

2024



INDEX 11

SPECIAL COMMITTEE TO INVESTIGATE SECOND PRESBYTERY'S HANDLING OF ALLEGATIONS AGAINST CHUCK WILSON

The following motion was adopted at the General Synod's 2023 Stated Meeting:

"That a special committee be formed to investigate Second Presbytery's handling of the allegations against Mr. Chuck Wilson and that this special committee report back any irregularities and/or deviations from our Standards to the Executive Board at its Fall 2023 meeting along with any recommendations for further action."

The Committee began its work late Summer 2023. The composition of the committee included: Kyle Sims, Patrick Malphrus, Ken Wingate, Clint Davis, Jonathan Cowan, Brian Murray, Aaron Rozeboom, Brian Taylor, Jack Van Dyk, Phil Williams, David Walkup, Donald Bean, Brian Schouwstra, and Scott Smith. (Brian Murray and Scott Smith were inactive members.) In an attempt to divide this considerable workload, we formed two subcommittees: one to address the actions/inactions of Second Presbytery, and a second to examine weaknesses in the *Standards of the Associate Reformed Presbyterian Church* that contributed to issues with Second Presbytery's handling of allegations. Our committee suffered from several limiting factors.

First, no one was asked to serve on this committee. Instead, Synod appointed men who had already invested a considerable amount of time the previous year on the Miller Commission and Synod's investigation of Mr. Chuck Wilson. Busy men with busier schedules were appointed to serve on a committee whose size alone made scheduling regular meetings a real challenge.

Second, the scope of this case was massive. The more the committee examined, the more issues we found with how this case was handled. One committee member remarked that if we had the resources of a congressional committee, we could have easily produced a report in detail of over 1000 pages.

Third, there were difficulties in dealing with members and officers of Second Presbytery. The committee asked for documents that were used in the Mr. Matt Miller case, but to date, have still not been turned over to our committee. This is particularly troubling as Second Presbytery requested Judicial Reference and according to *Book of Discipline* 6.2, when a lower court requests Judicial Reference from a higher court, "All evidence and records shall be transmitted to the higher court, that the case may be heard with as little delay as possible." Additionally, Mr. Scott Cook who served as chairman of Second Presbytery's Minister and Work Committee during the time in question, transferred out of Second Presbytery.

Despite the multiple challenges that have been expressed thus far in this report (and countless others that are not expressed), our committee was able to complete an investigation and presents to you the findings listed below. The following events all happened in time and space, and therefore, the court must contend with the reality they present.

1. *Book of Discipline* 4.2.A. states that "When a church court receives an allegation of a general or public offense, it shall appoint one or more investigators..."

Our committee was charged with reporting irregularities and/or deviations from our *Standards*. Instead of following *Book of Discipline* 4.2.A., Second Presbytery deviated from our *Standards* and created a "Pre 4.2.A." category of investigation. The end result was an invention of policies and procedures that not only protected Mr. Chuck Wilson, but also gave Mr. Wilson certain advantages when insider information was shared with him prior to any official investigation. In addition, Second Presbytery allowed action to proceed against Mr. Matt Miller, who filed allegations against Mr. Wilson.

As it relates to this deviation from our Standards, Mr. Harper Price, member of Second Presbytery's Minister and His Work Committee, said, "We never had permission to do preliminary investigation." The rationale for this deviation was that Second Presbytery, through its Minister and His Work committee, had to determine if the allegations received against Mr. Wilson were to be classified as a General and Public or a Private Offense. However, had Second Presbytery followed *Book of Discipline* 4.2.A, their investigation would have shown whether or not the allegations made against Mr. Chuck Wilson were in order. Second Presbytery never appointed any investigators, per *Book of Discipline* 4.2.A., even though its proper application is not ambiguous. "Shall appoint" means shall appoint.

This deviation from *Book of Discipline* 4.2 gave certain members of Second Presbytery extraordinary authority in controlling every aspect of the investigation, contrary to the prescribed course of action outlined in the *Book of Discipline*. Amongst other improprieties, this deviation also allowed one member of Second Presbytery to be the sole intermediary between the presbytery and the principal parties involved. Such deviation is disturbing, painting a picture of judicial corruption and inequity, especially when coupled with the fact that insider information was shared with Mr. Chuck Wilson about the allegations made against him prior to any official action of the court.

