷⁵ Witness Interview at 11.

discipleship and grooming are vast and fails to take accountability for the position of leadership the elders elevated Nelson to. Further, the same elder presented one of the reported victims as an example of a discipleship success by Nelson, after having knowledge that the individual disciplined was a reported victim. This concept fails to consider that Nelson's grooming tactics were wrong, and conveys that Derek's conduct towards the reported victim was commendable rather than abusive. Obviously, grooming is designed to appear as healthy, normal attention towards the victim. However, its purposes are manipulative and abusive. To suggest a fine line separates proper discipleship from grooming is to miss the whole point of both discipleship and grooming. Langberg, in advising how the church should respond to abusers, reminds us of the damage abuse causes and the added damage that "cheap grace" can cause:

To abuse a vulnerable child (or adult) is to alter the course of their life. The shape of their life and their sense of self has significantly changed. Those heinous actions are spillage from the heart of the abuser and exposure of the cancer deep within. When the church shows "grace" in response to a few approved words and some tears, we have done added damage to the victim, risked the safety of other sheep and left the abuser with a disease that will rot his/her soul.¹⁷⁶

According to SAMHSA, "Peer support and mutual self-help are key vehicles for establishing safety and hope, building trust, enhancing collaboration, and utilizing their stories and lived experience to promote recovery and healing. The term 'Peers' refers to individuals with lived experiences of trauma, or in the case of children this may be family members of children who have experienced traumatic events and are key caregivers in their recovery. Peers have also been referred to as 'trauma survivors.'"¹⁷⁷ HCC should work towards increasing peer support within its community, should designate individuals with direct access to the elders as individuals available to receive reports of misconduct or boundary violations, should consider offering outside support to those harmed, and should make reporting protocol and support options known to all within its community.

Collaboration and Mutuality

The fourth principle of trauma informed practice is *Collaboration and Mutuality*. Scripture encouraging collaboration and mutuality includes Proverbs 11:14 (the abundance of counselors bring safety), Ecclesiastes 4:9-12 (two are better than one), Romans 12:4-6 (one body with many members), and Ephesians 4:16 (each part working properly builds the body in love).

Witnesses spoke of the collaboration of Nelson with an "in-crowd" of young boys. This dynamic contributed to a feeling reported by women in the community, who said Nelson reinforced the church's larger culture of females being "second class citizens in the kingdom of heaven." Further, as previously mentioned, Nelson's level of authority and impermeability to complaints produced an environment in which collaboration on matters of sexual misconduct was not had, and left unaddressed. Leadership at HCC must collaborate with each other, recognizing that no one leader will have all the wisdom or all the skills needed to effectively respond to misconduct.

¹⁷⁶ <https://www.dianelangberg.com/2020/01/how-should-the-church-respond-to-abusers/>

¹⁷⁷ See https://ncsacw.acf.hhs.gov/userfiles/files/SAMHSA_Trauma.pdf

HCC could benefit from incorporating underrepresented individuals in their leadership and/or trauma response team, including women, survivors of abuse, and young adults. SAMHSA states, “Importance is placed on partnering and the leveling of power differences,” and that the power differential of leadership to those ministered to should demonstrate “that healing happens in relationships and in the meaningful sharing of power and decision-making.”¹⁷⁸

Other steps that can be taken to promote collaboration and mutuality include collaboration with the child, survivor, parent/caregiver, or survivor advocate; collaboration with others in HCC’s faith community and other leaders; and collaboration with others in the child protection system. Collaboration with these groups should be sought out before support is needed.

Empowerment, Voice and Choice

The fifth principle of trauma informed practice is *Empowerment, Voice and Choice*. Scripture encouraging this principle includes Psalm 103:5-6 (God supports the oppressed), Proverbs 14:31 (oppressing the vulnerable insults God), Isaiah 58:6-7 (God desires us to free and empower the oppressed), Luke 4:1-13 (Jesus tempted in the wilderness), and Philippians 2:6-7 (Jesus did not grasp power).

