

SBC Executive Committee fails to waive privilege

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NASHVILLE (RNS)—After two days of passionate debate, the Southern Baptist Convention Executive Committee remained divided on whether to waive attorney-client privilege as part of an outside review into how the committee handled sexual abuse claims over the past two decades, but the committee agreed to spend \$1.6 million to fund the investigation.



Pastor Rolland Slade, chairman of the Southern Baptist Convention Executive Committee, speaks during the committee's meeting in Nashville on Sept. 21. Slade called on Executive Committee members to comply fully with the motion passed by messengers to the SBC annua meeting for an independent investigation related to sexual abuse claims. (BP Photo / Brandon Porter)

Rolland Slade, chairman of the Executive Committee, said committee

members made progress on setting up the investigation. He and other officers of the committee plan to meet with the independent task force that will oversee the investigation to hammer out final details over the next week.

“We are not done yet,” said Slade, pastor of Meridian Baptist Church in El Cajon, Calif., on Sept. 21 at the conclusion of the meetings. “But we all now grasp the urgency. And we have a commitment with the task force to find a way forward.”

Slade made an impassioned plea to committee members not to leave Nashville without making progress on setting up the investigation. He pointed out messengers to the SBC annual meeting instructed the committee to fund the independent investigation and to cooperate with that investigation.

At one point, Slade gave a miniservice, warning committee members of the fallout if they failed to make progress.

“That is not going to be acceptable to the messengers,” he said. “And it should not be acceptable to the SBC messengers.”

Long struggle to respond to sex abuse

The nation’s largest Protestant denomination, the SBC has long struggled to respond to sexual abuse in its churches. A 2019 investigation by the *Houston Chronicle* reported hundreds of abuse cases in Southern Baptist churches over decades.

In response, SBC leaders held a service of lament and launched a new denominational program to care for abuse survivors. The denomination also set up a system to cut ties with any church that fails to take abuse seriously.

Earlier this year, the SBC Executive Committee ousted a pair of churches that had abusers on staff.

Leaders at the Executive Committee also have been accused of mistreating abuse survivors, of mishandling claims of abuse and of resisting any efforts to set up a national response to abuse. The Executive Committee initially hired Guidepost Solutions, an international consulting firm, to review its response to abuse.

But SBC messengers took over the review process—putting a task force in charge of overseeing the investigation and instructing the Executive Committee to waive attorney-client privilege as part of the process.

Floyd seeks to set limits on cooperation

Ronnie Floyd, president of the Executive Committee, has promised repeatedly to cooperate with the investigation—but has set limits on that cooperation, citing SBC bylaws.



Ronnie Floyd speaks during a meeting of the Southern Baptist Convention Executive Committee on Sept. 21 in Nashville. (RNS Photo / Bob Smietana)

He started the Executive Committee's two-day meeting in Nashville by condemning abuse, mistreatment of survivors and any mishandling of abuse claims. But he also stressed the limitations for cooperation with the investigation.

"I encourage the members of the SBC Executive Committee to work with the sex abuse task force and the independent review firm in every way possible, but within our fiduciary responsibilities as assigned by the messengers," he said.

Floyd also made it clear the SBC's mission took precedence.

"The SBC Executive Committee is committed to doing the right thing, in the right way, in order to elevate the mission of the convention—eliciting, combining and directing our energies for the global propagation of the gospel," he said.

Task force chair: Do the right thing and waive privilege

North Carolina pastor Bruce Frank, chairman of the abuse task force, urged the committee to waive attorney-client privilege so investigators could have access to all the information they need. During Monday's meeting, he said messengers had put their trust in committee members to do the right thing.

The question was, he said, would the committee live up to that trust; he warned of dire consequences if the committee failed to do so.

"God judge us if we are protecting the brand, or we are protecting the base and not doing all we can to protect the most vulnerable among us," he added.

Committee members also heard from Julie Myers Wood, CEO of Guidepost Solutions, which has been hired by the task force to investigate the Executive Committee. The international consulting firm has become a go-to option for sex abuse investigations among prominent evangelical institutions.

Wood, who described herself as a Baylor University graduate who had a long history with the SBC, told committee members waiving privilege is common for institutions like the SBC that are facing public scrutiny.

Wood also told committee members waiving privilege was an essential part of the review. Waiving privilege, she said, would give Guidepost access to all the documents it needs to understand how the Executive Committee responded to abuse.

Waiving privilege also would reassure Southern Baptists that the investigation was trustworthy.

“I will tell you that waiving privilege on this matter is the only way to ensure that the investigation is viewed as fully credible, transparent, and to show that the Southern Baptist Convention has nothing to hide,” she said.

Consulting with attorneys in executive session

In a question-and-answer session, Wood also told Executive Committee members to consult their lawyers before making a decision. The committee members took that advice to heart, moving into executive session to consult with former Bush administration official Harriet Miers and Paul Coggins, a pair of high-profile Texas attorneys hired specifically to deal with the question of privilege.

Discussions about the question of privilege were heated and passionate.

Even the decision to go into the closed executive session became controversial, with committee members arguing all deliberations should be made public.

Executive Committee member Dean Inserra, pastor of City Church in Tallahassee, Fla., was outspoken about the need for transparency and the need to waive privilege—because messengers to the SBC annual meeting had specifically directed the committee to do so.

“I want to follow the will of the messengers and to err on the side of full transparency,” he said. “I’m not concerned with politics or with saving face or damage control or PR spin. I want to go in there and do the right thing.”

After the meeting, Inserra said he was disappointed the committee had not waived privilege during its meetings. But he did say some progress was made.

“It’s not a win but a step forward,” he said.

Committee members who opposed waiving privilege cited concerns that doing so would expose the Executive Committee to legal risks. Several pointed out the Southern Baptist Convention was recently sued by an abuse survivor and were reluctant to waive privilege.

A motion by Jared Wellman, lead pastor of Tate Springs Baptist Church in Arlington, to waive privilege and allow the investigation to go forward failed.

Attorney defends Floyd, speaks against waiving privilege

Executive Committee member Joe Knott, an attorney from North Carolina, was outspoken in his opposition to waiving privilege. He also defended

Floyd, whom he called one of the finest men in America.

“We want to vindicate him without destroying the Southern Baptist Convention,” he said.

Frank said he was encouraged the Executive Committee had agreed to pay for the investigation. He told Religion News Service two items still need to be resolved—the question of privilege and the question of whether the Executive Committee will be able to make any changes to Guidepost’s report before it is released.

The investigation could go forward even if the committee does not waive privilege, he said, even though that would defy the will of local church messengers. But the task force would not agree with any request from the Executive Committee to control or edit the final report.

“That is a nonstarter,” he said.

Litton: Decisions ‘fell short’ of mandate by messengers

Ed Litton, president of the SBC, said the decisions made by the Executive Committee “fell short” of the mandate given by the messengers at the denomination’s annual meeting. But he said he was hopeful more progress will be made in the next week.

During the meetings, several SBC leaders, including Litton and Slade, acknowledged a number of abuse survivors were in attendance, and at one point, committee members gave survivors a standing ovation.

Tiffany Thigpen, a longtime advocate, said that for years survivors had been sidelined and ignored by Southern Baptist leaders.

“Now we are here,” she said. “We are finally in the room.”

Thigpen said she was grateful local church messengers demanded SBC leaders take action to prevent abuse and care for survivors. She said she had been just about ready to give up on the convention when messengers decided to act.

Still, she said, the process has taken a toll on survivors who had often waited decades to be heard.

“We are not doing this for show. This means something to us and it takes a lot from us. This isn’t an easy thing.”