2. Based on the deviation of *Book of Discipline* 4.2, Second Presbytery allowed its Minister and His Work committee to function as unofficial investigators, exercising power and control that were not theirs to wield. Second Presbytery allowed Mr. Scott Cook, Parliamentarian of Second Presbytery and chairman of its Minister and His Work committee, to continue in his official capacities, despite well-known connections he shares with Mr. Chuck Wilson. Mrs. Erlene Wilson, Mr. Chuck Wilson's wife, is a member at Mr. Scott Cook's church. Mr. Chuck Wilson was also Oconee ARP's original planter and pastor. Mr. Wilson's personal relationship with Mr. Scott Cook is further shown by his continued attendance at the now Oconee PCA Church when Mr. Wilson is not preaching at Lower Long Cane ARP Church.

A motion was made at a presbytery meeting to recuse Mr. Scott Cook but it was ruled out of order by Second Presbytery's Moderator at the time, Mr. Seth Yi. No one in Second Presbytery challenged Mr. Yi's ruling, despite the fact that there was no reason to rule the motion out of order.

3. Rather than processing allegations made by Mr. Matt Miller, Second Presbytery allowed members of its court to pursue disciplinary action against him. This course of action is troubling as it indicates a culture of retaliation and inequity of process within Second Presbytery. An example of such inequity is also shown in the speed of judicial process against Mr. Matt Miller, as opposed to how allegations against Mr. Chuck Wilson were handled. Mr. Matt Miller was accused of violating process. Mr. Chuck Wilson was accused of the highest forms of child abuse. The fact that judicial process was swift and precise against Mr. Matt Miller, but was ambiguous and crept along for months against Mr. Wilson is inexcusable.

4. Second Presbytery allowed its Minister and His Work committee to carry out *Book of Discipline* 4.2.A.2.c. when it challenged evidence presented against Mr. Wilson, rather than allowing Mr. Wilson to challenge the evidence himself. Why Second Presbytery allowed its Minister and His Work committee to defend Mr. Chuck Wilson and not Mr. Matt Miller is unknown, but troubling.

5. Records were requested from Second Presbytery numerous times, with great difficulty, often to no avail. There seemed to be great reluctance on Second Presbytery's part to release records to our committee, even to the Principal Clerk, despite the committee's charge given by the General Synod and the rights of the Principal Clerk according to the *Manual of Authorities and Duties* 8.B.

6. Second Presbytery withheld materials vital to our investigation in the form of a letter written by its former Minister and His Work chairman, Mr. Hank Wilson. In a later meeting, Mr. Scott Cook revealed that they knew *Book of Discipline* 6.2 required that all evidence and records were to be transmitted, but that they withheld this piece of evidence based on a promise made to Mr. Hank Wilson concerning his letter's anonymity. Such actions present serious concerns regarding the 9th commandment at a minimum, and the fidelity of proceedings against Mr. Matt Miller, as a whole. Mr. Kyle Sims officially requested that Second Presbytery, through its Stated Clerk, turn this letter over to the General Synod on 2-29-24 but, at the writing of this report, this letter has still not been received from Second Presbytery.

7. Second Presbytery's Minister and His Work Committee and Moderator, Mr. Seth Yi, entrapped Mr. Matt Miller with a letter written by Mr. Hank Wilson (the same letter mentioned in item #6). According to testimony, the Minister and His Work Committee asked Mr. Matt Miller if he received any counsel contrary to that which he followed when he filed allegations against Mr. Chuck Wilson. Mr. Harper Price has since testified that the committee knew the contents of Mr. Hank Wilson's letter and that he told Mr. Matt Miller to file allegations in a different manner. Thus, the committee questioned Mr. Matt Miller knowing the answer to their questions, so as to set a trap. The committee also questioned Mr. Matt Miller based on evidence that had been withheld from him. Such actions have no place in church discipline and present serious concerns about the committee's investigatory integrity, and their adherence to the 9th Commandment. Perhaps most troubling is that all of this took place under the guise of the Minister and His Work committee offering to help Mr. Matt Miller and provide him with counsel, when all the while they used these tactics to prosecute Mr. Miller. Such actions show a continued culture of intimidation and guile that has come to characterize Second Presbytery over the last decades.

8. Second Presbytery allowed Mr. Tony Locke to revise and withdraw the public allegations he made against Mr. Matt Miller, but did not allow Mr. Matt Miller to withdraw or revise the allegations he made against Mr. Chuck Wilson. Why such permission was given to Mr. Tony Locke but not to Mr. Matt Miller is unknown. Such actions paint a picture of judicial activism, inequity of process, and a culture of intimidation in Second Presbytery.

