

**In the Matter of The Rt. Rev. Todd Atkinson  
Bishop, Via Apostolica Missionary District**

**ORDER by the Ecclesiastical Court for the Trial of a Bishop  
Anglican Church in North America**

**APPEARANCES**

For the Province: The Rev. Dr. Chad Graham, Esq.

For the Respondent: The Rt. Rev. Todd Atkinson, appearing through counsel, Mr. Shawn Leclerc, Esq.

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Pursuant to the Canons of the Anglican Church in North America and the Rules of Court Promulgated by the ACNA Court for the Trial of a Bishop on April 13, 2021, the Undersigned empaneled Trial Court of a Bishop hereby enters the following ORDER:

**STATEMENT OF THE CASE**

An evidentiary hearing in this matter was conducted by the Undersigned on November 22, 2021, via Webex videoconference. The following were entered into evidence as Exhibits:

**Exhibit I.** *RULES OF PROCEDURE OF THE PROVINCIAL ECCLESIASTICAL TRIAL COURTS AND THE COURT FOR THE TRIAL OF A BISHOP*, Adopted by the ACNA Court for the Trial of a Bishop April 13, 2021.

**Exhibit II.** The Record submitted by the parties known as “The Court Binder” (cited hereinafter as “TCB”).

**Exhibit III.** The CONSTITUTION AND CANONS of the Anglican Church in North America, as ratified by the Inaugural Provincial Assembly, June 2009 and amended by the fifth Provincial Assembly, June 2019.

**PROCEDURAL HISTORY**

The procedural history for this Court began when the **PRESENTMENT** (hereinafter “Presentment”) was forwarded from the Board of Inquiry on June 7, 2022. The Court notified the Province that it had received the Presentment. The Presentment was forwarded to the Rt. Rev. Todd Atkinson (hereinafter “the Respondent”) and his counsel by Certified Mail which was received on July 18, 2022.

The Province assigned the Honorable George Peagler as legal adviser to the Court. By Canon, the presiders of the Court were the Rt. Rev. William White and the Rt. Rev. Eric Menees. Presiders chose a court member to work with this group as the administrative team. The Court received multiple Motions and other communications between counsel for the parties which were handled by appropriate Orders from the Court.

On September 7, 2022, the Respondent and his counsel filed his Answer denying all charges. Then on November 28, 2022, the Court asked the parties to work together toward an Agreed Scheduling Order and said Scheduling Order was approved and made the Order of the Court by Bishop White.

On March 20, 2023, the presiders, the legal adviser to the Court, and all of the named members of the Court and alternates met for a conference. At that conference, Archbishop Foley Beach swore in all members of the Court, including alternates, with a solemn oath. On March 22, 2023, the Court held a status conference with the parties and urged the parties to resolve the case within the dates set forth in the Scheduling Order. As time progressed, the Court administratively handled multiple Motions in matters that arose and entered Orders directing and assisting the parties to complete their work.

On August 1, 2023, the parties agreed that this case would go forward on motions and briefs on all charges, with no oral argument, with specific dates set forth to forward all evidence and Briefs to the Court. On August 30, 2023, the Respondent's counsel emailed Provincial counsel and the Court to communicate that the Respondent had instructed her to withdraw from representing him. Provincial counsel, desiring to provide the Briefs and evidence as requested earlier, asked the Court how he should notify the Respondent, now unrepresented. The Court directed Provincial counsel to serve all of the pleadings and Briefs directly to the Respondent's personal email address provided by his prior attorney. Provincial counsel did so on September 13, 2023, by email with multiple pdf attachments to the Respondent.

On September 30, 2023, the Court was notified by Attorney Shawn Leclerc that he had been retained by the Respondent. Counsel for the Province promptly forwarded courtesy copies of all pleadings and Briefs to the Respondent's new counsel.

Counsel for the Respondent filed a formal Response on November 20, 2023, after requesting and receiving an extension from the Court to November 20, 2023. Counsel for the Province filed their Rebuttal on December 15, 2023. The Court then assembled the entire Court Binder in an electronic file.

The Court Binder was forwarded to the seated members of the Court. The Court met for deliberations on January 24, 25, and 26, 2024. The Court session began with all seated members of the Court reaffirming the exact oath that they took on March 20, 2023. One of the seated members moved the entire Court Binder be received into evidence, including every affidavit, schedule, and exhibit submitted by both parties, which motion the Court granted. The Court reviewed all the evidence presented by both parties in light of its relevance, materiality, and probative value to each of the separate charges and associated counts set forth in the Presentment. Following careful deliberations, the Court reached decisions on each of the

separate charges and associated counts set forth in the Presentment and rendered its judgment based upon clear and convincing evidence.

This Order reflects the Findings of Fact and Conclusions of Law reached by the Court.

## **FINDINGS WITH RESPECT TO THE AFFIRMATIVE DEFENSES**

### **Definition of Terms**

#### **1. Jurisdiction**

Jurisdiction is a fundamental requirement for courts to exercise authority over a dispute. Black's Law Dictionary defines jurisdiction as "government's general power to exercise authority over all persons and things within its territory...A court's power to decide a case or issue a decree..." Black's Law Dictionary (10<sup>th</sup> ed. 2014).

#### **2. Affirmative Defense**

An affirmative defense is a defense in which the defendant introduces evidence, which, if found to be credible, will negate liability, even if it is proven that the Respondent committed the alleged acts. The party raising the affirmative defense has the burden of proof on establishing that it applies. Raising an affirmative defense does not prevent a party from also raising other defenses.

#### **3. Ecclesiastical Jurisdiction**

Ecclesiastical jurisdiction refers to the authority of the church to handle cases and disputes related to religious matters. This includes the power of ecclesiastical courts to make decisions and judgments on issues such as church doctrine, discipline, and administration. (<https://www.lsd.law/define/ecclesiastical-jurisdiction>)

### **Findings With Respect to The Affirmative Defense Regarding Jurisdiction**

The Respondent claims this Court does not have jurisdiction because "virtually all the incidents that form charges" occurred before the ACNA College of Bishops ("the College") accepted the Respondent and therefore, because the College should have dealt with the issue at that time, the Respondent's behavior cannot now be addressed. The Respondent argues that because Bishops Walters and Masters knew of the situation with the Kremers, they should have raised it during the Respondent's interview with the College and because they did not this matter should not be heard by this Court.

The Court finds that some of the interactions described below occurred prior to Via Apostolica entry into the ACNA and prior to the Respondent's admittance to the College. This raises the question of the jurisdiction of this Court.

This Court, after consideration of the law and facts, finds that it has jurisdiction:

1. Over a Bishop whose conduct at any time is brought to light in such a manner and way that it gives rise to a Title IV offense, especially if that conduct itself can be shown to give just cause for scandal in a present and ongoing way. See, Canons of the Anglican Church in North America (2019), Title IV. The Court's opinion is supported below.
2. The discovery and continuity of the behaviors described below in contravention of the Canons after admittance to the College gives rise to a further aggravation of the Charge, the Respondent's failure to disclose what at that time was a fresh and ongoing scandal, creating a "but-for" test, for this Court to consider:
  - This Court concludes that the Respondent's failure to disclose the facts described on his application to the College, raises the serious question as to whether or not the Respondent would have been granted admittance based on Scriptural qualifications of a Bishop. See, Canons of the Anglican Church in North America (2019), Title II, Canon 8, §1, and Title III, Canon 8, §§1 and 3.
3. There were a number of un rebutted ongoing events that occurred before and after admission to the College, set forth here and further corroborated in the Findings of Fact, which support the Court's finding that the College would not have known of these events due to the Respondent's lack of candor.
  - After the Respondent had been through Bishop Walters' investigation resulting in a completed report May 17, 2016. The Respondent takes a 13-year-old minor girl alone, without parents' permission, out for coffee and later to watch a movie in his dark downstairs basement without presence of other included adults.
  - Contrary to the Respondent's contention that he did not continue to pursue similar patterns of behavior in "fathering" following the Walters Report, on December 20, 2016, the Respondent was observed at a Christmas Party texting under the table with [REDACTED] and later sitting on a couch shoulder to shoulder with her with a blanket over their legs.
  - Similarly, in 2019, the Respondent approached [REDACTED] and said, "he hopes she doesn't lose further weight." This comment resulted in further emotional hurt and shame for [REDACTED] and her family.
  - Again, in 2021, the Respondent texted [REDACTED] about the old days and how great they were, causing [REDACTED] and her family additional stress and emotional pain.

This Court finds that Bishop Walters was retained by and performed an investigation on behalf of Via Apostolica. There is no evidence that such would be held in confidence and in fact was known to be discussed in the religious community. The Respondent even criticized Bishop Walters for his handling of the mediation. Addressing the Respondent's affirmative defense that the College of Bishops should have had knowledge of the Respondent's past actions through Bishops Masters and Walters is a separate issue.

Regardless of other bishops' actions, the Court finds that a truly repentant, open, and honest applicant to the College would have disclosed the previous "investigation" on his application. The vetting process of the College relies on the applicant's honesty. The Court finds that the Respondent did not provide any information about the situation with the Kremers or spiritual fathering on his application. The Court points to the Respondent's application to the College in particular, several questions that pertain to godly character described for a bishop in I Timothy 3 (Schedule J, TCB 00296-00297):

- Have you ever been the subject of any ecclesiastical discipline? Yes/No (If yes, give details and resolution.)
  - **Response: *No.***
  
- Are there any problems or challenges to your being selected as a bishop, or is there any way in which your selection as a bishop could be a problem?
  - **Response: *Not that I know of.***
  
- Is there any other information that the ACNA College of Bishops should have about you?
  - **Response: *Not that I am aware of.***

The Court finds that the Respondent's shifting of the blame to other bishops as if they have sole responsibility is contrary to his own responsibility to be truthful. The Principles of Canon Law are clear:

*Ministers must give accurate and truthful information at all times, correcting any inadvertent error at the earliest opportunity. They must not knowingly mislead any church authority, or any member of the public; nor should they seek to frustrate or otherwise obstruct synodical or any other lawful church process. Principle 43: The professional Ethic of Public Ministry, The Principles of Canon Law Common to the Churches of the Anglican Communion (London: Anglican Consultative Council, 2nd ed., 2022).*

This Court finds that actions of the Respondent in his application to the College are in contradiction of this principle.

This Court finds that the vetting process of candidates for Bishop requires complete honesty by the applicant and the facts demonstrate that this did not occur. Notwithstanding the Respondent's claim that two Bishops of the College may have had some knowledge of the Respondent's past action prior to the Respondent's interview by the College, the Respondent still had an affirmative duty as a Christian, and as a bishop consecrated in the Anglican tradition under the 1928 Prayer Book, to be fully forthcoming in his application process.

