

Almighty God, you bring to light things hidden in darkness, and know the shadows of our hearts: cleanse and renew us by your Spirit, that we may walk in the light and glorify your Name, through Jesus Christ, the Light of the world. Amen.

Dear Brothers and Sisters in the ACNA,

I write to you in the spirit of this prayer from the Kenyan liturgy which is so pertinent to our current moment. The ACNA leadership needs more light shone in the darkness of its current issues.

To set the context, I was a part of the Ruch Trial court proceedings. I saw and heard everything as it unfolded.

Here's the bottom line: very important information is being withheld from you by the Court, the Archbishop, and the Archbishop's staff.

Many of you know me. For those who don't: I've served on the staff for two archbishops, Foley Beach and Steve Wood, over the course of nearly 8 years. I've sat in on countless College of Bishops, Executive Committee, Provincial Council, and Provincial Assembly meetings. I started in communications. Being a lawyer also, I was then brought in more and more to work on Title IV disciplinary matters, including seeing the successful Atkinson case through from receiving the complaint to the announcement of his deposition. I've worked on the Upper Midwest/Ruch issue and fallout since Bishop Ruch asked for his leave of absence in July 2021. I truly love the people referenced below, but the ACNA desperately needs better leadership at the Provincial level across the board.

Let me get straight to the points that have been kept from you and then I will explain more fully what happened and what it means:

The trial process was tainted because a member of the Court, enabled by the Archbishop's staff, made a series of decisions that fatally undermined the Court's integrity, culminating in his lengthy domination of the court proceedings last Friday morning. There were at least five intentional choices, made by ACNA leaders over the course of weeks, that brought us to that moment. I do not presume to know their motives, and their motives at that time are irrelevant - what happened happened.

1. The court member in question contacted the ACNA's Chief Operating Officer to request access to "the UMW files." That alone was a breach of proper process. It is improper for a court member to seek files outside the court record or from anyone other than the parties before the court.
2. In response, the COO, with the ACNA Chancellor's approval, gave this court member access to Dropbox folders owned by a staff member serving as the assistant to the Provincial Prosecutor. (Btw, that's me!)

3. This decision was made a month before the trial without any disclosure to the parties, nor apparently, to the other members of the Court.
4. If he did not already know, once he discovered that he had access to files outside the record and belonging to one of the parties, the court member should have disclosed his improper access. He did not.
5. The court member then brought that information, without disclosure of what he was referencing or how he obtained that information, into the court proceeding. He proceeded to use a witness to ask questions and make adverse statements about the investigative process, a subject the Court had previously ruled was not admissible.

Here's what happened, as it happened:

It had been a very powerful week for the Prosecution.

On Friday morning, as I was logging into the court proceeding, I discovered that this court member had access to some of my Dropbox folders. I was appalled to find that a member of the court was in my files.

About an hour later, during the trial, this court member repeatedly referred to "documents and files that I have seen but are not with the Court." (rough quote) He proceeded to infer in his questions that the previous ACNA leadership had engaged in investigatory bias against Bishop Ruch. Multiple times he referred to "other documents" or "other information" he had access to outside the Court record, but without providing the details of how he had these documents or what they were.

Questioning the motives of the previous ACNA leadership has been Bishop Ruch's (and his friends') primary narrative since the fall of 2021. Prior to the trial, Bishop Ruch sought to make the investigative process part of the case. In April, the Court ruled that the investigative process was not relevant to whether the facts alleged in the Presentments are true and therefore was not discoverable (meaning it could not even be asked about). Yet here was a member of the Court engaging in a discussion of just that in contravention of the Court's own order.

To the extent documents had not been turned over to the Court by the Prosecution, it's because the Court's own ruling excluded those documents from the process. Understand, there's much that Bishop Ruch didn't turn over to the Court or the Prosecution, too. That's how court processes work. But I'm not aware of the Court requesting excluded files from Bishop Ruch via an end around.

As this debacle was playing out in real time, I emailed the COO asking her how the court member had gained access to my files and which folders were included. She replied to me, with the Archbishop and Chancellor cc'd, that with the Chancellor's approval she gave this court

member access on June 23. She then listed four of my folders to which he was given access. I was stunned.

It was abundantly clear that the court member had just enough information to be dangerous. What he has is **not** a complete set of documents and files, and he does **not** have the context of the documentation in his possession. Based on incomplete and misunderstood information, he made damaging insinuations and handed Bishop Ruch his favorite red herring which now enables him to obscure the facts of the case as part of his defense.

The Court's recent letter attempting to defend their decision to not declare a mistrial, does not accurately reflect what happened last Friday and it does not disclose the court member's improper access to files. I feel gaslit by the Court's letter, but I am not convinced that the improper access has been disclosed to the rest of the Court either.