The goal of this principle according to SAMHSA is that throughout the organization, “individual’s strengths are recognized and built upon,” “the organization fosters a belief in the primacy of the people served, in resilience, and in the ability of individuals, organizations, and communities to heal and promote recovery from trauma. The organization understands that the experience of trauma may be a unifying aspect in the lives of those who run the organization, who provide the services, and/or who come to the organization for assistance and support,” and “organizations understand the importance of power differentials and ways in which clients [in this case, congregants], historically, have been diminished in voice and choice and are often recipients of coercive treatment. Clients [Congregants] are supported in shared decision making, choice, and goal setting to determine the plan of action they need to heal and move forward. They are supported in cultivating self-advocacy skills. Staff are facilitators of recovery rather than controllers of recovery. Staff are empowered to do their work as well as possible by adequate organizational support. This is a parallel process as staff need to feel safe, as much as people receiving services.”¹⁷⁹

GRACE received reports that the reported victims were instructed not to disclose their identities to others initially and not to inform others that the reported victims of Nelson were male. This instruction denied the reported victims a voice and disabled them from connecting with their support systems.

As mentioned above, the circumstances surrounding the pressured disclosure by RV1 and RV2 of the abuse they experienced with Nelson presented concerns of psychological safety of reported victims at the time of disclosure. Additionally, these circumstances present the failure of certain HCC leadership to provide the reported victims with a choice and empowerment as to the manner in which they voiced their disclosures of sexual abuse by Nelson.

¹⁷⁸ See https://ncsacw.acf.hhs.gov/userfiles/files/SAMHSA_Trauma.pdf.

¹⁷⁹ See https://ncsacw.acf.hhs.gov/userfiles/files/SAMHSA_Trauma.pdf.

Further, the strains of the mediation process limited the reported victim's voice, empowerment, and choice. Priority should have been given to the care and support of the reported victims, rather than risk management.

Cultural, Historical, and Gender Factors

The final principle of trauma informed practice is *Cultural, Historical, and Gender Factors*. Scripture encouraging this principle includes Leviticus 19:33-34 (treat the sojourner equally), Luke 4: 18-21 (Jesus was the fulfillment of care for the historically oppressed), and 1 Corinthians 9:22 (All things to all people). SAMHSA states that the goal is for “The organization actively moves past cultural stereotypes and biases...; offers access to gender responsive services; leverages the healing value of traditional cultural connections; incorporates policies, protocols, and processes that are responsive to the racial, ethnic and cultural needs of individuals served; and recognizes and addresses historical trauma.”¹⁸⁰

HCC should recognize that Derek Nelson, a tenured leader with a high level of influence, is reported to have inflicted significant trauma and damage to reported victims and the HCC community alike, and that these events will have a lasting impact on HCC's culture and history. Christian professor and philosopher James K. A. Smith, quoted William Faulkner's famous line (“The past is never dead. It's not even past.”¹⁸¹) before observing that, “Our past is not what we've left behind; it's what we carry.”¹⁸² GRACE commends HCC for promoting attention to the past and for expressing desire to learn about abuse and abuse prevention by initiating this independent investigation. However, HCC should be aware that the pursuit of healing may require significant time and effort.

HCC has been informed by a third party consultant that its “Bow-tie” leadership structure contributed to the culture's enabling of Nelson with a high level of authority and power, which he reportedly utilized to abuse the reported victims. Wade Mullen said, “Organizations and communities must change the broken systems that have allowed for abusive situations if they are to be a fortress of truth, not lies, and a shield to its members, not a threat. This usually only happens with new leadership that is able and willing to establish or reestablish appropriate boundaries and change the culture so that boundary-crossing is not permitted and truth-telling is invited.”¹⁸³ HCC has taken a positive step towards changing the administrative culture by completing a full turnover of the elder board in August of 2021, and establishing term limits.

GRACE recommends that HCC leaders consider making structural changes that embody the six principles of trauma informed practice. By doing so, HCC will promote an environment that is both physically and psychologically safe for those ministered to.

V. RECOMMENDATIONS

¹⁸⁰ See https://ncsacw.acf.hhs.gov/userfiles/files/SAMHSA_Trauma.pdf.

¹⁸¹ Faulkner, William, *Requiem for a Nun*.

¹⁸² Smith, James K.A., *How to Inhabit Time*.

¹⁸³ Mullen, Wade. See <https://wademullen.substack.com/p/renegotiated-boundaries>.

The following recommendations are designed to provide options to HCC as they move forward in recognizing, preventing and responding to abuse.

