

# Missouri Baptist Convention Investigating Committee

## FINAL REPORT

[Redacted and released by MBC legal counsel]

April 10, 2007

Dr. Bruce McCoy, 1<sup>st</sup> Vice President - Chairman  
Dr. Jim Cogdill, 2<sup>nd</sup> Vice President <sup>1</sup>  
Mrs. Lisa Albert, Recording Secretary  
Dr. Robert "Bob" Curtis  
Dr. Monte Shinkle

### Introductory Remarks from the Chairman:

To the Executive Board of the Missouri Baptist Convention: This report is submitted in compliance with the directive given to us on December 12, 2006. The motion was as follows:

#### **Motion:**

On December 12, 2006, the Executive Board of the Missouri Baptist Convention, a motion was made by Wesley Hammond that a five member investigating committee be formed to be chaired by the First Vice President and to include the Second Vice President, the Recording Secretary, and two past presidents enlisted by the three aforementioned officers (provided they [past presidents] do not currently serve on the Executive Board) **to investigate rumors affecting the character of our Executive Director, our Executive Board Staff, our Executive Board members and the members of our Convention committees**, which, if true, could render some our leaders unworthy of service; and that the committee be instructed to follow the Biblical principles of discipline and reconciliation and bring back a report to the full Board at our April 10 meeting.

Your MBC Investigating Committee has worked diligently to provide findings that are factually accurate and subordinate to the Word of God. This Committee feels the full weight of the ministry task we were given. As a team, we have diligently sought to provide you accurate findings on such matters as we can report under the Biblical mandates of Scripture.

---

<sup>1</sup> Dr. Jim Cogdill did not participate in drafting the final version. Chairman McCoy received a letter of resignation from Dr. Cogdill just as the executive session began.

# RECOMMENDATION ONE

Prepared by Dr. Robert F. (Bob) Curtis  
Prepared for the Missouri Baptist Convention Executive Board

## Background:

As part of this five-member Investigative Committee, I was asked to investigate the following issues, offer viewpoints, and offer recommendations:

1. Is the Executive Board setting higher standards for new church-starts than for themselves by recommending that the new starts raise their CP giving to 10%?
2. There are at least two Executive Board members who receive some sort of remuneration from the Missouri Baptist Convention.
  - a. Is this in violation of the By-Laws of the MBC?
  - b. Should those members step down because of this?
  - c. Are they technically considered “employees” of the MBC?
3. Allegations of manipulation on the part of the 2006 Missouri Baptist Convention Nominating Committee, which was chaired by Roger Moran.
4. Allegations concerning Roger Moran’s “release” of his presentation to the MBC Executive Board last August:
  - a. Was that “release” on the MBLA website ethical?
  - b. Does the website “release” break the spirit of “confidentiality” of last summer’s meeting?
  - c. Does the decision to release this testimony mean that three members of the board violated executive rules in that they are reported to be “officers” of the MBLA?
5. Was the MBC Executive Board constitutionally correct in removing “Pathway” from under the authority of the MBC Executive Director?
6. Was there a violation of confidentiality regarding the original motion to be brought by President Michael Green<sup>e</sup> at the December, 2006 Executive Board meeting?

### **Investigation:**

The investigation was done with individuals through emails, telephone conversations and face to face visits. Additionally, I requested and received the following from the Baptist Building:

1. The names of the MBC Nominating Committee members for 2006,
2. The names of the 2005-06 and 2006-07 MBC Executive Board, the churches to which they belong, and the church's CP percentages.
3. Various minutes of meetings of the MBC Executive Board for 2006-2007 and portions of minutes from 2006-current time. I have also shared my information and findings with the full Investigative Committee along with the recommendations found in this report. I have spent time reviewing our MBC Constitution and By-laws, contacting our legal counsel, Mr. Michael Whitehead, and have also spent much time in prayer and examining the scriptures as they relate to appearances, etc.
4. While Dr. Monte Shinkle was to investigate matters as they relate to the Baptist Building and relationships between the staff and our Executive Director, I did make contact with Dorothy Nichols and Sue Wilson requesting material, as well as two other employees at the building regarding Executive Board Committee work. Neither of those employees were the Executive Director. This is important for the MBC Executive Board and Missouri Baptists to know in order to validate the integrity and objectivity of the process.