This Court finds that the Province has shown by clear and convincing evidence, the pattern of behavior by the Respondent continued well after Bishop Walters' Report. Bishops Walters' and Masters' knowledge was narrow and limited in scope to only the Kremer matter. As described by Walters in his Affidavit, he believed at the time that the situation with Mrs. Kremer was unique

and that “spiritual fathering was in the past.” (Schedule M, ¶17, TCB 00363; see also ¶1,2, TCB 00361)

This Court finds the concerning pattern of behavior continued beyond the Walters investigation. A timeline graphic submitted as Schedule Y, to the Province’s Rebuttal reveals a concerning pattern of behavior by the Respondent which continued beyond the time and outside of the purview that would have been available information to Bishops Walters and Masters. (Schedule Y, TCB 02026-02027). Of specific note, the inappropriate and very concerning interaction with Minor B occurred after Bishop Walters’ Report. The Respondent’s intimate behavior toward [REDACTED] also continued after the Report.

1. In the Fall of 2021, allegations of misconduct including abuse of ecclesiastical power were made against the Respondent. A Godly Admonition was issued by the Most Rev. Dr. Foley Beach, Archbishop and Primate of the Anglican Church in North America, to the Respondent in September 2021. The Respondent took a twelve month leave of absence.
2. A Provincial Investigative Team was formed and after a thorough investigation recommended to Archbishop Beach that Title IV charges be brought. Based upon the seriousness of the charges and strength of the evidence, four of the most senior bishops in the Anglican Church by date of consecration believed it to be warranted that the Respondent be inhibited from all ministry pending the outcome of the process. The inhibition was entered on June 7, 2022; upon the Board of Inquiry forwarding the Presentment to the Court for the Trial of a Bishop.
3. Contrary to the Respondent’s contention that he lost his employment from Via Apostolica at the time of the Godly Admonition, it was not until a year later in September 2022 that Via Apostolica terminated the Respondent.

**For these Reasons, the Court finds that the question of whether this Court has jurisdiction is answered in the AFFIRMATIVE.**

### **Findings With Respect to The Affirmative Defense Regarding The Statute Of Limitations**

The Respondent contends that (1) the 10-year statute of limitations does not apply in this case and (2) the Canons' silence on a statute of limitations for bishops means the behavior of bishops prior to admittance to the College is not appropriate for investigation.

This Court disagrees with the Respondent and finds that the lack of a time specific statute of limitations for bishops should be construed that there is not a restrictive time-period.

1. First, all bishops remain priests (and deacons) of the Church. Therefore, if presbyters and deacons can be held accountable for behavior of 10 years ago, so too can a bishop.
2. Second, should there be a different standard for bishops than priests and deacons, surely the behavioral standards for bishops ought to be higher and more consistent throughout their lives than those of any others in leadership.
3. This Court finds that reputation, in the present, may be impacted by any actions at any time, consistent with Titus 1:7, "an overseer, as God's steward, must be above reproach" and "Moreover, he must be well thought of by outsiders" (1Tim. 3:2, 1Tim. 3:7).
  - a) This Court notes that past perfection is certainly not the standard, as seen in the redemption of St. Paul. Rather, reputation in the faith and ministry after redemption is paramount.
  - b) This Court finds that the actions of the Respondent were in the context of his present ministry, not prior to his conversion.
  - c) Similarly, the ACNA Canons require that bishops "have good morals and exhibit Godly character" and "be held in good esteem by the faithful." Canons, Title III, Canon 8, §3. See also, Canon III, 8, §1 that a Bishop "...is to be a wholesome example to the entire flock of Christ (1 Peter 5: 2-3)."
4. In conclusion, this Court finds, that the Respondent's behavior falls within the ten-year window of general jurisdiction, impugns the biblical and canonical qualifications for being above reproach, has continued for a long period of time, and has not been abandoned through redemptive repentance.

**This Statute of Limitation Affirmative Defense is DENIED. Given this denial, the Court maintains jurisdiction over the Respondent and the behavior alleged in the Presentment.**

**Findings With Respect to The Affirmative Defense  
Regarding The Seal Of The Confessional**

The Respondent's claim is based upon the inclusion of the word "confession" in his email to the Archbishop.

1. The Respondent states in his email to the Archbishop that "Todd's Story" addresses what he would tell a friend who asks about his Spiritual Fathering. The Court finds that this statement demonstrates that there was never any expectation of confidentiality.
2. The Court observes that the Respondent writes the Archbishop in the email he "wrote it with a ["tell a friend"] specific purpose in mind" and opens the email expressing that the document is something that "may interest you" which reveals his intention was something other than to engage in the rite of confession. (Schedule A, TCB 00030).
3. The Court finds that repentance and the confessional seal are specific and well-established concepts, with elements not present in the Respondent's correspondence. Principle 76 of The Principles of Canon Law, notes the following with regard to confession: "A person who, unable to quiet his conscience by general confession or otherwise to find the assurance of the forgiveness of God, repents of his sinful past and intends amendment of life, may offer private confession to God in the presence of a priest." Principles of Canon Law, Principle 76, *Confession and absolution* (2020).
  - a) The Court finds that the Respondent's document does not humbly repent to God; rather, it is wrought with excuses and places blame on others, including the African church.
  - b) The Court concludes that it was not done with any solemnity or the seriousness of the rite. There is no evidence that the Respondent requested a call with the Archbishop for the purpose of repentance and absolution but rather sent him an unannounced email for his "interest" with no request for or expectation of a response.
4. This Court notes that Principle 76 also recognizes that absolution is a requirement in Confession, yet the Respondent did not include a statement seeking or requesting absolution in his email. It has been over a year since he originally sent the email to the Archbishop and the Respondent has never reached out to or followed up with the Archbishop seeking absolution.

**The Respondent has failed to carry his burden of proof and this Affirmative Defense concerning the Seal of the Confessional is hereby DENIED.**



### **Findings With Respect to Respondent's Claim of Procedural Infirmities**

The Respondent asserts that the Archbishop and Province have not followed the Canons and therefore have violated procedural fairness and natural justice. The Court finds that these claims are baseless and without evidence.

The Respondent claims that the Archbishop violated the Canons by including in a Godly Admonition the following clause: "To take a Leave of Absence by refraining from all ministry activities, including spiritual direction." (Godly Admonition, TCB 02039). This procedure is not unusual when there are alleged significant allegations in order to allow proper space for an appropriate investigation without undue influence upon complainants and potential witnesses. The Court finds that this is immaterial to the charges and further that the purpose of the Godly Admonition, being pastoral in nature, did not prejudice the Respondent in the matter before this Court.

The Respondent claims in paragraph 45 of his Response that the Godly Admonition resulted in the Respondent's employment termination. The Court finds that the Respondent's employment was a matter for Via Apostolica, not the Anglican Church in North America, and is otherwise irrelevant to this matter before the Court. This Court concludes that the terms of the Godly Admonition are immaterial to the Respondent's guilt or innocence regarding the charges against him.

The Court concludes that, the Respondent's claim is not supported by the evidence:

1. The Godly Admonition was given to the Respondent in September 2021.
2. On or around June 7, 2022, the Respondent was duly Inhibited.
3. It was not until September 2022 that Via Apostolica terminated the Respondent's employment.
4. To whatever degree his Inhibition was part of Via's decision to terminate his employment, it would have been the Inhibition properly in place for the previous 3 months.

The Respondent also claims in paragraph 48 that "no information about who the deponents were that were making sworn statements was provided to the Respondent or his counsel until November of 2023." The Court finds that this is also factually incorrect.

1. On July 18, 2022, the Presentment, containing a volume of facts, was served to the Respondent and his Counsel.
2. The Respondent and/or his counsel had access to Schedules A-J on January 31, 2023.
3. The Respondent and/or his counsel were sent on March 14, 2023, the Prosecution's witness list.

4. On August 31, 2023, the Province filed the rest of its affidavits with the Court and waited for direction on service to the Respondent after the Respondent fired his counsel on August 30, 2023.
5. At the direction of this Court, the Prosecution served the Respondent directly to his personal email address the Motions for Summary Judgment and the Schedules on September 13, 2023.
6. His now current counsel was offered courtesy copies by the Prosecution and sent the relevant documents on October 3, 2023.
7. The Court finds that the Respondent's position that he did not know who the affiants were until November of 2023 is without merit or foundation.

In paragraph 49, the Respondent questions the Board of Inquiry and claims it was not properly constituted. The Court finds that this claim is not supported by the evidence.

1. This Court would not have been convened for this case but for a duly constituted Board of Inquiry having referred this Presentment and case to it.
2. The duly constituted Board of Inquiry released its canonically required public statement on July 7, 2022. Canon IV.4.6. *Concerning Findings of Board of Inquiry.*

**The claim by the Respondent of Procedural Infirmities is DENIED.**

**Findings With Respect to The Motion Of The Respondent For Complete Dismissal Of The Charges Against Him Based Upon Natural Justice And Fair Procedure**

The Respondent and his counsel seek in Paragraphs 36 and 37 of their Response (see, TCB 01667) for this Court to grant a summary dismissal of the entire disciplinary case against him on the allegation of failure to do so would be a denial of natural justice and fair procedure. According to the Rules of Procedure, the Respondent and his counsel must prove this claim by clear and convincing evidence.

Contrary to the claims of the Respondent, this Court finds that the Anglican Church in North America cares deeply about fundamental fairness, due process, and natural justice for all clergy, and the Court makes the following supporting findings:

The ACNA Canons in Title IV, Canon 5, §7, sets forth the procedures that apply to all courts within the Province, including the Ecclesiastical Court for the Trial of a Bishop, as follows:

The Rule states, "Such procedures shall acknowledge the presumption of innocence of the accused and the right to representation by counsel, and shall be consistent with principles of fairness, due process and natural justice and shall require expeditious handling consistent with those principles. No new rule or procedure shall be made while a matter is pending that would be affected by that rule. In all courts of original jurisdiction, the standard of

proof shall be by clear and convincing evidence. Unless a higher standard is required by diocesan Canon for a Diocesan Trial Court, the affirmative vote of not fewer than a majority of the members of a Court shall be required for any determination by that Court.” Canons, Title IV, Canon 5, §7.

The **Rules of Procedure** for the Court for the Trial of a Bishop state:

- **Rule 1: Application and Scope of the Rules** states that the rules will be construed and administered to secure the just, speedy, and inexpensive determination of every action brought within the Provincial Ecclesiastical Trial Courts of the Province.

These rules recognize and acknowledge that presumption of innocence of the accused and the right to representation by counsel, are consistent with the principles of fairness, due process, and natural justice and require expeditious handling consistent with those principles.

In all provincial trial courts of original jurisdiction, the standard of proof is by clear and convincing evidence.

- See also Rule 5: General Rules of Pleading and Rule 5(c)(4): Construction. All pleadings shall be construed as to do substantial justice for the Ecclesiastical Court for the Trial of a Bishop.
- See also Rule 11, Trials (e)(1). In all Presentments, the burden of proof and the burden of going forward on each allegation will be upon the ecclesiastical authority bringing the Presentment. The Respondent in Presentment actions shall have the burden of proof, and the burden of going forward, on any Defense(s).

Historically and generally, due process and natural justice are similar and related in many ways. Natural justice arises both in the heart and conscience of man and through Judeo-Christian thought as well. For Christians, all natural justice is from God. He is the Good that informs our thought, morals, and ethics, and our actions. His natural law is the order of the universe.