A. Addressing the Past

1. GRACE recommends that, within the conditions of any court rulings, arbitration or mediation, HCC provide generous funding to assist any reported victims of Derek Nelson. GRACE recommends that this also include any past therapy costs that a reported victim paid.
2. GRACE recommends that the leadership of HCC develop a comprehensive plan that demonstrates sincere repentance to the reported victims, those who were hurt by HCC's response to the sexual misconduct allegations, and to the full congregation that includes but is not limited to the shortcomings of leadership mentioned in this report and the effects caused by those shortcomings.
3. GRACE commends HCC for hosting a service of lament in May 2021. GRACE recommends that HCC host an additional service of lament related to the sexual misconduct and pain addressed by this investigation. A service of lament can be an opportunity for prayer and for honoring those who chose to come forward with their stories.

B. Addressing the Present

1. GRACE recommends that HCC collaborate with RV1 and RV2 to determine the best plan for further communication and distribution of this report.
2. GRACE recommends that HCC share relevant and appropriate information from this report directly with other organizations where HCC believes Derek Nelson may have had any type of position of authority over children, youth, young adults, or others who are vulnerable.
3. GRACE recommends that HCC review and update its safeguarding policies. This may be best accomplished through collaboration with a safeguarding policy expert who understands the call of the Church to safeguard children and the vulnerable. GRACE further recommends that these policies be clearly communicated to the broader congregation on a regular basis. Specific areas to address include:
 - Child safeguarding policies for all ages, birth through 17.
 - Adult safeguarding policies for all adult ages
 - Response to alleged offenders who are minors
 - Three avenues of alleged/suspected abuse or misconduct: observed, reported, suspected
 - The need and procedure for reporting to police, child protection, and/or other relevant civic authority
 - Clear methods of accountability
 - Method to train all congregants on the policy and how congregants can report possible policy violations

- Definitions of and ways to effectively address conflicts of interest and dual relationships
- Guidelines for determining when to involve an independent third party for an investigation
- When to inform parents of alleged misconduct or abuse involving their child, whether as an alleged victim or alleged perpetrator
- Clear boundary limitations that create a buffer between the boundary violation and more tangible actions of abuse

Specific policy considerations related to this Independent Investigation include

- Shared accommodations
 - Sleeping arrangements
 - Touch
 - Travel
 - Gifts
 - Providing rides
 - Methods and considerations for public announcements
 - HR guidance for termination due to alleged misconduct
4. GRACE recommends that HCC review training for all staff and volunteers to assure it incorporates and provides annual updates on:
- The use and abuse of power
 - Grooming, boundaries, and misconduct
 - Understanding, identifying, and responding to issues related to abuse, perpetrators, and victimization
 - Internal and external reporting requirements

Specific training topics related to this Independent Investigation include

- Grooming of individuals and communities
 - Congregational care following community-level adverse events, including allegations of misconduct
5. GRACE recommends that HCC develop policy that clearly identifies reporting requirements when a HCC leader receives a report of alleged or suspected abuse.

C. Addressing the Future

1. GRACE commends HCC for commissioning in late 2020 an independent party to conduct a ministry assessment of the church and for implementing certain changes in light of the assessment. GRACE recommends that HCC further their review by conducting an evaluation of the implementation of those changes and determine 1) how best to assure safety and accountability within current governance structure; and/or 2) how to adjust governance structure, consistent with theological beliefs, to facilitate safety and accountability. This analysis will be most effective if conducted by an independent third party that is able to assess both policies and culture throughout HCC.
2. GRACE recommends that the entire HCC community receive ongoing training and education on issues related to abuse recognition, prevention, and response. Additional training may include:
 - Shepherding congregations through announcements of alleged misconduct

- Ways Scripture has been used to justify abuse or a poor response to abuse¹⁸⁴
 - Implementation of trauma-informed principles in faith communities¹⁸⁵
 - Understanding and addressing the spiritual impact of abuse
 - Grooming
 - Use and misuse of power
3. GRACE recommends that leaders within HCC's childrens and youth ministry receive additional training regarding safeguarding and abuse.¹⁸⁶
 4. GRACE recommends that HCC develop a Safeguarding team that will:
 - Include at least one survivor of sexual abuse.
 - Include women.
 - Facilitate a support ministry for survivors of sexual abuse.
 - Work with abuse experts¹⁸⁷ in developing safeguarding policies and response protocols for the church that satisfy best practice standards.
 - Conduct annual audits of the safeguarding policies and response protocols, and revise as needed.
 - Facilitate ongoing safety training for children and adults.¹⁸⁸
 - Play a central role in responding to reported safeguarding policy violations.
 - Develop relationships with community partners who work in the field of addressing issues related to adult and child maltreatment.
 5. GRACE recommends that HCC determine protocols for reporting suspected abuse or misconduct, and equip the Safeguarding Team with the necessary resources and support to fulfill their mission statement. All church members, guests, staff, and volunteers should frequently be made aware that all policy concerns should be reported to the Safeguarding Team.
 6. GRACE recommends that HCC consider engaging with a leadership coach to work with the full leadership team to identify underlying dynamics related to power, understanding of leadership, and other factors that can contribute to a healthy leadership culture
 7. GRACE recommends that HCC consider adopting or developing a baseline standardized format for pastoral counseling that is shared with people receiving pastoral counseling. This format should address areas such as boundaries, location, limits and expectations, when to collaborate or refer to additional support, use of peer consultation, grievance procedure, and other factors that may impact the integrity and effectiveness of pastoral counseling.