## Findings:

We wish to share the following findings based on my investigation of the issues:

1. While the Executive Board has recommended that new church-starts raise their CP giving to 10%, I found that the 2005-06 members of the Executive Board had 22 members who gave less than 10%, the lowest being 1%. The average for the entire board was 8.4%. There were also two members whose percentages were not available. The 2006-07 members of the Executive Board have 24 members whose churches give less than 10%, the lowest being 0.5%. The average for the entire current board is 8.6%.
2. The findings, after consultation with legal counsel, are:
  - a. No By-law of the MBC has been violated.
  - b. There is no reason for the board members in question to step down.
  - c. The board members in question are not technically considered “employees” of the MBC.
3. The Nominating Committee did have all the names of those submitted, and acted accordingly as sub-committees and then as a full committee. There were opinions shared regarding candidates as it relates to information available or not available. Both the guidelines and the process followed by the Nominating Committee in 2006 were the same as those followed by the Nominating Committee in 2005. While the same process was followed as in the previous year, there were confusing circumstances and issues that arose that need to be clarified for future Nominating Committees. I will seek to do so in the “recommendations” section at the end of this report. I found no willful manipulation of the process, but did find that an accusation of a “good ole boy” network could be implied. I would refer to the “recommendation” section of this report regarding this aspect of the investigation.
4. Regarding “a,b,c” of the above mentioned concerns, after consulting with legal counsel I found that the release of the material by the individual presenting it was not a violation of ethics, nor was it a violation of the “executive session” proceedings of the Executive Board. It is my understanding that an individual sharing material in an executive session is free to share that material outside the realm of the meeting, provided that the material is his or hers only, and that no other material from other individuals in the “executive session” is shared.
5. We find that the proper process was followed as it relates to removing the “Pathway” from under the authority of the Executive Director.
6. The original document containing information from Chairman Michael Green was shared with other committee members not on the Administrative Committee of the MBC. It was originally shared by Jim Cogdill.

### Unanimous Recommendations of the Committee:

1. We recognize that our Constitution and By-laws do not require member churches to give a certain percentage of its undesignated receipts to the Cooperative Program. We further recognize that each church is an autonomous body, and should have responsibility for and the privilege of determining through a prayerful process what percentage of the church's undesignated receipts should be given to support the Cooperative Program. We also recognize that our own Executive Board made a "recommendation" that *new church-starts* give at least 10% to the Cooperative Program. While affirming the autonomy of the local church, we offer that the Nominating Committee and/or the Committee on Continuing Review consider appropriately the following:
  - a. That the MBC Nominating Committee take into account the commitment of nominees from churches to serve on various boards and agencies in the MBC, and that they seek to nominate men and women who are members of churches that show strong and ongoing support, including financial support, for the Cooperative Program, while not endorsing a certain percentage.
  - b. That the Executive Board members be sensitive to this issue and seek to be examples in their own church's financial support of the Cooperative Program, particularly since the Executive Board has responsibilities to recommend a Cooperative Program budget to the convention for approval, to promote the Cooperative Program and to exercise wise stewardship as it relates to how Cooperative Program Funds are used in Missouri to advance the Kingdom of God.
2. That no action be taken that would disqualify the board members in question, in that there is no violation of our Constitution and By-laws.
3. The Nominating Committee of the MBC has a very important and public ministry responsibility. The accusation of "an appearance of evil, whether true or false," should be avoided at all costs. Accordingly, we wish to recommend to those responsible for such decisions the following:
  - a. That a meeting of the newly formed Nominating Committee be held immediately following the state convcnction, at which time all members present will be given a list of known vacancies on all boards, agencies and commissions that will need to be filled at the next convention. Those members not present at said meeting are to be sent the same list.
  - b. That the publication of known vacancies that will need to be filled begin no later than January 31 of the new year in the "Pathway" and on the MBC Website.

- c. That all members of the Sub-Committees of the MBC Nominating Committee receive the names and biographical data of all nominees to various vacancies of said Sub-Committee as they are received by the Chairman of the Nominating Committee and Missouri Baptist Building personnel responsible for said information.
  - d. That at least one copy of all sub-committee and full committee minutes be sent to and kept by Dorothy Nichols or the current Administrative Assistant to the Executive Board.
  - e. That the Nominating Committee establishes a guideline that states that “no spouse, child, parent or immediate family member of a current Nominating Committee member shall be eligible for nomination on any board, agency or commission.”
  - f. That a guideline be established that states that “no current member of a board, agency, or commission be allowed to resign his or her current position in order to be nominated to serve on another board, agency, or commission.”
  - g. That a guideline be established that states that “no person currently serving on a convention board, agency or commission shall be nominated to serve on another board, agency or commission until at least one year has passed since said person has served on a board, agency or commission.”
4. There is no recommendation regarding this item, in that the action did not violate ethics or our Constitution and By-laws.
5. That no action be taken due to no “confidentiality clause” being attached to said document to the Administrative Committee.

### **Concluding Remarks of Dr. Bob Curtis:**

I wish to thank all of those individuals who took time to respond to my inquiries regarding the assignment given to me. I have sought to prayerfully, biblically, and objectively deal with all of the matters assigned to me in a way that would strengthen our convention, that would build in “safe-guards” into the Nominating Committee process that will protect future committees from being accused of manipulation as it relates to the process used for nominations; that would build the Kingdom of God, and that would glorify God, which is our purpose as members and churches of the Missouri Baptist Convention. I want to especially thank the other members of the MBC Investigative Team for their commitment to God and their desire to glorify God as we seek to strengthen our convention.