9. Second Presbytery failed to act on Mrs. Sara Frazier's initial letter of allegations against Mr. Scott Cook and the Minister and His Work committee. Later, Second Presbytery would consider Mrs. Frazier's letter a complaint, instead of official allegations. According to *Book of Discipline* 5.12, "Any communing member

in good standing of an ARP Church or Presbytery has the right to make a complaint against any court to which he is subject.” Mrs. Frazier is not subject to Second Presbytery, and thus her letter should have been considered an allegation. Additionally, no one offered to help Mrs. Frazier with her allegations, unlike Mr. Tony Locke, who received help rewriting his allegations.

10. In a letter dated 12-27-22, Mr. Mark Miller wrote a letter of allegation against Second Presbytery’s Minister and His Work committee. Yet again, Second Presbytery deviated from *Book of Discipline* 4.2.A. and failed to act. The fact that Mr. Mark Miller would withdraw his letter under threat of prosecution is immaterial because his letter was public and allegations were officially made. The *Book of Discipline* is based on the principle that false allegations render accusers liable for slander. This principle was ignored. In addition, the fact that those who were accused went on to investigate and threaten their accuser shows a gross miscarriage of justice and failure to act on Second Presbytery’s part. Members of Second Presbytery were accused of hiding a sexual abuser, and Second Presbytery allowed the accused to go after their accusers. These actions are consistent with the prevailing culture of Second Presbytery.

11. Second Presbytery’s Minister and His Work committee met privately with Mr. Chuck Wilson and shared insider information about the allegations made against him before any official investigation began. Second Presbytery did nothing about this inappropriate sharing of insider information.

12. Second Presbytery, through its Minister and His Work committee, refused to consider Mr. Matt Miller’s allegations against Mr. Chuck Wilson as general and public. Instead, they insisted on dividing Mr. Matt Miller’s charges, concluding that some of his allegations involved private offenses. This resulted in extra requirements for Mr. Matt Miller in making his allegations, but also added requirements for witnesses against Mr. Chuck Wilson. And again, it should be noted that the Minister and His Work committee was never given the authority to take such action, but Second Presbytery did nothing to stop this deviation from the *Book of Discipline*.

13. Minutes from Second Presbytery’s Fall 2022 Stated Meeting were never received by the General Synod or our committee. Again, *Book of Discipline* 6.2 states that when judicial reference is requested “All evidence and records shall be transmitted.” It should be noted that these particular meeting minutes contain much information about events surrounding allegations against Mr. Chuck Wilson and how Second Presbytery chose to proceed, as well as how Second Presbytery handled Mrs. Sara Frazier’s communications to their court.

14. Mr. Seth Yi, then Moderator of Second Presbytery, led a group of Minister and His Work committee members that presented Mr. Matt Miller and Mr. Mark Miller with a plea deal proposal stating that if Mr. Matt Miller plead guilty to the allegations made against him, he would only receive a censure of rebuke. This course of action was not only out of order, as Second Presbytery’s Moderator and Minister and His Work committee did not have such authority, it is also extremely troubling.

Amongst other reasons, church discipline is exercised for the church’s purity and out of love for those presumed to be in sin. To reduce church discipline to plea deals and bargaining is inexcusable. Furthermore, according to *Book of Discipline* 2.6.A, the censure of rebuke is reserved for those who are not repentant. Mr. Matt Miller had already confessed his sin publicly and had written letters seeking forgiveness from multiple members of the court and private individuals. Both former and current members of Second Presbytery have testified that similar tactics were employed by Second Presbytery in 2003 when Mr. Chuck Wilson avoided church discipline by agreeing to honorable retirement.

15. Mr. Seth Yi, then Moderator of Second Presbytery, sent an unsolicited email to Mr. Mike Whitehurst, chairman of the Erskine Board, about Mr. Matt Miller’s conduct. In this email, Mr. Yi asked what actions Erskine would take against Mr. Miller in light of the allegations against him. This email was highly

inappropriate and in some legal opinions, violated employment law. The Erskine Board had no authority over Mr. Matt Miller's employment, so this email served only to slander Mr. Matt Miller.

16. Mr. Seth Yi, then Moderator of Second Presbytery, went on to send a response email to Mr. Mike Whitehurst, chairman of the Erskine Board, and Erskine President, Dr. Steve Adamson. In his response, Mr. Yi stated that as the Moderator of Second Presbytery, he could no longer support the work of Erskine College and Seminary due to their inaction in dealing with Mr. Matt Miller. Such actions by Second Presbytery's Moderator showed an abuse of power.