¹⁸⁴ For example, Singer, P. & Potvin, J. (2022, June 9). Twisted Scripture: Theological Beliefs Commonly Used to Justify Violence Toward Children. [Conference Presentation]. 29th APSAC Colloquium: Celebrating Resilience, New Orleans, LA, United States. <https://www.apsac.org/colloquium>

¹⁸⁵ For example, Singer, P. (2021, November 5). A Trauma-Informed Church: Equipping Faith Communities to Prevent and Respond to Abuse. [Conference Presentation]. 18th Annual Seminar in Forensic Sciences, South Padre Island, TX, United States. <https://fsseminar.com/>.

¹⁸⁶ Examples include Safeguarding training through GRACE (www.netgrace.org), Keeping Faith (2-day virtual training presented by Zero Abuse Project. www.zeroabuseproject.org), etc.

¹⁸⁷ Experts may include GRACE, Zero Abuse Project, local Children's Advocacy Center, etc.

¹⁸⁸ This may be facilitated by experts from organizations such as the local Children's Advocacy Center, Zero Abuse Project, etc.

8. GRACE recommends that HCC consider implementing regularly scheduled peer review of pastoral counseling.
9. GRACE recommends that HCC assess expectations of pastors and other leaders and explore options for helping pastors and other leaders set healthy boundaries on time.
10. GRACE recommends that HCC adopt or develop a pastoral code of ethics¹⁸⁹ and formal methods of leadership accountability, including accountability from leaders outside of HCC.
11. GRACE recommends that HCC develop a plan to assure this incident remains in its institutional memory, which may help decrease the likelihood of a similar incident in the future.
12. GRACE recommends that HCC adapt its practices to promote a multi-generational and family oriented ministry which includes parents and older adults in youth ministry activities. Baptisms and other sacramental and pivotal experiences should not be conducted away from family and parents, which may contribute to unhealthy attachments or missed opportunities to strengthen relationships between the youth and their parents.
13. GRACE recommends that HCC review its teaching and theology for possible risks related to abuse and misconduct. GRACE further recommends that HCC proactively address those risks¹⁹⁰
14. GRACE recommends that HCC explore ways to limit the risk that having predominantly male leadership presents for missing important gender-related considerations and insights.¹⁹¹
15. GRACE recommends that HCC assure that teaching on sensitive topics such as sexuality and abuse always includes multiple teachers and leadership oversight.
16. GRACE recommends that HCC explore its culture related to gender and address any concerns this exploration reveals.
17. GRACE recommends that HCC regularly teach and preach about abuse and power¹⁹²
18. GRACE recommends that HCC develop a plan to address the possibility of additional reported victims coming forward in the future.¹⁹³

¹⁸⁹ Examples include

<https://www.nae.org/code-of-ethics-for-pastors/#:~:text=Be%20honest%2C%20not%20exaggerating%20or,in%20personal%20care>. and <https://www.christianethicstoday.com/wp/resources-2/code-of-ethics/>. While both examples have limitations, they can form a good starting point.

¹⁹⁰ All beliefs, including accurate beliefs, have risks. The purpose of this recommendation is not to argue for a change in teaching or belief, but to encourage an exploration of possible unintended consequences of belief, ways beliefs can be misunderstood or misapplied, and ways beliefs can be intentionally misused, so that HCC can then proactively address those risks.

¹⁹¹ All beliefs and practices have some level of risk. The risk does not automatically mean that the belief or practice is wrong, but it does mean that the individual or organization adopting the belief or practice should assess the risks and take proactive steps to mitigate those risks to the degree possible.