Due process has origins in the concept of natural justice or “natural law.” This is developed both in the law of the Church and the law of the land. However, in the United States, these concepts are generally recognized as right to a fair hearing, cross-examination of witnesses, notice of charges, presumption of innocence, and hearing before a jury or impartial judge.

Due process or natural justice also include the right to a notice of the charges against you, the right to legal representation, the right to be apprised of the decision of the Court, the reasons and bases for the decision, in addition to a right of an appeal.

The Court finds as a matter of due process and natural justice, that on July 18, 2022, the Respondent and his counsel were served with the entire Presentment in this case containing detailed facts, names, and other identifying information for four (4) separate Charges including ten (10) Counts. These charges and counts contained names, dates, and factual allegations.

In resolving this Motion to Dismiss, the Court makes the following additional findings concerning the procedure, due process, and natural justice afforded to the Respondent in this case.

1. On September 7, 2022, the Respondent and his second attorney, Sarah Miller, files his Answer denying the charges in the case.
2. On November 28, 2022, the Court asks the parties to work together and agree to a Scheduling Order on or before January 9, 2023. The parties do so and the Scheduling Order is filed on January 9, 2023.
3. The importance of a Joint Scheduling Order is so that the parties can work together and identify mutual ways within agreed timelines to set deadlines on when certain events in the case must occur. Often the most significant deadlines, as in this case, concern discovery, exchange of trial exhibits, witness lists, Motions, and ultimately a firm trial date. In this case, the parties agreed to these important dates and the Court adopted the Joint Schedule making it a formal Order of the Court.
  - a) Discovery to be completed as soon as possible; Pre-trial Motions were to be heard before the end of February 2023; Pre-trial Briefs to be filed by the Province four (4) weeks prior to trial and to be filed two (2) weeks prior to trial by the Respondent; Witness Lists to be submitted one (1) month prior to trial; and Affidavits regarding the claims concerning minors and/or video evidence forwarded to the Respondent 90 days prior to trial. The Scheduling Order indicated that, the parties being far apart, no dates were proposed for scheduling any reconciliation efforts.
  - b) Motions for Disposition of the Case to be filed by the end of February 2023.
4. March 22, 2023, Sarah Miller writes to set up the deposition of Lisa Kremer for cross-examination.
5. May 18 through June 28, 2023, counsel for the parties discussed alternative proposals offered by the Respondent for a way forward.
6. June 28, 2023, Sarah Miller writes to the Court to confirm that the parties cannot agree on a way forward concerning the Respondent's May 18, 2023, alternative proposal.
7. The parties exchanged multiple emails from June 28, 2023, to July 12, 2023.
8. August 1, 2023, the Court ordered all charges be brought via motion because the charges are factually and evidentially intertwined, and requests that prosecution submit motions, evidence, and Briefs within 30 days. The Respondent will then have 30 days from the Prosecution's submission to file his Response. Sarah Miller, who had previously proposed proceeding by written briefs on all charges, agrees with the Court's Order. Chad Graham, counsel for the Province, also concurs.

Hearing this matter on motions, briefs, and the Record in this case, reflects and honors the agreement between the parties and their attorneys to have this matter resolved expeditiously pursuant to Title IV, Canon 5, §7 and pursuant to Rule 1 of the Trial Court Rules, "...administered to secure the just, speedy, and inexpensive determination of every action..."

9. August 30, 2023, Sarah Miller emails the Court to communicate that the Respondent has instructed her to withdraw from representing him. She includes a letter from the Respondent which he sent to the College attempting to resign from the Anglican Church in North America.
10. On August 31, 2023, the Province filed the rest of its Affidavits with the Court and waited for direction on service to the Respondent after the Respondent fired his counsel on August 30, 2023.
11. The Court directed, and the Prosecution complied, by serving the Respondent directly to his last personal email address on September 13, 2023, with all of the Motions and Schedules filed by the Province.
12. Shawn Leclerc was offered full courtesy copies by the Prosecution of all of the matters filed by the Prosecution and those relevant documents were sent on October 3, 2023.
13. Shawn Leclerc was extended additional time to file the Response on behalf of the Respondent. The Court granted the additional time. He met the deadline that he had asked for.

The Court finds that in the matter of the Respondent, he was provided due process and fair procedures:

- (a) to protect his rights to notice of proceedings;
- (b) to adequate time for preparation of defense;
- (c) the presumption of innocence;
- (d) the right to be heard within a reasonable time (noting that delays in time in this case were at the request of the Respondent to change counsel on multiple occasion);
- (e) to question evidence which he has accomplished through the filing of the Response and all of the Schedules and Affidavits of the Respondent;
- (f) to legal representation which he has exercised fully choosing to retain 3 separate attorneys; and,
- (g) if he disagrees with the written decision and findings of this Court, he has a right to appeal pursuant to the ACNA Canons. Canons, Title IV, Canon 6, *Concerning Process of Appeals*.

The Court also finds in this matter that the Respondent was extended, and received, extensive pastoral care delivered through Bishop Don Harvey. Bishop Harvey was asked, and agreed, to provide pastoral care and assistance as Chaplain to the Respondent throughout this matter.

This Court finds that the Respondent and his counsel have failed to meet the burden of proving this Affirmative Defense by any real evidence, much less by clear and convincing evidence. The Court also finds that the Respondent has received full and fair due process and natural justice as provided by the Constitution and Canons of the Anglican Church in North America.

The Court finds that the Respondent has not been denied any of the rights of due process and natural justice and that the Province has complied with said principles as established within the Anglican Church in North America Constitution and Canons.

**Therefore, the request for summary dismissal of the entire disciplinary matter by the Respondent, through his counsel, Shawn Leclerc, is DENIED.**

### FINDINGS OF FACTS

**NOW COMES THE ACNA TRIAL COURT OF A BISHOP AND UPON CONSIDERATION OF THE EVIDENCE SUBMITTED BY THE PARTIES IN THE MATTER OF THE RT. REV. TODD MICHAEL ATKINSON, NOW MAKES ITS FINDING OF FACTS.**

In considering the evidence before it, the ecclesiastical courts of the ACNA<sup>1</sup> operate under the framework of canon law which emphasizes the pursuit of truth, and in doing so, considers the relevance, reliability, and credibility of all relevant evidence submitted in a case. While the Federal Rules of Evidence<sup>2</sup> may be considered as a guide, Anglican ecclesiastical courts are not bound by them, as they are in the secular legal system. The findings of this Court are arrived at by considering and weighing all of the evidence before it and the law applied in the service of truth, justice and equity. *The Principles of Canon Law, Principle 7, The applicability of law (2022)*.

In determining if an allegation in the Presentment is true or not, the evidence must rise to the level of certainty known as *clear and convincing*<sup>3</sup>. Clear and convincing proof means that the evidence presented by a Party during the trial must be highly and substantially more probable to be true than not and the Court who serves as the trier of fact must have a firm belief or conviction in its factuality. In this standard, a greater degree of believability must be met than the common standard of proof in civil actions (i.e. preponderance of the evidence), which only requires that the facts as a threshold be more likely than not to prove the issue for which they are asserted.

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<sup>1</sup> ARTICLE XI of the ACNA Constitution provides that *[t]here shall be an ecclesiastical court of final decision to be known as the Provincial Tribunal consisting of seven members, both lay and clergy, who shall be appointed by the Provincial Council on such terms and conditions as determined by canon. The jurisdiction of the Provincial Tribunal shall be to determine matters in dispute arising from the Constitution and Canons of the Province and such other matters as may be authorized by canon. There shall be a Court for the Trial of a Bishop to function as provided by canon. The Provincial Council may, by canon, create such additional courts, inferior to the Provincial Tribunal, as may be necessary or appropriate to determine matters of church discipline. Each diocese shall, by canon, establish its own ecclesiastical Trial Court for the trial of a deacon or presbyter.*

<sup>2</sup> The Federal Rules of Evidence are a set of rules that governs the introduction of evidence at civil and criminal trials in United States federal trial courts.

<sup>3</sup> According to the Supreme Court in *Colorado v. New Mexico, 467 U.S. 310 (1984)*, "clear and convincing" means that the evidence is highly and substantially more likely to be true than untrue. In other words, the fact finder must be convinced that the contention is highly probable.

This Court, in the Matter of The Rt. Rev. Todd Michael Atkinson, having heard and considered all of the evidence before it, hereby makes the following finding of facts.

**FINDINGS OF FACTS AS TO CHARGE I**  
**[Inappropriate Relationships with Women in Violation of Title IV, Canon 2, §4]**

1. That the Respondent was consecrated a Bishop on May 16, 2012, by Bishop Ron Kuykendall, at Lethbridge, AB, Canada. Following his consecration, he continued in the role of lead pastor of Via Church Lethbridge in Lethbridge, AB, Canada (formerly, River of Life Community Church, Lethbridge, AB, Canada).
2. In 2018, the Respondent made application to the Anglican Church in North America College of Bishops and was thereafter admitted. The Respondent was and continues to be a Bishop who is a member of the Anglican Church in North America College of Bishops.
3. The Court finds by clear and convincing evidence that over the course of his episcopal ministry, the Respondent fostered, nurtured, and engaged in relationships with more than one woman, in such a manner, that gives just cause for scandal or offense including, but not limited to the abuse of ecclesiastical power.
4. The Court finds that the Respondent fostered and nurtured relationships under the guise of “spiritual fathering” with multiple women beginning, at least from 2012, and continuing throughout his tenure as a Bishop. The evidence shows a pattern of developing and maintaining relationships with multiple women that were inappropriate, crossed significant boundaries and resulted in emotional harm to the individuals and the families involved as evidenced by the sworn affidavits of the Parties and witnesses as well as the supporting documents now before this Court.
5. The Court finds that upon the Respondent’s own admission he “spiritually fathered” Lisa Kremer, [REDACTED], and [REDACTED] and further admits that that he “crossed boundaries” with these women in various ways. The Respondent admits that each of these relationships with these women was inappropriate. (Schedule B, ¶7&5, TCB 00037).
6. The Testimony before this Court includes the Respondent’s own admission:

*[M]y role as spiritual father evolved into something else.... I crossed boundaries with my highly affectionate words.... I crossed boundaries when I squeezed a woman’s hand, even if it was in prayer, or by hugs, etc. I crossed boundaries with far too many texts, far too much time, far too much attention, etc. (Schedule B, ¶4&5, TCB 00037).*
7. Based upon the evidence before it, this Court finds that the relationships the Respondent fostered, nurtured, and maintained between himself and the women enumerated in the various counts of the Presentment are found to be highly inappropriate, deeply concerning

and ethically unacceptable. This Court further finds that these relationships were fostered and maintained by the Respondent while he was in a position of authority<sup>4</sup>.