17. Mr. Seth Yi, then moderator of Second Presbytery, committed to pursue peace with Mr. Mark Miller and Mr. Matt Miller if they agreed to withdraw the allegations they made against Mr. Yi and the Minister and His Work Committee. Mr. Mark Miller and Mr. Matt Miller withdrew their allegations; but Mr. Yi presented evidence against Mr. Matt Miller to the Miller Judicial Commission, thus violating his professed intentions to work toward peace.

18. *Book of Discipline* 8.1 states that, "When a member wishes to withdraw his membership or ministerial credentials without transferring to another branch of the Church visible, the church court that has original jurisdiction shall solemnly warn him that his actions are tantamount to apostacy, and that he is, in effect, practicing self-excommunication by placing himself outside of the visible Church."

On May 22, 2023, Mr. Chuck Wilson withdrew from the Associate Reformed Presbyterian Church. He did so on the day of his trial, foregoing the opportunity to face his accusers and defend himself from charges filed against him. In keeping with *Book of Discipline* 8.1, Mr. Kyle Sims, Principal Clerk of the General Synod, warned Mr. Wilson that renouncing the Associate Reformed Presbyterian Church was tantamount to apostacy, and that Mr. Wilson was declaring himself outside of the Church of Jesus Christ. Mr. Chuck Wilson did not heed this warning.

At the time of this report, Mr. Chuck Wilson still preaches regularly in Second Presbytery at Lower Long Cane Associate Reformed Presbyterian Church, despite the fact that his activities have been widely known since September of 2023. And not only has Mr. Chuck Wilson been preaching regularly, the Session of Lower Long Cane presented a Memorial at Second Presbytery's Spring Stated Meeting, calling on the General Synod to "repent and reconsider their judgment in the matters pertaining to his (Mr. Chuck Wilson's) dismissal." Their memorial was ruled out of order based on the timeline in which it was received, but no other action was taken. It is the committee's understanding that the Lower Long Cane Session desires that Mr. Chuck Wilson be approved as their Stated Supply.

Additionally, Mr. Tony Locke, a member in good standing of Second Presbytery, distributed a slanderous document naming specific individuals and an entire presbytery in its lies. Second Presbytery has done nothing to address such egregious actions, thus violating a mark of the true Church.

19. In April 2023, at a called meeting, Second Presbytery's Moderator stated from the chair that *The Standards of the Associate Reformed Presbyterian Church* functioned as guidelines but were not authoritative for how the court should proceed with the aforementioned issues. Second Presbytery did nothing to address this error.

20. Since our committee's creation, multiple members of Second Presbytery from all sides of these issues have expressed their desire that Second Presbytery be dissolved, citing its volatility, culture of intrigue, and inability to perform the key tasks of any church court, including church discipline. Multiple members of Second Presbytery have also expressed disgust over the fact that no one seems to be accountable for any of the events described in this report.

Summary:

As indicated in this report, Second Presbytery is unable to function as a court of the Church and is irrevocably broken. Their brokenness has led to a culture of intimidation, retribution, fear, and inaction, based not on the actions of a few, but on the inaction of the whole. Serious errors were made at every turn, either directly by Second Presbytery in session, or by its members throughout this entire ordeal, and all the while Second Presbytery has done nothing meaningful to rectify its mistakes. The Lord has not been honored, victims of the highest forms of abuse have been ignored, *The Standards of the Associate Reformed Presbyterian Church* have been exploited, and God's Word has not been followed.

Recommendations:

1. That Second Presbytery be dissolved as of September 1, 2024.
2. That the churches of Second Presbytery in South Carolina be moved into the bounds of Catawba Presbytery.
3. That the churches in Georgia be moved into the bounds of Tennessee-Alabama Presbytery.
4. That the General Synod encourage members of Second Presbytery to transfer their credentials to Catawba or Tennessee-Alabama presbyteries (depending on their geographical location).
5. That the Moderator appoint a commission in order to oversee the transfer of assets and dissolution of Second Presbytery.
6. That the General Synod encourage Catawba and Tennessee-Alabama presbyteries to use assets received for the purpose of church strengthening, already existing church plants, and new church planting, giving special consideration to the geographical areas of the former Second Presbytery.
7. That the General Synod review Catawba and Tennessee-Alabama presbytery boundaries after a period of 3 years.
8. That the Moderator appoint a committee to review and revise *The Standards of the Associate Reformed Presbyterian Church* with special emphasis on the church discipline process in the *Book of Discipline* and special emphasis on the *Form of Government*, as it relates to judicial commissions.

Respectfully submitted,

Brian Taylor, Secretary