



## Example Definitions of Abuse and Harassment

**Abuse:** In general, abuse occurs when a person holding power and/or trust (e.g. pastor, elder, boss, mentor, supervisor, parent, adult, older child, etc.) uses that position to exploit or violate someone who is more vulnerable (e.g. a child, someone who is sick, elderly, or disabled, student, supervisee, intern, immigrant, etc.). That exploitation or violation can take a variety of forms such as emotional, financial, physical, sexual, spiritual, etc.

**Sexual Abuse:** When a person in a place of power and/or trust, engages in sexual behavior with a child or an adult under their supervision, authority, mentoring, or spiritual care, including:  
**Sexual Penetration:** Any act or attempted act of vaginal or anal penetration, however slight, by a person's penis, finger, other body part, or an object, and/or any oral-genital contact.

**Sexual Contact:** Any intentional touching of a person's breasts, buttocks, groin, genitals, or other intimate parts. Touching may be over or under clothing and may include the touching or making the person touch, or making the person touch their own body. This also includes contact with non-sexual areas of the body for the sexual gratification of the perpetrator (such as with certain paraphilic disorders).

**Non-Contact Sexual Acts:**

- observing a person's nudity or sexual activity or allowing a person to observe sexual activity;
- recording, photographing, transmitting, showing, viewing, streaming, or distributing intimate or sexual images, audio recordings, or sexual information of persons; or
- exposing one's genitals or inducing a person to expose their own genitals
- within a power dynamic (boss-employee, doctor-patient, teacher-student, pastor-congregant, adult-child) communicating sexual desire or sexually stimulating content toward a person

A child cannot consent to any sexual behavior with an adult or older child. An adult under the authority, care, or mentorship of a leader cannot consent to sexual activity. Even when both people are adults and the contact is not forcible, any crossing of sexual boundaries within a power structure is not an "affair" or a "relationship" but an egregious abuse of power. Adult sexual abusers often develop an emotional and spiritual connection and then exploit it. While not always recognized as a crime according to state laws, this is a serious violation and \_\_\_\_\_ Church will treat it as such. If any staff person wishes to pursue a consensual romantic relationship with someone under their spiritual care or a power hierarchy within \_\_\_\_\_ Church, they must contact the [Board or Leadership Team] for the sake of transparency and to discuss any appropriate boundaries given the power dynamics or other factors.

**Sexual Grooming** is the deceptive process used to facilitate sexual contact while simultaneously avoiding detection. Sexual grooming may include victim selection, access to and isolation of the victim, developing trust with the victim and often their guardians, community, and youth-serving institutions, desensitizing the victim to sexual content and physical contact, and maintenance strategies on the victim to facilitate future sexual misconduct or to prevent disclosure.<sup>1</sup>

**Clergy Sexual Abuse:** sexual abuse (see above) by clergy, elder, or other leader holding formal spiritual authority with a person under their spiritual care and/or supervision, whether an adult or a child. It is an abuse of power, whether or not this is criminalized by state law.

**Sexual Assault:** sexual contact or behavior that occurs without the consent of the victim. Sexual harassment generally violates civil laws—all have a right to work or learn without being harassed—but in many cases is not a criminal act (see more on harassment below). Sexual assault usually refers to acts that are criminal. Some forms of sexual assault include:

- Penetration of the victim’s body, also known as rape.
- Attempted rape.
- Forcing a victim to perform sexual acts, such as oral sex or penetration of the perpetrator’s body.
- Fondling or unwanted sexual touching.

Consent is words or overt actions indicating a freely given agreement to the sexual act or contact. Silence or the absence of an explicit “no” does not equal consent. Physical submission by the victim - such as “freezing” or “fawning” in fear - does not equal consent. Consent also implies the ability to say no in a mutual relationship: Children, certain vulnerable adults (based on functioning related to factors such as intellectual disabilities, age, mental health, or other vulnerabilities), or those within a power differential (e.g. with a religious leader, mentor, teacher, or supervisor) are unable to consent to sexual activity. Other circumstances such as intoxication or unconsciousness also render a person unable to give consent to sexual activity.<sup>2</sup> Deception or manipulation of a person also render that person unable to consent.