8. This Court finds by clear and convincing evidence that the Respondent initiated, nurtured, and maintained inappropriate relationships with the women enumerated in the various counts of the Presentment while serving in a position of ecclesiastical authority over these women—a position that was entrusted to him pursuant to Title III, Canon 1. See, Canons, Title III, Canon 1, §2. This Court finds that the authority entrusted to him as a Bishop, both before and after his membership in the ACNA College of Bishops, was abused, consistent with the allegations of the Presentment.
9. This Court finds clear and convincing evidence that that the Respondent formed, nurtured, and maintained relationships with each of the women enumerated in the various counts of the Presentment in such a way as to be exploitative and manipulative in manner, leading to emotional harm for each of them, their spouses, and their immediate family. The Principles of Canon Law, Principle 16, *Leadership and Authority*, (2022).
10. This Court finds that the gift and trust of ecclesiastical authority entrusted to the Respondent was abused over the course of his episcopal ministry and is of such nature as to give just cause for scandal or offense.
11. This Court finds that the Respondent's actions became increasingly resistant to requests to discontinue the pursuit of women with whom he chose to pursue a relationship. In one instance, the Respondent failed to honor the request of the husband of a woman enumerated in the Presentment to discontinue texting his wife. The husband had requested, and the Respondent had agreed to cease all communication with his wife who was then being pursued by the Respondent through, among other things, continuous texting at all hours of the day and night. Following the Respondent's initial agreement to discontinue communications with his wife, the Respondent resumed texting his wife within 24 hours of the agreement and thereafter, intensified his pursuit of a relationship with his wife over the weeks and months that followed.
12. This Court finds that the Respondent's actions were further compounded by his lack of disclosure and candor before the College of Bishops during the process of his application to the College in 2018. In the instant case, the Respondent failed to fully inform the College as to a six-year history of significantly concerning life patterns. This Court finds that the Respondent's failure has and will erode trust in the processes outlined in our Canons for the selection of a Bishop as well as undermine the integrity of the College as a whole.<sup>5</sup> It is the opinion of this Court that this breach of trust related to the disclosure of material facts in response to questions presented to him as a Bishop candidate, for which he is solely

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<sup>4</sup> This Court uses the term *spiritual authority* and *ecclesiastical authority* interchangeably but recognizes the distinction between that which is general in nature (*spiritual authority*) and that which derives from an ecclesiastical office (*ecclesiastical authority*) authorized by the Constitution and Canons of the ACNA and which has been properly vested in a particular candidate.

<sup>5</sup> ARTICLE X: COLLEGE OF BISHOPS of the ACNA Constitution provides that *[t]he chief work of the College of Bishops shall be the propagation and defense of the Faith and Order of the Church, and in service as the visible sign and expression of the Unity of the Church.*



responsible, ultimately led to a cascade of events, the consequences of which have now been well documented by the evidence before this Court.

13. This Court finds that on or about December 12, 2018, the Respondent completed his application for admission to the ACNA College of Bishops which was thereafter submitted to the College. In and during the application process, the Respondent failed to disclose to the College material facts, including but not limited to the disclosure of a six-year history of relationships that, on his own admission, were inappropriate; and that he failed to disclose that formal complaints had been made to the Via Lethbridge Board against him by members of his church concerning an inappropriate relationship with a female member of his church.
14. At the time of the Respondent's application to the College, the Respondent had read and was in general agreement with an investigative report made following complaints to the Via Lethbridge Board concerning his relationship with a woman in his congregation which, among other findings, concluded:

*There did appear to be a codependent relation between Lisa Kremer and Bishop Todd. The codependent relationship expressed itself in a father-daughter relationship that became excessive and eventually hurtful to Lisa and Dan. In addition, the optics of this codependent relationship appeared to have the 'appearance of evil', which was in itself a serious problem that had to be named and addressed. (Schedule C, TCB 00043).*

15. Notwithstanding a six-year history of fostering and nurturing inappropriate relationships with women under the guise of father-daughter relationships, when asked by the College if there was *any* other information that the ACNA College of Bishops should have about him, he responded; “[n]ot that I am aware of” (Schedule J, TCB 00297). The answers to the questions in the application, for which he alone bears sole responsibility, allowed for several opportunities to disclose information that, based on the evidence before this Court, were significant and material to the College's inquiry as well as to both the integrity and results of the Respondent's application process.
16. The concealment of material facts as outlined in the preceding finding is particularly concerning where, as in the case of the Respondent's application to the College, trust and transparency are paramount. The failure to disclose relevant information in ecclesiastical matters can have significant damaging effects on the church and erode the trust and integrity of the church community and its processes outlined in the Constitution and Canons of the ACNA. As is the case here, candor plays a crucial role in the application process for positions of trust and authority, allowing the College an opportunity for a thorough evaluation of a candidate's suitability, and ultimately ensuring that decisions regarding the College's confirmation of candidates to episcopal ministry are made based on accurate and complete information. This is especially true given that the chief work of the College is to be guardians of the *propagation and defense of the Faith and Order of the Church*. Constitution of the Anglican Church in North America, Article X, College of Bishops (2019). Such candor serves as a protectant to the clergy, congregations, and the Church at large especially when such considerations involve the office of Bishop.

17. Based upon the information provided to them, the ACNA College of Bishops accepted the Respondent into the College during their regularly scheduled meeting in Melbourne, Florida on or about January 11, 2019.
18. The Court finds by clear and convincing evidence a cumulative pattern of behavior before and after the Respondent's admission to the College, which now support the following findings with respect to each of the counts set forth in the Presentment.

**Count One: Lisa Kremer**

**As to Charge I, Count One, the Court, upon clear and convincing evidence, makes the following finding of facts:**

19. This Court finds that in late 2014, the Respondent, who was serving as the lead Pastor of Via Church Lethbridge, initiated a relationship with Lisa Kremer who was then attending Via Church Lethbridge with her husband, Dan Kremer. The evidence shows that Lisa Kremer came from a difficult background including abuse. Lisa Kremer's husband, Dan Kremer, had begun a 1-year internship at Via Church Lethbridge beginning in June of 2014. The relationship between Lisa Kremer and the Respondent was described by the Respondent as that of a "father-daughter" relationship. (Schedule F, ¶2, TCB 00125).
20. The relationship between Lisa Kremer and the Respondent continued, was nurtured, and intensified over the course of 2015. During this time, the Respondent used gifts, extensive texting and emails, and time alone with Lisa (which included displays of physical affection), in order to nurture and direct their relationship. The physical affection included handholding, greetings by kisses on the forehead and, (sometimes lengthy) hugs. (Schedule F, ¶22, TCB 00132).
21. This Court finds that excessive gifts were given by the Respondent to Lisa Kremer. These gifts were often given in secret and were personal in nature such as clothing and shoes. The Respondent took Lisa on shopping sprees spending hundreds of dollars on personal items for her including shoes, clothing and, hiking gear. On one such occasion, gifts totaling \$800 were purchased by the Respondent for Lisa (Schedule F, ¶13, TCB 00129). The evidence shows, and the Court finds, that some purchases were made using funds from accounts maintained by Via Apostolica. During a time while Lisa was away on a summer trip, the Respondent sent a gift to her every day for fourteen days in a row (Schedule F, ¶52, TCB 00143).
22. In June of 2015, the Respondent took Lisa Kremer out alone for coffee where he gave her a ring described by the Respondent as a family heirloom. He explained the purpose of the ring was to memorialize the relationships between the two of them. The evidence shows that Lisa inquired if the Respondent's wife was aware of this gift and the Respondent responded that the ring was being given to her without the knowledge of his wife. Thereafter the gift was declined. (Schedule F, ¶48, TCB 00141).

23. In addition to a continuous outpouring of gifts, the Respondent made use of texts over the course of their relationship which included carefully crafted words of affection and persuasive language designed to guide, manipulate, and influence their relationship. Texting was used excessively during all hours of the day and night and, at times, included pictures and selfies. The Respondent became increasingly affectionate in his texts and often included offers of money, requests for gift ideas for her and requests to meet. Expressions of affection included multiple references to how much he loved her and adored her, referring to her as "his beloved." He told her that she had him in an "almost permanently melted state." The Respondent further told Lisa that he could "never get too much of her" and that he "wanted to spend a lifetime delighting in her." No boundaries were shown as to the time when texting. Texts were sent at all hours of the day and night such as 3:00 am, while others were sent by the Respondent just upon the Respondent waking. (Schedule T, TCB 00467).
24. The evidence shows that the Respondent sent over 11,000 text messages to Lisa Kremer (not including Instagram messages, audio messages, phone calls, or other modes of communication) over the course of four months (between May and September of 2015). Lisa Kremer testified in her Affidavit that, on at least one occasion, the Respondent offered to stay on the phone with her all night in order to allow her to fall asleep to the sound of his voice and his breathing. (Schedule F, ¶25, TCB 00134) On multiple occasions, the Respondent asked for pictures of her. He told her that it was hard not to be close and connected to her.
25. According to the testimony of Lisa in her affidavit, which this Court finds credible, the Respondent would share problems between he and his wife. (Schedule F, ¶48&53, TCB 00141&00143). He told Lisa that that no one touched his heart like she did and often used terms of endearment like "baby," "darling," and "beloved."
26. The Respondent increasingly interwove family relational rhetoric in his communication to Lisa in order to draw and orient the relationship towards his means. The evidence showed this to be a pattern with women selected by the Respondent who came from challenging or abusive relational backgrounds. This communication was bolstered by the insistence that the Respondent carried a "special" revelation from God and that he was being used to love her in order to show God's love to her. Here is how he expressed himself in one text:

*These are core ways of expressing my love for you Lisa. I have long ago chosen that you are worth loving for life. I have burnt my yoke and oxen. And I have chosen to love you with extravagance and to expect the highest of this relationship. I've decided that you are worth loving with ALL my fatherly love and not just a part of it. I DO have to have lower expectations of open just a little of my heart with others. But with you, I don't hold back. And as long as you want my fatherly love, I will continue giving it ALL to you... As you believe and receive it, His love for you is like the rising morning sun that just grows stronger and stronger. Father, love Lisa through me with a love that never quits and never diminishes. (Schedule T, TCB 00601).*

27. As the relationship intensified, Lisa Kremer's husband became increasingly concerned. Lisa Kremer testified in her affidavit that her husband felt as if he was losing her to the Respondent (Schedule F, ¶33, TCB 00136). She further testified that her husband asked her to stop what he called an "emotional affair" with the Respondent. The Respondent, in turn, attempted to isolate Lisa further from her family. (Schedule F, ¶43, TCB 00139).
28. On one occasion, Lisa Kremer's husband requested an intervention from friends while their family was vacationing in the U.S. According to the sworn testimony of Lisa Kremer, Lisa, who had been encouraged to share everything with the Respondent as her Bishop and counselor, shared the potential involvement of these friends with the Respondent. The Respondent insisted she not attend such a meeting (Schedule F, ¶55, TCB 00144). Lisa became upset and for the first time in a year, turned off her phone in order to stop the communication from the Respondent. Upon turning her phone back on, she found 27 text messages from the Respondent. The texts accused her husband of slander and warned that her husband was not allowed to slander him like that (Schedule F, ¶57, TCB 00145). Lisa Kremer's husband then sent a text to the Respondent requesting that he discontinue his communication and honor his request for boundaries as they tried to work on their marriage (hereinafter "*communication ban*"). Within 24 hours, the Respondent resumed his texting to Lisa Kremer. Notwithstanding the request of Lisa's husband and being told that the Respondent's relationship with Lisa was having a significant negative impact on their marriage, the Respondent continued to pursue the relationship with Lisa (Schedule L, ¶32, TCB 00359).
29. Lisa Kremer testified that the Respondent began to disclose confidential and negative information about her husband including the fact that he was receiving bad work reviews at his work where the Respondent served as her husband's employer, Bishop, and congregational Pastor. The Respondent intimated to Lisa that he knew God's plans for her husband (Schedule F, ¶54, TCB 00143).
30. At all times during their relationship, the Respondent maintained a counseling relationship with Lisa, encouraging her to increasingly open up and share with him her deepest pains and fears. Despite her growing feelings of guilt, the Respondent, who was her Bishop and spiritual authority, told her that the relationship she had with him was noble and pure, citing her spiritual maturity as a basis (Schedule F, ¶47, TCB 00140).
31. On the Respondent's own admission, the relationship between he and Lisa Kremer evolved into something other than that of a "*spiritual father*." The Respondent admits that he "crossed boundaries" with highly affectionate words, physical touch (including holding hands and hugs), and excessive texting, time, and attention. Nevertheless, he continued, often secretly, to pursue his relationship with Lisa.
32. Sometime in April or May of 2015, Lisa's husband wrote a formal letter of complaint to the Via Lethbridge Board. The situation remained unresolved and sometime in the Spring of 2016, Bishop Walters reached out to the Kremer's regarding a possible investigation.