¹⁹² While such teaching and preaching needs to occur throughout the year, many churches participate in efforts such as Children's Sabbath in October (<https://www.childrensdefense.org/childrens-sabbath-celebration/>) and Blue Sunday in April (<https://www.bluesunday.org/>).

¹⁹³ While the several steps that GRACE took to identify additional reported victims did not lead to the discovery of additional reported victims, research on abuse reveals that disclosures are often delayed by decades, and this delay may be longer when the reported victim is male.

19. GRACE recommends that HCC develop a list of trusted abuse-related referral and consultation options in the broader community, including mental health care, physical health care, basic needs, and more.

APPENDIX

APPENDIX A

Transcription of “Difficult News from Highlands Community Church” Announcement on June 11, 2020

Speaker 1:

First Timothy 5:19-21: "Don't accept an accusation against an elder unless it is supported by two or three witnesses. Publicly rebuke those who sin so that the rest will be afraid. I solemnly charge you, before God and Christ Jesus and the elect angels, to observe these things without prejudice, doing nothing out of favoritism." It is in light of this solemn charge straight from scripture that we speak to you publicly today. Highlands family, we have some difficult news to share with you. Please ready your hearts for what you're about to hear...

Speaker 2:

We have prepared a statement regarding the termination of Derek Nelson's employment at Highlands, which [Speaker 1] will now share with you.

Speaker 1:

Within the last two weeks, Highlands' leadership was made aware of accusations of inappropriate sexual behavior committed by Derek Nelson against multiple adults. The very minute we were approached with this information, we took action. The accusations have been investigated and confirmed to be accurate, including by Derek's own admission. Immediately upon confirmation that the accusations were true, Derek Nelson's employment at Highlands was terminated. As a church and as an organization, we will not tolerate sexually inappropriate behavior committed by staff.

We grieve for the adult victims and recognize their courage in coming forward. Please join us in praying for them. We'll be doing everything we can to provide them with ongoing care and support, including professional counseling, independent from Highlands. We also recognize that Derek and his family will have a difficult and painful road ahead. We're heartbroken for them. We likewise come alongside them and we're providing them with independent professional counseling and all the support and care that we can. Please pray with us for each of them. For Derek, we pray specifically in Jesus' name that spiritual restoration would one day be possible. Because we love Derek and his family, the hurt runs deep.

We additionally recognized that you, as part of our church, will be impacted to varying degrees by this difficult news. Derek's actions have caused broken trust, and that will take time to heal. We're here for you as you process this news and as you grieve. Our prayer for you is that his sinful actions in the midst of otherwise fruitful ministry would not stain your view of God's holy and perfect word. There is hope and healing for all found only in Jesus, both for Derek and for you and me.

Speaker 2:

Thank you, [Speaker 1].

At Derek's request, we have agreed to share a message that he has written to our church family, which you can read below this video.

“I was recently confronted about some choices and hidden sin in my life that I have since confessed to, and take responsibility for. I am embarrassed and ashamed. Because of these choices, and my lack of accountability and the biblical qualifications for my position, I will no longer be part of the staff at Highlands.” Derek went on to say: Words can't express my heart for this church and the people who have shaped my life and that I've served with. Highlands has been my home and family and has a beautiful future. I am devastated, and incredibly sorry for my sin. I ask for your forgiveness for not being above reproach. I covet your prayers for me and my family as I focus on clinging to the hope and healing that is only found in God's Word and rebuilding trust in relationships I've damaged because of this. I pray by His grace, I will personally experience the depths of God's love and redeeming work over time in my life moving forward and see God use this painful season for His glory.” - Derek Nelson

As you process all this in the coming days, you will likely have some additional questions. In order to protect the adult victims, we are limited in what we can share. However, we will be making an FAQ section available, which should address some of the questions you have. In addition, we welcome you to submit your questions to our Elder Board, using the form on the Elder's page of our website. For the protection of the victims, Derek's family, and the church, we ask that you not share this information outside the church community or on social media. Our pastoral team is here for you as you process this news and grieve.

Speaker 1:

Highlands family, once again, we ask that you join us in praying for all involved, first and foremost, for the victims and those who have been impacted. Pray also for the hearts of those who may hear this news and call their very faith into question. Even in the midst of this trial, we believe that God will build his church, and the gates of hell will not stand against it. Highlands Community Church family, we love you very much.

FAQ'S

Are we aware of any victims who were minors?