While this process has been difficult, God has used it to cause me examine myself more deeply as it relates to “walking worthily of the calling of the upward call in Christ Jesus our Lord.” Even among the most spiritual in our convention, we are all still growing spiritually and must continually rely on His grace and on His word to sustain us. We also must recognize that while we are growing, we are still capable of and do commit sin. We have a great convention with great churches. In order for us to continue to grow in His grace, we must keep our eyes fixed on Jesus; be willing to deal with concerns according to Matthew 18; be forgiving as well as accepting forgiveness; and seek to glorify God in Word and in deed, which is our purpose in life.

(1 Corinthians 10:31; Colossians 3:17).

Thank you for allowing me this opportunity to serve Missouri Baptists.

Dr. Robert F. (Bob) Curtis, Member  
Missouri Baptist Convention Investigative Committee  
Ballwin, Missouri

# RECOMMENDATION TWO

Presented by Bruce McCoy

Prepared for the Missouri Baptist Convention Executive Board

## Background:

While some matters have been brought to our attention regarding Don Hinkle, many of those matters have yet to receive an appropriate Biblical due process as prescribed in Matthew 18. Most of the complaints given to this committee regarding Don Hinkle were from individuals who have never taken their issues or concerns to Don directly. With that being the case, this committee believes it would be inappropriate to make a final determination regarding Don's continued employment with MBC based on these types of rumors.

It is the opinion of the MBC IC that the morale of the MBC staff has suffered because of the perception that Don lacks accountability to anyone in the Baptist Building.

We understand there is significant consternation regarding some of the editorials Don has written. Many Missouri Baptists are concerned to the point of passing resolutions to condemn some of his writings. We are fully cognizant that the issue of Don's employment with the Missouri Baptist Convention has become a matter of controversy. Further, there are a number of MBC employees who have expressed to this committee that they have great personal difficulties with Don.

## A question that arose regarding the credibility of Mr. Hinkle:

In 2006, David Clippard was asked in an Executive Board meeting if he had put Don Hinkle in a "headlock." David denied it and/or could not recall. In short, Don Hinkle accused him; David denied it. There has been a *prevailing understanding of thought* that Dr. Clippard was unfairly accused of this bizarre incident.

We interviewed an eye-witness to the incident, Mr. \_\_\_\_\_ editor of the \_\_\_\_\_ Mr. \_\_\_\_\_ told me that he saw David do it, first-hand. Mr. \_\_\_\_\_ described the incident as more of "...a choke hold" and "playful." \_\_\_\_\_ was careful to point out that he did not think David meant any "harm" and was simply acting "goofy."

After bringing this to David's attention, he readily apologized to Don. David has been forgiven of this "goofy and petty" incident. While we recognize that David subsequently apologized to Don, we feel compelled to bring this incident into the open before the full Executive Board because David previously denied it before the full Executive Board and it may impact some members' perceptions regarding Don Hinkle's credibility or truthfulness. Although David continues to say he has no memory of the incident, we have come to understand by an independent eye witness that Don's accusation was indeed true.

**Recommendation:**

Therefore, by a vote of 4-1, our Committee recommends that the Executive Board refers the matter of evaluating Don Hinkle's ministry work performance to the Administrative Committee of the Executive Board along with the appropriate involvement of the Pathway Workgroup. We recommend that the MBC Administrative Committee report back to the full Executive Board at the July 2007 meeting.

## **RECOMMENDATION THREE**

**Presented by Legal Counsel<sup>2</sup> and Selected Members of the MBC Investigating Committee  
Prepared for the Missouri Baptist Convention Executive Board**

### **Six Findings regarding Executive Director David Clippard:**

#### **Finding One:**

Employee morale at the Baptist Building is low because of David Clippard.

#### **Finding Two:**

The reputation of Missouri Baptists is being portrayed unprofessionally because of David Clippard's conduct and comments.

#### **Finding Three:**

[David Clippard's answers have not always been sufficiently forthright when confronted on various issues.]

#### **Finding Four:**

[David Clippard acted unwisely in managing the settlement of a lawsuit against the Convention, the Executive Board and himself.]

[by providing insufficient information to the Board about the facts of the case and the terms of a settlement and confidentiality agreement entered by Clippard on behalf of himself, the Convention, and the Board, his employer, in a case in which he was the employee-defendant accused of wrong-doing; and by asserting the authority to sign the settlement and confidentiality agreement for the Convention and the Board, without adequate knowledge or approval by the Board.]

#### **Finding Five:**

[Attorney-client communications about the risk of future lawsuits or liabilities being brought against the MBC. ]

#### **Finding Six:**

David Clippard demonstrated a spirit toward the Investigative Committee that was divisive.

### **Recommendation Regarding David Clippard:**

By a vote of 4-1, based on the evidence reviewed by the investigative committee, we have lost confidence in David Clippard continuing to serve as Executive Director of MBC, and we would recommend that he be discharged of these responsibilities effective immediately.

---

<sup>2</sup> David Gibbs, III, attorney for Christian Law Association, Seminole, FL, presented this section of the report. Chairman McCoy consulted with Gibbs as a personal friend, who then agreed to come to the meeting to assist the committee in drafting and presenting its report