33. Bishop Walters was asked by the Via Apostolica Board to make further inquiry and review the allegations of the Kremers' including the earlier complaint made to the Via Lethbridge Board concerning the relationship between the Respondent and Lisa Kremer.
34. On December 20th, 2016, Bishop Walters produced his Final Report, including a seventeen-page report of his findings as well as a four-page Summary Statement. This report was received into evidence by this Court in addition to over 2000 pages of additional documents including statements, evidence, and affidavits from the Parties as well as other witnesses to the events surrounding the matters outlined in the Presentment.
35. In his review, Walters concluded that many of the Kremer's accusations were founded on fact. Walters concluded that there appeared to be a codependent relation between Lisa Kremer and the Respondent. The codependent relationship expressed itself in a father-daughter relationship that became excessive and eventually hurtful to the Kremers. The report notes that the optics of this codependent relationship appeared to have the "appearance of evil which was in itself a serious problem" (Schedule C, TCB 00043). Walters concluded that, "[o]n balance it does appear that Bishop Todd's relationship with Lisa, resembles from the observer's perspective, more of the characteristics of a male female infatuation (especially the intense emotional attachment) than that of a father-daughter relationship" (Schedule D, ¶4, TCB 00054). He additionally concluded that "Bishop Todd took advantage of her to gain her love." The Court finds that these statements from Bishop Walters report are supported and consistent with the findings of this Court based on a totality of the evidence before it.
36. In or around August 2015, a *communication ban* was put in place precluding the Respondent from further communication with Lisa Kremer. In complete and total disregard to the *communication ban*, the Respondent persisted in his communication with Lisa Kremer including using various means of communication including text, email, and Instagram. He also prepared an 80-page handwritten journal which he delivered to her through a third-party as a means of circumventing the *communications ban*. The journal was authored by the Respondent during the months of September and October 2015. The journal was submitted and received into evidence as part of the trial in this matter. On the Respondent's own admission, the journal was purchased with the specific intention of continuing his relationship with Lisa Kremer. (Schedule E, TCB 00082).
37. The journal sent to Lisa Kremer following the *communication ban*, included the following statements identified as entries from September 26 and September 30, 2015:

*I went for a walk around Henderson Lake last week. It was a beautiful autumn day. I brought a flask of coffee with me. The same flask with the wood finish I would bring to you often. The one with the wood finish. Do you remember when I would bring you that flask filled with my favorite Bows and Arrows coffee. Every day I walked with you I sought to learn about you.* (Schedule E, Sept 26, 2015, TCB 00089).

*I am praying at the front of the sanctuary and thinking about my recent Instagram post that says: "I have a plan. Do you trust me? –God" I said "Yes I do trust you!!!" Whereupon I felt something like joy, and had a daydream of me being in the sanctuary for my early morning prayer and you came in the door and ran to me down one of the aisles like I saw you run to Dan when you arrived at Calgary airport after our Kenya trip. I wept and wept. In my daydream Dan had released you to have contact with me because he realized you wouldn't be happy again until you could have your dad back in your life. What a sweet dream. My sorrow fled away and joy filled my heart just at a daydream of having my darling daughter back! I've dreamed for a lot of things but that would certainly be one of the greatest dreams come true ever! (Schedule E, Sept 30, 2015, TCB 00107).*

38. The Court finds the journal entries set forth in paragraph 38 of this Order are but a few examples of the Respondent's continued employment of spiritual language used to manipulate and control Lisa Kremer which the Court finds inappropriate and unacceptable, especially for one holding the office of Bishop.
39. The Court finds that the Respondent further compounded the inappropriate nature of his relationships with Lisa Kremer by blaming the *communication ban* on Lisa's husband, calling it "an unrighteous rule birthed in simply jealousy." (Schedule D, Schedules 8,9, TCB 00072). The Respondent further accused Lisa Kremer's husband of domestic abuse towards Lisa (Schedule F, ¶72, TCB 00149; Schedule Q, ¶181, TCB 454). The Court finds that the Respondent has shown complete disregard for both the seriousness and gravity of his actions which led to the confusion, harm and family discord that was perpetuated through his relationship with Lisa.
40. The Court notes that the above actions occurred before the Respondent's invitation to the College of Bishops where he concealed from the College materially relevant information necessary to fully inform the inquiry made by the College as part of his application. The Court finds that this failure of disclosure is illustrative of a complete disregard by the Respondent for the procedures and processes established under the Constitution and Canons of the ACNA.
41. The evidence shows and this Court finds, that by October of 2015, the Kremers concluded that the only option to save their marriage from the actions and influence of the Respondent was for them to physically move away. While going through the emotion of sharing the upcoming move with their children and after packing their household belongings, the Respondent continued to write and pursue Lisa Kremer with very manipulative messages. The Respondent warned Lisa Kremer that if she moved from his church, the children would never recover (Schedule F, ¶67, TCB 00147). He informed Lisa that the relationship between he and Lisa was being poisoned (Schedule T, TCB 01471). He informed Lisa as her Bishop and counselor that her past abuse was clouding her judgment. The Respondent informed Lisa that his role was that of the voice of God and that because of her past trauma she was unable to discern the right way forward and that she was to listen and rely on him for her direction. Sometime after the decision to move, the Respondent sent a link to Lisa

Kremer about impending domestic violence, intimating that she was in a dangerous environment that only the Respondent could see.

42. The Kremers thereafter listed their house for sale. After the house was packed and while staying with friends, the Respondent had a package delivered to the house where Lisa was staying. She was unable to open it at that time, wanting to move forward with holding on to her marriage. It was after the move that Lisa Kremer finally opened the package that had been delivered to her from the Respondent. One of the messages from the Respondent in that package stated that Lisa was on a wrong spiritual path, and he counseled her to move back in order to repair the damage done to the body of Christ. (Schedule F, ¶80, TCB 00152).
43. Notwithstanding Lisa Kremer's continuing attempts to separate herself from the control of the Respondent, the Respondent continued to send her money and gifts even after they moved. The Board of Via Lethbridge was reticent about sending gifts and clearly instructed the Respondent they could not be from him. However, despite being asked not to, the Respondent added personal gifts of his own and gave Lisa \$400 "anonymously." (Schedule F, ¶83-85, TCB 00153-00154).
44. Lisa Kremer and her husband were finally able to stop the communication from the Respondent. However, when the channels of communication were interrupted with Lisa Kremer, the Respondent thereafter began communicating with the Kremer's daughter who was in the 10<sup>th</sup> grade at the time. Eventually they were able to terminate those communications as well. (Schedule F, ¶89, TCB 00155).
45. The testimony of Lisa Kremer is described in her own sworn testimony as a journey through fear, confusion, manipulation, marital damage, and a continual use of past abuse as a weapon against her. (Schedule F, ¶94, TCB 00157).
46. The Court hereby finds as to Charge I, Count One, that the testimony of Lisa Kremer; the witnesses to the events surrounding her relationship with the Respondent, as well as the documents in evidence supporting her testimony to be consistent with the destructive and manipulative patterns of the Respondent over the course of his episcopal ministry. Lisa Kremer was a victim of abuse over the course of several years at the hands of the Respondent who masterfully leveraged ecclesiastical authority of the highest office entrusted to a leader in Christ's church to levels of abuse that left in its path, confusion and both personal and marital damage of the type and nature to give just cause for scandal or offense.

**Count Two:** [REDACTED]

**As to Charge I, Count Two, the Court, upon clear and convincing evidence, makes the following finding of facts:**

47. This Court finds that sometime in January of [REDACTED] along with their family, moved to Lethbridge, Canada to be trained [REDACTED] at Via Church Lethbridge under the leadership of the Respondent.

48. Following a two-year tenure at Via Church Lethbridge, the [REDACTED] family moved to [REDACTED], Canada and [REDACTED]. They built and led [REDACTED] for approximately [REDACTED] years.
49. During their time in [REDACTED] the Respondent began developing a direct and intentional relationship with [REDACTED]. The evidence shows that [REDACTED] came from a difficult background including abuse. [REDACTED]'s husband, [REDACTED], continued under the supervision of the Respondent who served as [REDACTED]'s employer, supervisor, spiritual director and Bishop. The relationship between [REDACTED] and the Respondent was described by the Respondent as that of a "father-daughter" relationship. (Schedule B, ¶15, TCB 00040).
50. The affidavit testimony of [REDACTED] was that in [REDACTED], there was a shift and intensifying by the Respondent in his relationship with [REDACTED]. This included increasing numbers of texts and communication on Instagram. (Schedule G, ¶11, TCB 00199).
51. By the fall of [REDACTED], the evidence shows, and this Court finds, that the Respondent was texting [REDACTED] many times a day. The Respondent began sharing pictures and the two shared nicknames together. The Respondent began to increasingly use family relationship rhetoric with [REDACTED]. (Schedule G, ¶24, TCB 00204).
52. Throughout [REDACTED], the Court finds that the language between the Respondent and [REDACTED] grew more extravagant such that [REDACTED]'s husband described it as "long texts of poetic ramblings" along with language he found romantic in nature---language used by the Respondent to talk about the growing nature of their relationship. [REDACTED]'s husband found this very concerning. (Schedule G, ¶24, TCB 00204).
53. The testimony of [REDACTED]'s husband was that the communication between his wife and the Respondent became very fitness oriented which ultimately led to eating issues for [REDACTED]. The Respondent would communicate to [REDACTED] how lucky her husband was to have such a "fit" wife. (Schedule G, ¶31, TCB 00207).
54. [REDACTED] had occasional access to the texts sent by the Respondent and his testimony was that the Respondent provided continual reference to his spiritual authority describing for [REDACTED] how his calling was one of leading and teaching her. He communicated that he knew God's plan for her and that the relationship between himself (the Respondent) and [REDACTED] was God's fulfillment of their dreams, and that they each were God's healing for one another. (Schedule G, ¶33, TCB 00208).
55. As the relationship intensified, the Respondent began spending a great deal of money on [REDACTED]. Her husband testified that eventually every new trip the Respondent made to [REDACTED] in order to see [REDACTED], he would buy her gifts. He would take her on shopping sprees and buy her personal items such as new clothing, shoes and motorcycle boots. It was not unusual for the Respondent to buy her expensive gifts. Sometimes he would purchase items for [REDACTED] as well. On one occasion he bought "Barbour" jackets costing hundreds of dollars each for



both [REDACTED] and her husband. Her husband testified that many of the gifts for [REDACTED] were "sentimental things." (Schedule G, ¶24, TCB 00204).