No. The victims who have come forward were adults when the sexually inappropriate behavior occurred. There have been no allegations or suspicions of inappropriate behavior against minors and at this point we have no reason to think that Derek ever acted inappropriately with minors.

How is Highlands caring for the victims?

We are doing everything we can to advocate and care for the victims who have come forward, including providing professional counseling independent of Highlands.

How is Highlands caring for the Nelson family? We are heartbroken for the Nelson family and recognize the difficult road ahead. We are coming alongside them, to provide them with

independent professional counseling, and all the support and care that we can. Please pray with us, for each of them.

Who can I speak with about this, as I process my own grief?

We encourage you to speak with any of our staff team that you know, or call the church at 425-255-4751 so that we can connect you with someone from our pastoral team. We are here for you and desire to care for your heart as you process a range of emotions.

Who can I share this information with?

This is a matter that impacts our church family and we ask that it stay within our church community. While we are committed to transparency within our community, for the protection of the victims, Derek's family, and the protection of our church, we would ask that you refrain from sharing about this publicly, particularly on social media.

Should I reach out to Derek?

The Elders of Highlands will be caring for Derek and his family. If you feel deeply compelled to reach out to Derek, please do so with grace and honesty.

What will happen to Derek's former position on staff? (Executive Pastor of Ministries and Leadership Development)

The current short-term plan is that Derek's former responsibilities will be divided among the staff.

How can I ask additional questions?

We invite everyone who has additional questions on this matter to submit those to our board of Elders, using the contact form on our elders page: highlandsc.org/elders

APPENDIX B

Letter from the Elders, “Reflections from our First Year,” Dated September 15, 2022¹⁹⁴

Highlands Family,

It’s been an honor and joy to serve you in our first year as elders, and we regularly praise God for the diverse group of people He’s brought together here at Highlands. As we conclude our first year, we want to share some reflections with you about where we’ve been and what we’ve learned. We hope this will be edifying to you.

Where We’ve Been

As many of you know firsthand, the last few years have been very difficult for our church family. If you’re newer to Highlands, you may not have directly experienced this but you’ve likely heard it mentioned. During the last year, we have spent time praying, studying God’s Word, listening to many who were wounded by our church, listening to leaders who have gone before us, and considering ministry patterns and practices of the church at large, both present and historical.

Our hearts break over many of the stories we’ve heard, and we will continue providing support to those who have been hurt by the events of the past few years. While we are so grateful for the many ways God has sustained our church through this period, we also recognize the need to acknowledge the pain many have experienced and share some lessons we’ve learned along the way.

Here are some leadership decisions related to the events of the past few years we want to apologize for:

Our Delay in Initiating the GRACE Investigation

As we shared in our most recent update, we wish we would have initiated with GRACE sooner as a way of immediately providing a safe outlet for any potential victims. Additionally, given Derek’s long tenure in Student Ministries, we could have better equipped our church to understand grooming behaviors and encouraged parents to ask their students about anything inappropriate they may have experienced.

Our Handling of Pastor Jesse’s DUI

As previously expressed, we are sorry for our lack of due diligence investigating the details surrounding those events, and recognize the damage inflicted upon our church because of our

¹⁹⁴ See <https://highlandsc.org/letter-from-the-elders-year-in-review/>.

failure to make this public immediately. Looking back over time, this was a regrettably poor decision.

Our Shepherding of the Kent Campus

Looking back, we see there were some ways we unintentionally made members at the Kent Campus feel like second-class members. In hindsight, there are a number of things we could have done differently, and if we ever explore additional church plants or congregations in the future, we hope to learn from this experience.

Our Shepherding Model

For several years, we have shifted primary shepherding responsibilities away from the elders to the staff and lay leaders within the church. The intent behind this was good, as practically it is impossible for the elders themselves to meet all the shepherding needs within a church our size. But unintentionally what happened over time is the elders became less and less known by the congregation. Related to this, we have not had a great process for communicating regularly and transparently to and from the congregation, which has contributed to confusion and distance between the elders, staff, and congregation. Consequently, when major events arose and people were instructed to contact the elders with their questions or concerns, many people (including staff members) felt uncomfortable doing so.

Our Shepherding of Women

As a church who historically believes the biblical office of elder is reserved for qualified men, we have failed at times to properly shepherd women with spiritual gifts of teaching and leadership. We have not always clearly articulated a path for godly, gifted women to thrive in ministry at Highlands, nor have we always been as intentional as we could be about seeking their perspectives on leadership decisions we face as a church. We are sorry for this. We believe God has created both men and women in His image and has gifted both men and women for service in His church, and we want to be a church that equips women to thrive in ministry.