**Sexual Harassment:** The legal definition of Sexual Harassment by the US Equal Employment Opportunity Commission (1980) is “Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment
2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
3. such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.”

Beyond the legal definition, harassment, sexual or otherwise, can also occur in a community, conference, or event when the people involved are not employees of the church. In accord with our values, sexual harassment is not restricted to what is defined as sexual harassment under the law. \_\_\_\_\_ Church considers any unwanted sexualized behavior or sexualized behavior within a power differential to be a serious form of harassment (including unwanted

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<sup>1</sup> See Georgia M Winter, Leah E. Kaylor, and Elizabeth L Jeglic. “Toward a Universal Definition of Child Sexual Grooming, and Deviant Behavior .” *Deviant Behavior*, Volume 43, Issue 8, 2022.

<sup>2</sup> For more discussion on consent including state laws see <https://www.rainn.org/articles/legal-role-consent> and [https://apps.rainn.org/policy/?\\_ga=2.24798265.200928410.1590493313-413255437.1539433206](https://apps.rainn.org/policy/?_ga=2.24798265.200928410.1590493313-413255437.1539433206)

touch or communication, other unwanted sexual attention, or any behavior that objectifies or degrades.) Other common forms of harassment include bullying and acts of discrimination. Harassment can include discrimination against a specific group of people based on age, race, sex, ethnicity, national origin, religion, language, disability, health conditions, socioeconomic status, marital status, domestic status, or parental status.

**Intimate Partner Violence (Domestic Violence):** A pattern of behavior where a person in or who has been in an intimate relationship uses tactics of control, belittling, isolation, fear, stalking, and/or intimidation to dominate, harm, degrade, or otherwise undermine the worth and agency of the other person in the relationship. Intimate partner violence can be physical, verbal, emotional, sexual, social, or financial.<sup>3</sup>

**Emotional Abuse:** When a person holding power and trust, uses pattern of controlling and domineering behaviors such as shaming, insulting, degrading, intimidating, threatening, humiliating, and/or domineering. Bullying is a common term for acts that typically constitute emotional abuse.

**Financial Abuse:** The illegal or improper use of a vulnerable person or his/her financial resources for another's profit or advantage. Some examples of financial abuse may include: the taking of money or property; forging a signature; getting a person to sign a deed, will or power of attorney through deception; coercion or undue influence; or, illegally or improperly adding names to bank accounts or safety deposit boxes. The elderly in particular are often targeted for financial abuse.

**Physical Abuse:** Non-accidental physical injury (ranging from bruises to severe fractures or death) by way of bodily contact (such as slapping, punching, pushing, beating, kicking, shaking or striking with an object) or non-injurious contact with the goal or effect of intimidating, threatening, or controlling.

**Spiritual Abuse:** a form of emotional abuse, meaning a pattern of coercive or domineering behaviors using God, spirituality, or religion, usually by a person who holds power and trust. Many acts of abuse in a religious environment will have a spiritual dimension. Examples include:

- Use of religious ideology, precepts, tradition, or sacred texts to harm
- Compelling a person to engage in religious acts against his or her will
- Abuse that occurs in a religious context or by a religious leader
- Invoking of divine authority to manipulate a person into meeting the needs of the abuser
- Using spirituality or spiritual authority to dismiss a person's perspective, agency, or value.
- Attempts to use the divine, sacred texts, sacred tradition, theology, or spirituality to put their leadership or decisions beyond questioning or accountability.
- Attempts to spiritualize or justify harm using the divine, sacred texts, sacred tradition, theology, or spirituality.

**Stalking:** A pattern of unwanted, fixated and obsessive behavior which is intrusive and causes fear of violence, alarm, or distress. Stalking is a terrifying reality and is now recognized as a crime in all fifty states.

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<sup>3</sup> For more information and examples an excellent resource is The Duluth Model at <https://www.theduluthmodel.org/wheels/>

Examples of stalking include (from The Justice Department's Stalking Victimization Survey):

- Making unwanted phone calls/texts or sending unwanted messages or emails
- Following or spying on the victim
- Showing up or waiting at places without a legitimate reason
- Leaving unwanted items, presents, or flowers
- Posting information or spreading false or confidential information about a person or victim on the internet, in a public place, or by word of mouth.