56. As the Respondent continued to nurture the relationship, [REDACTED] further isolated herself as she felt a chasm between herself and other women in the community who wanted what she had with Todd. Her ongoing relationship with the Respondent created deeper tension and division between herself and her family and friends. (Schedule G, ¶30, TCB 00207).

57. [REDACTED]'s husband [REDACTED] testified that at first the trips by the Respondent to [REDACTED] included frequent meetings for Church [REDACTED], but those lessened over time as his relationship with [REDACTED] intensified and eventually, the Respondent and [REDACTED] no longer met about church [REDACTED] and his focus became primarily on [REDACTED]. (Schedule G, ¶26, TCB 00205).

58. [REDACTED]'s husband testified that the relationship of the Respondent and his wife began to negatively impact his children. One evening, when putting one of the children to bed, the child asked if [REDACTED] (Mom) was going to leave them to live with the Respondent. In his affidavit testimony, [REDACTED] described his reaction:

*I wept, while trying to say that this would not happen. When it started affecting the kids negatively, I felt like I was on the edge of a nervous breakdown. Trying to [REDACTED] feeling alone in raising my kids, and more and more isolated from ministry help as well. (Schedule G, ¶34, TCB 00208).*

59. [REDACTED]'s husband testified of his numerous attempts to share his concerns and marital strain with the Respondent. This began in early [REDACTED] and it continued in [REDACTED]. The Court finds these repeated attempts were met with reminders by the Respondent to [REDACTED] of the Respondent's spiritual authority often intertwining scripture to demonstrate how the husband's thinking was off course, and at times reacted to [REDACTED] with displeasure or anger. (Schedule G, ¶15, TCB 00200 and ¶35, TCB 00208).

60. Both [REDACTED] and her husband describe the attitude and leadership style of the Respondent as one that was not to be questioned. The Court finds that the Respondent created an environment where dissent was discouraged or punished, limiting the ability to address any potential wrong-doing or unethical behavior on the part of the Respondent. Through employment, salaries and continuous gifts, [REDACTED] were given ample reminders of their indebtedness to the Respondent. [REDACTED] testified as follows about the cumulative impact of the Respondent's relationship with him personally;

*"I felt like I owed him everything in my ministry, everything about my calling, and health in my family, so how could it be as bad as I felt it was? How could he be the one that was in the wrong? Deep down inside I felt he was wrong, but I wouldn't allow myself to believe that." (Schedule G, ¶43, TCB 00212).*

61. The evidence showed each time [REDACTED] approached the Respondent about the inappropriate relationship between he and [REDACTED] that the Respondent would provide spiritual justifications

to the point that they began to question their own spiritual maturity. (Schedule G, ¶40, TCB 00211)

62. The Court finds an overwhelming pattern of abuse that demonstrated the Respondent's unique ability to use scripture and ecclesiastical authority to encourage individuals to question themselves about their own views and spiritual maturity. The Court finds that the Respondent misused his spiritual authority as a Bishop and leveraged his role as Bishop for the purpose of exploiting [REDACTED]'s trust and vulnerability, ultimately dictating how both she and her husband should conduct their personal lives in relationship with him and each other. Schedule G, ¶33, TCB 00208 and ¶39, TCB 00210).
63. The Respondent continued to nurture and encourage the relationship between himself and [REDACTED] contending in his communication with her that their relationship was an illustration of two people that were spiritually in-tune with each other.
64. In June of [REDACTED] [REDACTED] reached out to the Respondent to seek guidance related to his vision for ministry at [REDACTED]. During that interaction, the Respondent surprised [REDACTED] by telling him that God wanted him to move [REDACTED] to Via Church Lethbridge (Schedule G, ¶45, TCB 00213). The Respondent, in a later conversation insisted that they should moved [REDACTED] in three months, rather than waiting a few years to stabilize their current [REDACTED] (Schedule G, ¶46, TCB 00213). [REDACTED] felt "shocked and heartbroken," but the Respondent told him that the Via Board had a place for him now and not later. Before and following his [REDACTED], the Respondent continually communicated to him and [REDACTED] that the [REDACTED] their family to Via Church Lethbridge was ultimately "for her" in order that God, through the Respondent, could "make her dreams come true." (Schedule G, ¶47, TCB 00214)
65. Later, [REDACTED] "learned that the staff in Lethbridge were quite angry we were coming [REDACTED] and the executive team (a small group of staff that worked alongside Bishop Todd) was told by Bishop Todd that I requested to come [REDACTED], and I couldn't handle it in [REDACTED] and needed to be [REDACTED] in Lethbridge. He also told them he was uncomfortable with me [REDACTED] but he felt like he had to for my sake. He was just responding to our needs as a family." (Schedule G, ¶58, TCB 00217).
66. Over the course of [REDACTED] and [REDACTED], the testimony shows that [REDACTED] became increasingly anxious at home. It was becoming very difficult for [REDACTED] to keep up the demands of the relationship imposed upon her by the Respondent. [REDACTED]'s husband describes what he witnessed over the course of the relationship between the Respondent and his wife:

*The demands of the relationship were weighing on her and she was trying to keep up. If she was ever not present, or she would not respond to his extravagance in kind, his texts would begin to sound pouty. I'm not even sure how to explain this. It was sulky and sad. The way he would speak it was as though he had been reprimanded, but it was only over him not getting enough attention. It was strange to read texts from my Bishop who I respected so much, and a grown man, pout. (Schedule G, ¶32, TCB 00207).*

67. Following the [REDACTED] family's [REDACTED] to Lethbridge in [REDACTED], the Respondent eventually (and abruptly) discontinued his relationship with [REDACTED]. It was after the abrupt change in the relationship between [REDACTED] and the Respondent, that both [REDACTED] and her husband learned of a new (and very similar) relationship between the Respondent and Lisa Kremer. Having been informed of the Respondent's growing relationship with Lisa Kremer, [REDACTED] approached the Respondent to confront him concerning that relationship. On at least three separate occasions, the Respondent denied having any relationship with Lisa Kremer. A later investigation brought to light that toward the end of 2014, the Respondent began to foster and nurture a relationship with Lisa Kremer, in near identical fashion as that of [REDACTED]. The Court finds by clear and convincing evidence that the nature, methodology, strategic use of gifts, guidance toward isolation, constant attention and family-oriented communication rhetoric, exhibit patterns of behavior nearly identical in nature that, through the Respondent's manipulation and abuse, were used to inflict so much pain upon [REDACTED].
68. The Court finds that the Respondent's actions with respect to the nurturing and maintenance of an inappropriate and damaging relationship with [REDACTED] were all actions occurring before the Respondent's invitation to the College where, as stated earlier under Count One, the Respondent concealed from the College materially relevant information necessary to fully inform the inquiry made by the College as part of his application. The Court finds that this failure of disclosure is again illustrative of a complete disregard by the Respondent for the procedures and processes established under the Constitution and Canons of the ACNA, now compounded by multiple counts.
69. The Court further finds as it relates to both Count One and Count Two, that in July 2016, in a letter to the Kremer's in response to a formal investigation of the claims surrounding their relationship, the Respondent used language of contrition, which this Court finds were belied shortly after his reply was offered to the investigative team. His words of contrition including the following statements:
- *I also see now that the entire framework I was operating in at the time was flawed. (Schedule O, TCB 01768).*
  - *A question I have asked myself repeatedly over the past months is "How did I get this so wrong?" (Schedule O, TCB 01768).*
  - *Colossal amongst these was my failure to cease contact when the request for 'space' was made. And what pain I have caused as a result. (Schedule O, TCB 01769).*

Only a few months after sending this letter with this seemingly apologetic bout of self-awareness, the evidence shows that the Respondent was witnessed persisting in the same destructive patterns that gave rise to an investigation into his practices of "spiritual fathering" with selected women in his congregation. John Murdo Nicolson, whose testimony is part of the Court record in this matter, described his disillusionment when the

Respondent continued with this pattern and the subsequent decision he and his wife made to leave the church (Via Church Lethbridge) previously led by the Respondent.

*The biggest frustration was that after Bishop Walter's report nothing seemed to change. At a Christmas party in [REDACTED] during the meal I saw Todd and [REDACTED] [REDACTED] texting each other under the table, when the texts were exchanged, you could see the smiles on their faces. After the meal, they went downstairs to watch TV with the young children in the house. When I came downstairs, I saw them sitting on a couch shoulder to shoulder with a blanket over their legs. This closeness troubled me, in the light of [REDACTED] and Bishop Todd's prior close friendship. (Schedule I, ¶6, TCB 00292).*

*I became disillusioned because this kind of behavior was continuing, even after the Report and everything we'd been through. Consequently, my wife and I left Lethbridge to return to Scotland in July 2017. (Schedule I, ¶7, TCB 00293).*

This Court is similarly troubled.

70. This Court therefore finds as to Charge I, Count Two, that the testimony and evidence related to the facts and circumstances surrounding the relationship of [REDACTED] and the Respondent are consistent with a pattern of destructive and manipulative actions by the Respondent over the course of his episcopal ministry. Like Lisa Kremer, [REDACTED] was a victim over the course of nearly two years of abuse at the hands of one who masterfully leveraged ecclesiastical authority of the highest office entrusted to a leader in Christ's church to levels of abuse that left in its path confusion, as well as both personal and marital damage of the type and nature to give just cause for scandal or offense.

**Count Three: [REDACTED]**

**As to Charge I, Count Three, the Court, upon clear and convincing evidence, makes the following finding of facts:**

71. [REDACTED] was a member of Via Church Lethbridge in Lethbridge, AB, Canada (formerly, River of Life Community Church, Lethbridge, AB, Canada).
72. [REDACTED] was the spouse of [REDACTED], a staff member of a Via Church Lethbridge staff member who was under the supervision and authority of the Respondent.
73. The Court finds credible the testimony that in May of [REDACTED], the Respondent began pursuing and nurturing relationship with [REDACTED] while serving as [REDACTED]'s pastor, counselor, and at the time the relationship began, her newly consecrated Bishop.
74. The Respondent admits that he pursued a relationship with [REDACTED] which he describes as that of a spiritual "father-daughter" relationship.