Based on what we have learned, below are some steps we are taking to grow:

1. Increase our shepherding presence with the staff and congregation.
 - Lead Team staff members regularly rotating into our elders' meetings.
 - Lay elders participating in our All-Staff meetings.
 - An update from the elders published to the congregation on at least a quarterly basis.
 - Communicate more transparently when possible.
 - Hosting family-style members' meetings three times each year.
 - A detailed annual financial report and budget published to the congregation.
2. Seek women's input into leadership decisions of our church.

- Invite women to participate on elder-led task forces and committees to include women’s voices and perspectives.
 - Periodically invite women’s ministry leaders to Elder Board meetings to provide first-hand information on their area of ministry.
 - Invite Elders’ wives' to participate in selected elder activities, such as at the elder retreat in April 2022 and during monthly prayer meetings concurrent with the elders’ meetings.
 - Continue to evaluate our practices and explore opportunities for women to thrive in ministry leadership at Highlands.
3. Ensure appropriate policies and practices for leadership accountability and child protection.
- Required sexual abuse and grooming awareness training for all elders, staff, and Next Gen volunteers from an outside source.
 - Clear reporting requirements and protocols for any abuse or neglect concerns to the appropriate ministry leaders and designated lay member(s) of the Elder Board.
 - Continued full support to complete the GRACE investigation and implementation of GRACE’s recommendations.
 - Reviewing our evaluation and accountability procedures for elders.
4. Practice regular rhythms of prayer and rest, including:
- Monthly congregational prayer meetings starting this September.
 - Availability of elders to pray with the congregation after services.
 - Required one-year elder sabbatical for elders from the elder board after serving six consecutive years (bylaws updated in March 2022).

Hearing from You

We realize that you may have questions about the lessons we have learned and steps we are taking to improve going forward. If this describes you, we invite you to:

- Speak with one of our elders after any of our Sunday services.
- Submit your question or concern to the Elder Portal.
- Arrange to meet individually with one or more elders to discuss your specific questions or concerns. If you feel uncomfortable meeting with a group of elders by yourself, we encourage you to bring along a person or persons you trust. We can also arrange for elders’ wives and/or Student Ministry leaders to join us if a woman or student does not feel comfortable meeting with a group of elders alone.

Looking Forward

As we look forward, we hope to be a church that’s more dependent on God than ever before. As elders, we are more aware than ever how much we need the Lord’s grace and wisdom. We hope to foster a culture that’s rooted in the gospel – a culture where it’s normal for us as leaders to be honest when we make mistakes and express our daily need for God.

We are inspired by the following Scriptures as we imagine the kind of culture we hope to create:

Therefore I, the prisoner in the Lord, urge you to walk worthy of the calling you have received, with all humility and gentleness, with patience, bearing with one another in love, making every effort to keep the unity of the Spirit through the bond of peace. Ephesians 4:1-3

Therefore, as God's chosen ones, holy and dearly loved, put on compassion, kindness, humility, gentleness, and patience, bearing with one another and forgiving one another if anyone has a grievance against another. Just as the Lord has forgiven you, so you are also to forgive. Above all, put on love, which is the perfect bond of unity. And let the peace of Christ, to which you were also called in one body, rule your hearts. And be thankful. Let the word of Christ dwell richly among you, in all wisdom teaching and admonishing one another through psalms, hymns, and spiritual songs, singing to God with gratitude in your hearts. And whatever you do, in word or in deed, do everything in the name of the Lord Jesus, giving thanks to God the Father through him. Colossians 3:12-17

Finally, all of you be like-minded and sympathetic, love one another, and be compassionate and humble, not paying back evil for evil or insult for insult but, on the contrary, giving a blessing, since you were called for this, so that you may inherit a blessing. 1 Peter 4:8-9

We are encouraged by so many things we see happening in our church family! We regularly thank the Lord for the many long-time members and the many new people He has called to restore and rebuild His church at Highlands. Together, we commit to center our ministry on God's Word, to persist in prayer, to foster loving community rooted in the gospel, to disciple the next generation, and to cultivate a missionary heart for our neighbors and the world.

Thank you for being part of this journey with us of helping people find and follow Jesus.

The Board of Elders
Highlands Community Church