Additional important context has also been withheld from you by the Court and the ACNA leadership. Many have wondered how this impropriety could have continued to go unchecked for an hour. There is a simple reason. The judge who had improper access to some of my files was the one tasked with moderating the proceedings. He controlled what happened in the proceedings, ruling on objections and facilitating questions by the Court. For the most part, other court members simply deferred to his rulings. He led the pre-trial hearings and seemed to have had a very significant hand in drafting the Court documents throughout the record.

To be clear, Mr. Runyan objected. His objection was an objection to the whole subject matter being raised because the Court had already ruled it irrelevant and inadmissible. He objected three times: one sustained, one overruled, and one ignored...by the court member in question.

An attorney should not have to throw a tantrum for a court to follow its own orders.

I've waited patiently for a week to observe how the Archbishop, his staff, and the Court would respond. Unfortunately, I am left alarmingly disappointed.

Even if you disagree with his choice to resign, Mr. Runyan acted with integrity. He immediately communicated with the Archbishop who was the source of his appointment. The Archbishop told Mr. Runyan he would speak with him before saying anything publicly. He did not do so. Instead, the Archbishop sent out a surprise communication to the Province on Sunday evening leaving Mr. Runyan no choice but to properly and promptly notify witnesses, who had given so much of their time, effort, and courage to this process, of his resignation. Simultaneously, the Prosecutor was locked out of his Provincial email account. This precluded him from the ability to send the Court his resignation letter causing him to ask the Archbishop to make that communication for him. Based on what the Court stated, apparently that was not done.

Just as the Archbishop's letter hit your inboxes Sunday night, I received a notification in my inbox from the COO and ACNA Chancellor that they wanted to meet with me first thing Monday morning.

Given that I know this case, its history, its facts, and its evidence more comprehensively than anyone in the ACNA, I expected the call would be to hear my perspective of what happened and to discuss my willingness to continue to help. Instead, I was invited to consider my termination that day.

It struck me that the two of the people whose actions directly undermined the court process were now the same two wanting to discuss my termination. Oh, the irony! In the real world, the judge would be disciplined for judicial misconduct and those who gave him improper access to a party's files would be fired and disciplined.

According to the Archbishop's recent letter to the whole ACNA, rather than being reprimanded or removed, this same chancellor was then tasked with the important job of selecting the new prosecutor.

Despite that, the fact of the matter is that there is no way a new prosecutor will understand in a timely fashion the nuances, details, and context that make up this case. Thus, if this process moves forward according to the Court's timeline, the Province will not be competently represented.

Proceeding with the same tainted court and simply appointing a new prosecutor flies in the face of Mr. Runyan's prescient warning that "this is not simply something that can be casually overlooked for expediency's sake."

In addition, the Archbishop's and Court's responses to Mr. Runyan have lacked Christian charity. Rather than thanking him for his service of months of full-time volunteer work on behalf of the church and honoring his need to follow his conscience even as they disagree with his decision, they imply he is a loose cannon that just couldn't handle difficult questions from the Court. This is ridiculous, and anyone who knows Mr. Runyan knows that. It was a shameful response from the leadership of the church.

The Archbishop, his staff, and the Court have led you to believe that they have been transparent. This administration has claimed transparency a lot, but no one has spoken about it more and exhibited it less than this administration. The compounding series of serious errors made by the ACNA staff described here are not isolated incidents. This is part of a pattern I have witnessed and confronted directly over the last year.

In my time working for the Province, I have witnessed and confronted much dysfunction in the leadership of our church. I have diligently worked through the proper channels to promote healthy systems and healthy leadership to the extent I have had influence. I have been a vault, holding confidential vast amounts of information, but when confidentiality is used as a tool to minimize, scapegoat, and intentionally distort and avoid important facts, a line has been crossed.

The proper channels are now compromised.

Our sheep deserve better from our shepherds who are called to lay down their lives for us, not the other way around.

You deserve to know that the Archbishop was aware his staff and chancellor made decisions that had a direct, negative, and irreversible impact on the Court proceedings.

You deserve to know that a court member took intentional actions to go outside the process and it undermined the integrity of the Court.

You deserve to know that the Archbishop is avoiding the real problem that remains by hanging the Provincial Prosecutor out to dry.

You deserve to know what happened.

You deserve to see the video and transcript and decide for yourself.

You deserve a complete and competent prosecution.

And you deserve an archbishop, staff, and court that is honest with you.

I'm sorry for all of us that this has not been the case.

Lord, have mercy! May He bring to Light all things hidden in darkness. Amen.

In sadness but not without hope because of Christ's love,

Rachel Thebeau