75. The Respondent identified [REDACTED] as his first spiritual daughter. (Schedule O, ¶6, TCB 01748).
76. The Respondent admits, and this Court finds, that in the course of pursuing his relationship with [REDACTED] he “crossed boundaries” (Schedule B, TCB 00037). The Court finds based on the totality of the evidence before it, that the boundaries crossed by the Respondent with [REDACTED] were intentional, inappropriate, and of the nature giving rise to scandal or offense.
77. From its inception in [REDACTED] the Court finds that the Respondent nurtured and intentionally intensified his relationship with [REDACTED] in order to control and influence her through means of texting, gift giving and physical affection. The testimony from a credible witness was that the Respondent would cuddle with [REDACTED] on the couch, justifying his action as normative behavior between a father and his daughter. (Schedule H, ¶29, TCB 00258).
78. The Court finds that as the relationship between the Respondent and [REDACTED] intensified, her husband [REDACTED] grew increasingly distressed and concerned. Stephen Barbour testified concerning a conversation between himself and [REDACTED]

*In January [REDACTED] [REDACTED] came to me quite late at night in a hysterical state. He needed to express his concern that Todd and [REDACTED] were having an affair. At first, that was surprising, but I just asked questions, and [REDACTED] began to talk about the nature of the relationship, including that 1. [REDACTED] and Todd were texting all day, every day; 2. [REDACTED] was unwilling to go to bed before talking with Todd and saying goodnight to him... (Schedule H, ¶19, TCB 00255).*

79. The relationship intensification was noticed by others in the church. One witness described confronting the Respondent with his concerns after observing how the Respondent related to [REDACTED] in public settings:

*Shortly after returning to Lethbridge, I met with Todd and asked him if he was having an affair with [REDACTED]. He denied it, so I asked if anything inappropriate had happened - a kiss or anything - and he said no. Instead, he explained fathering and how important it was that he learn how to father women. He had done so well fathering men, but women needed it too. (Schedule H, ¶21, TCB 00256).*

80. The Court finds credible the testimony recounting his conversations with [REDACTED]'s husband [REDACTED]

*[REDACTED] consistently would share his distress over [Todd and [REDACTED]'s relationship]. However, when the issue was confronted, there was a sense of defensiveness for his wife and Bishop Todd. I understood this, but it also made the friendship challenging as speaking to the manipulation from Bishop Todd and [REDACTED] only further aggravated him. (Schedule H, ¶26, TCB 00257).*

shared that and Todd would cuddle together on the couch because that is what a father does with his daughter and that +Todd and would go on long drives together in the country to talk. (Schedule H, ¶29, TCB 00258).

81. The Court finds credible testimony that the relationship cultivated by the Respondent with had a damaging impact on the children. On one occasion, one of the children confided in their Father that "I do not like the way he looks at mom." (Schedule H, ¶28, TCB 00258).
82. The Court finds that the Respondent chose to cultivate relationships with women over whom he held a comprehensive authority through concurrent relationships of spiritual father-daughter, counselor-counselee, priest-penitent, priest-congregant and ultimately that of diocesan Bishop. The Court finds credible the testimony of witnesses that describe the Respondent's misguided conviction that he was the instrument of God's healing in the lives of the women with whom he developed relationships, and that God was unlocking something *in him* that through fathering (incident to his role of Bishop) the church would be better.
83. The Respondent describes the abrupt end of his relationship with as a divine directive, stating "I was away on a prayer retreat when I felt a strong sense that I needed to bring it to an end. I immediately phoned to tell him this. (Schedule O, ¶7, TCB 01748).
84. The Court finds credible the testimony from multiple witnesses that the Respondent encouraged a culture where his authority was not to be questioned. The Respondent misused spiritual language to excuse and normalize inappropriate behavior, leveraging ecclesiastical authority in order to coerce, control, and exploit women selected from a similar profile.
85. The Court finds that attempts by's husband at confronting the Respondent with the inappropriate nature of the relationship between the Respondent and his wife were met with resistance from the Respondent perpetuating a culture of allegiance over accountability. One witness describes the extent that this cultural narrative penetrated the leadership:
- Though was uncomfortable with the relationship, he was convinced it was necessary "for the nation." Whatever was being "unlocked" by this relationship, it was worth it. At one point, he said to me, "If Todd and need to have sex for the sake of national revival, I will have to be okay with that." ...this was our culture and the narrative we were consistently fed.* (Schedule H, ¶27, TCB 00257).
86. The Court by clear and convincing evidence finds a consistent pattern of abuse that demonstrates the Respondent's unique ability to use scripture and ecclesiastical authority in such a way that causes those questioning the Respondent's actions to end up questioning themselves about their own views and spiritual maturity. The Court finds that the Respondent misused his ecclesiastical authority as a Bishop and leveraged his role as Bishop for the purpose of exploiting's trust and vulnerability.

87. The Court finds that the Respondent's actions with respect to the nurturing and maintenance of an inappropriate and damaging relationship with [REDACTED] were all actions occurring before the Respondent's invitation to the College where, as stated earlier under Count One and Count Two, the Respondent concealed from the College materially relevant information necessary to fully inform the inquiry made by the College as part of his application. The Court finds that this failure of disclosure once again illustrative of a complete disregard by the Respondent for the procedures and processes established under the Constitution and Canons of the ACNA, and further compounded by multiple counts.
88. The majority<sup>6</sup> of this Court finds as to Charge I, Count Three, that the testimony and evidence related to the facts and circumstances surrounding the relationship of [REDACTED] and the Respondent, are consistent with a pattern of destructive and manipulative actions by the Respondent over the course of his episcopal ministry. Like Lisa Kremer and [REDACTED] was a victim over the course of many months of abuse by one who misused his ecclesiastical authority resulting in confusion as well as both personal and marital damage of the type and nature to give just cause for scandal or offense.

#### **Count Four: Jane Does (adult Jane Does)**

This Court having heard, weighed, and considered all of the evidence presented during these proceedings **IN THE MATTER OF THE RT. REV. TODD MICHAEL ATKINSON** finds that the Respondent exhibited actions and behaviors with respect to the Jane Doe allegations that the Court finds to be concerning and evidencing patterns exhibited in the previous three counts.

However, the Court, after a thorough review of all of the evidence before it, finds that the available evidence fails to establish by clear and convincing evidence, a violation of Title IV, Canon 2, §4. Clear and convincing means that the evidence presented by a Party during the trial must be highly and substantially more probable to be true than not and the Court who serves as the trier of fact must have a firm belief or conviction in its factuality. In this standard, a greater degree of believability must be met than the common standard of proof in civil actions (i.e. preponderance of the evidence), which only requires that the facts as a threshold be more likely than not to prove the issue for which they are asserted.

The Court therefore finds with respect to Charge I, Count Four the evidence insufficient to establish by the required standard of Clear and Convincing evidence that the conduct of the respondent with respect to the Jane Does violated Title IV, Canon 2 §4, of the Canons of the ACNA. This lack of sufficient evidence, therefore, prevents this Court from reaching a definitive conclusion based on the standard of proof necessary for such a conclusion.

#### **FINDINGS OF FACTS AS TO CHARGE II [Interfering in Marriage and Family Relationships in Violation of Canon IV.2.4]**

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<sup>6</sup> The Court was unanimous in finding patterns of behavior as it related to Charge I, Count Three, consistent with the previous Counts, but a minority of the Court did not find that Province had met its burden under the standard of clear and convincing due to the amount of evidence before it.

### **Count One: The Kremer Family**

**As to Charge II, Count One, the Court, upon clear and convincing evidence, makes the following finding of facts:**

89. The finding of facts as to Charge I enumerated in Paragraphs 1-88 of this Order are incorporated herein by reference as to Count One as if fully set forth.
90. In Bishop Walters Report (described in more detail, supra) which the Respondent acknowledges “reflected the issues accurately” (Schedule C, ¶5, TCB 00042), Walters recounts the testimony of Lisa and Dan Kremer and the strain placed on their marriage by the “spiritual fathering” relationship between the Respondent and Lisa Kremer. According to the report, Lisa wrote to Walters on May 18, 2016: “I TRUSTED HIM and in the end my marriage was brought to the brink and it’s a total miracle that things are okay with Dan and I today...” (Schedule D, Conclusion 7, TCB 00056).
91. Another leader from Via Apostolica testified that the husband of a “spiritual daughter” disclosed to him that “Bishop Todd’s attempt to ‘re-father’ this man’s wife, it has almost destroyed their family.” (Schedule K, ¶18, TCB 00344-345). As Alles further observed, “Marriages were horribly damaged by Bishop Todd...” (Schedule K, ¶28, TCB 00349).
92. Lisa Kremer’s testimony is both credible and compelling related to the negative impact and damage on her marriage as a direct result of the relationship nurtured and sustained for over two years with the Respondent.
93. Lisa Kremer testified that there was “starting to be tension in our marriage” because of the nature and time commitment required by the Respondent to maintain his relationship with her. (Schedule F, ¶24, TCB 00133).
94. Lisa Kremer testified that her husband Dan confided in her that he felt like he was losing her, and that she was opening up to Todd in ways that she had never opened up to him. (Schedule F, ¶33, TCB 00136).
95. Lisa Kremer further testified that Dan believed the Respondent was having an emotional affair with Lisa and stated that he did not want it to continue, and the Respondent was being so inappropriate with her. (Schedule F, ¶43, TCB 00139).
96. Interfering in marriage and family relationships is conduct giving just cause for scandal or offense as it is conduct unbecoming a clergyperson. Such behavior is contrary to Title II, Canon 8, §1, “Clergy ... of this Church are called to be exemplary in all spheres of morality as a condition of ... remaining in office”; and contrary to 1 Timothy 3, “a bishop must be above reproach, the husband of one wife, self-controlled, respectable.” More specifically, such behavior is contrary to the spirit of Canon 7, “Of Christian Marriage” and its call to “exclusive fidelity” between spouses and contrary to Hebrews 13:4, “Give honor to marriage.” This behavior also violates the Principles of Canon Law Common to the Anglican Communion: “Ministers must maintain appropriate professional boundaries at all



times within the relationships encountered in the lawful exercise of ministry, including physical, sexual, emotional and psychological boundaries.” Principles of Canon Law, Principle 45, *Professional and personal relationships*, (2020); (MSJ, ¶6, TCB 00306).

97. The Court finds by clear and convincing evidence that the Respondent did knowingly and deliberately and, in complete disregard to the requests by the Kremers, interfere with the marital relationship of Lisa and Dan Kremer. The Court further finds based on the totality of evidence that the Respondent caused anxiety, distress, and emotional harm to the Kremer children.
98. This Court therefore finds as to Charge II, Count One, by clear and convincing evidence, that the harm caused in the marriage and Kremer family in violation of Title IV, Canon 2, §4 was the cause-in-fact and/or the proximate cause of harm set forth in the preceding paragraph.

#### **Count Two: The ██████████ Family**

**As to Charge II, Count Two, the Court, upon clear and convincing evidence, makes the following finding of facts:**

99. The finding of facts as to Charge I enumerated in Paragraphs 1-88 of this Order are incorporated herein by reference as to Count Two as if fully set forth.
100. Under Charge I, Count Two, this Court found by clear and convincing evidence that the Respondent had engaged in an inappropriate relationship with ██████████ causing her to endure abuse under the leadership of the Respondent for nearly two years. The patterns of behavior by the Respondent, as evidenced by a multitude of witnesses and supporting documentation, was found to be a clear violation of Title IV, Canon 2, §4 of the ACNA Canons. This Court now finds that the evidence further supports the allegations in the Presentment under Charge II, Count Two, in showing that the Respondent’s abusive actions towards ██████████ extended to her husband and children and were of such nature as to interfere in the marriage and family relationships of the ██████████ family in Violation of Title IV, Canon 2, §4. The Court hereby finds that the Province has met its burden of showing by clear and convincing evidence that the Respondent interfered in the Marriage and Family Relationships of the ██████████ family in Violation of Title IV, Canon 2 §4.
101. The affidavit testimony of ██████████ shows that in ██████████ there was a shift and intensifying by the Respondent in his relationship with ██████████. This included increasing numbers of texts that utilized manipulative and romantic language, increased communication on Instagram, and extravagant gift giving. The records show, and this Court finds, that the nature, language, and sheer volume of these texts and communications resulted in anxiety and strain on the ██████████ marriage.
102. Throughout ██████████ and ██████████ this Court finds that the Respondent did purposefully and knowingly intensify his relationship with ██████████, notwithstanding requests made by ██████████ (█████████’s husband) to discontinue the relationship. This Court finds further that the Respondent persisted in his behavior all the while aware of the expressed concern of others

concerning the relationship and the resulting emotional distress being caused within the [REDACTED] family.

103. The testimony of the Respondent is highly corroborative of the facts supporting a continuous abuse of ecclesiastical power over the course of his Episcopal ministry and a history of interfering with both marital and familial relationships.
104. The Defendant admits in his testimony before this Court that that he “spiritually fathered” [REDACTED] further admitting that he “crossed boundaries” with her as well as other women in various ways.
105. The Court finds that significant expressions of concern by [REDACTED] as well as other members of the Respondent’s congregation, were met with resistance, anger at times and manipulative responses by the Respondent that produced guilt and confusion for the recipients of his Responses. Not only did the Respondent fail to honor requests to discontinue the relationship with [REDACTED] he instead intensified his communication and actions toward [REDACTED], communicating with both [REDACTED] and her husband that he was God’s chosen vehicle for [REDACTED]’s healing.
106. [REDACTED] testified as to the misuse of the Respondent’s authority in his communication with [REDACTED] stating that [i]n their conversations and texts that I read, Bishop Todd was clear that he was the authority figure who was called to lead and teach her. He was consistent that this was God’s plan, God’s fulfillment of their dreams, and that they were God’s healing for one another. This caused more and more tension between [REDACTED] and I. (Schedule G, ¶33, TCB 00208).
107. [REDACTED] further testifies as to the emotional impact the relationships of the Respondent and his wife had on his family.

*Early in our time in [REDACTED], while having lunch at [REDACTED] in [REDACTED], Bishop Todd spoke to me about relationships with other women and how I had nothing to worry about regarding any type of relationship with [REDACTED] because he does not find people like [REDACTED] attractive. This conversation felt out of the blue partially because at the time there was nothing obvious happening with [REDACTED] he needed to tell me that. (Schedule G, ¶9, TCB 00198).*

*Bishop Todd led [REDACTED] to believe that for her healing, [he] felt she needed a new dad and to keep her old dad away. Bishop Todd’s intervention took the form of suggesting that [REDACTED] should stay away from family events and continued down that line until we felt we had very little connection with [REDACTED]’s family at all. Bishop Todd counselled [REDACTED] to not answer texts or phone calls; really keeping us on the outside of them. And it was her whole family then, it wasn’t just her dad. To the point that her family started asking questions. It was here, right at the beginning, that I first began to feel uncomfortable with the relationship. (Schedule G, ¶14, TCB 00200).*

█████ knew we were going to talk, and I was going to say I did not feel comfortable with things. He told her that their relationship would not move forward if I was not comfortable and immediately there was tension in our marriage we had never had before. At that point, I thought he had done the right thing and gave priority to our marriage. Later, the way he said this sort of thing to █████ became an ongoing issue as it pitted █████ and I against one another. It was never that something might be wrong with the relationship, only that it may need to end because I couldn't handle it. (Schedule G, ¶15, TCB 00200).

*To my surprise, the relationship did not tone down or adjust, instead it increased significantly. So much so, that by the end of summer there were so many texts that it was many hours per day. █████ felt absent from everyday life. Here was the first time our kids began to feel this too.* (Schedule G, ¶16, TCB 00201).

108. As the relationship intensified, the Respondent began spending a great deal of money on █████. █████'s husband testified that eventually every new trip the Respondent made to █████ in order to see █████, he would buy her gifts. He would take her on shopping sprees and buy her personal items such as new clothing, shoes and motorcycle boots. It was not unusual for him to buy the Respondent expensive gifts. Sometimes he would purchase items for █████ as well. Her husband testified that many of the gifts for █████ were "sentimental things".
109. As the Respondent met with resistance to his continuing a relationship with █████, he, in turn, encouraged █████ to further isolate herself, creating further tension and division between herself and her family and friends.
110. █████'s husband testified that the relationship of the Respondent and his wife began to negatively impact his children. One evening, when putting one of the children to bed, the child asked if █████ (Mom) was going to leave them to live with the Respondent. In his affidavit testimony, █████ described his reaction:

*I wept, while trying to say that this would not happen. When it started affecting the kids negatively, I felt like I was on the edge of a nervous breakdown. Trying to church plant, feeling alone in raising my kids, and more and more isolated from ministry help as well.* (Schedule G, ¶34, TCB 00208).

111. █████'s husband, █████, testified of his numerous attempts to share his concerns with the Respondent, including the marital strain place upon the marriage by virtue of the relationship he insisted on having with █████. This began in early █████ and it continued into █████. The Court finds these repeated attempts by █████ to discontinue the relationship were often met with displeasure or anger as well as reminders by the Respondent to █████ that he (the Respondent) was █████'s spiritual authority. The testimony before this Court shows that the Respondent used his role as Bishop and Scripture in his attempts to convince █████ of his (█████'s) errant thinking.

112. Interfering in marriage and family relationships is conduct giving just cause for scandal or offense as it is conducting unbecoming of a clergyperson. Such behavior is contrary to Title II, Canon 8, §1, "Clergy ... of this Church are called to be exemplary in all spheres of morality as a condition of ... remaining in office"; and contrary to 1 Timothy 3, "a bishop must be above reproach, the husband of one wife, self-controlled, respectable." More specifically, such behavior is contrary to the spirit of Canon 7, "Of Christian Marriage" and its call to "exclusive fidelity" between spouses and contrary to Hebrews 13:4, "Give honor to marriage." This behavior also violates the Principles of Canon Law Common to the Anglican Communion: "Ministers must maintain appropriate professional boundaries at all times within the relationships encountered in the lawful exercise of ministry, including physical, sexual, emotional and psychological boundaries." Principles of Canon Law, Principle 45, *Professional and personal relationships*, (2020); (MSJ, ¶6, TCB 00306).
113. This Court finds by clear and convincing evidence that the Respondent did knowingly and deliberately and, in complete disregard to the requests by [REDACTED] to cease perusing his wife, interfere with the marital relationship of [REDACTED]. The Court further finds, based on the totality of evidence before it, that the Respondent caused anxiety, distress and emotional harm to the [REDACTED] children.
114. This Court finds that the pattern of actions and behaviors by the Respondent giving rise to the violations set forth in the Presentment, substantiated by the Respondent's own testimony, including but not limited to the voluminous record of content authored by the Respondent, resulted in the interference in the marriage and family relationships of the [REDACTED] family.
115. This Court therefore finds as to Charge II, Count Two, by clear and convincing evidence, that the emotional harm and anxiety caused in the marriage of the [REDACTED] was inappropriate and in violation of Canon IV.2.4 was the cause-in-fact and/or the proximate cause of harm set forth in the preceding paragraph.

### **Count Three: The Doe Families**

This Court having heard, weighed, and considered all of the evidence presented during these proceedings **IN THE MATTER OF THE RT. REV. TODD MICHAEL ATKINSON** finds that the Respondent exhibited actions and behaviors with respect to the Jane Doe allegations that the Court finds to be concerning and evidencing patterns exhibited in the previous charges and counts.

However, the Court, after a thorough review of all of the evidence before it, finds that the available evidence fails to establish by clear and convincing evidence, that the Respondent interfered in the marriage and family relationships of the Doe families in Violation of Title IV, Canon 2 §4, as noted earlier by this Court, clear and convincing proof means that the evidence presented by a Party during the trial must be highly and substantially more probable to be true than not and the Court who serves as the trier of fact must have a firm belief or conviction in its factuality. In this standard, a greater degree of believability must be met than the common standard of proof in civil actions (i.e. preponderance of the evidence), which only requires that the facts as a threshold be more likely than not to prove the issue for which they are asserted.

The Court therefore finds with respect to Charge II, Count Three the evidence insufficient to establish by the required standard of Clear and Convincing evidence that the conduct of the Respondent with respect to the Jane Doe violated Title IV, Canon 2, §4, of the Canons of the ACNA. This lack of sufficient evidence, therefore, prevents this Court from reaching a definitive conclusion based on the standard of proof necessary for such a conclusion.

### **FINDINGS OF FACTS AS TO CHARGE III**

#### **[Inappropriate Interactions with Minor Females in Violation of Title IV, Canon 2, §4]**

116. Before this Court are the Charges of the Presentment concerning certain Minor Females. The Court is cognizant of the particularly sensitive nature of such claims. Such sensitivity rests on the Principles of Canon Law Common to the Anglican Communion related to the interactions of Christians toward children and the need for extra care and protection for children:

*All the faithful should recognize the unique status and needs of children and young people as a particularly vulnerable group, and a church should make such provision as is necessary to ensure their special protection. Mistreatment of children...offends their humanity and the teaching of Christ. Principles of Canon Law, Principle 26, Fundamental rights and duties of the faithful, (2020). (MSJ, ¶4, TCB 01643).*

It is the office of Bishop that serves as an overall guardian of these principles ensuring that those placed under his care are given this unique protective status.

Minors are especially vulnerable as it relates to those who hold positions of trust and authority within the church. This is especially true when the allegations lie against a bishop, holding the highest order of ordained ministry. A Bishop is called by God and the Church

to be a shepherd who feeds the flock entrusted to his care. A Bishop is an overseer of the flock and as such is called to propagate, to teach, and to uphold and defend the faith and order of the Church willingly and as God wants him to – not greedy for money, but eager to serve; not lording it over those entrusted to his care, but being a wholesome example to the entire flock of Christ (1 Peter 5:2-3). The bishop, like the priest, is called to teach, to sanctify, and to guide. Thus, at the ordination and consecration of a bishop we pray, “give your grace to all Bishops, the Pastors of your Church, that they may diligently preach your Word, duly administer your Sacraments, and wisely provide godly Discipline.” Anglican Church in North America. *The Book of Common Prayer and Administration of the Sacraments and Other Rites and Ceremonies of the Church: According to the Anglican Church in North America*. Anglican Liturgy Press, 2019, at 500.

117. At the same time, the bishop is called to be a living icon of the unity of the church.
118. Engaging in inappropriate interactions with minors is conduct giving just cause for scandal or offense and is conduct unbecoming of a clergyperson. Such behavior is contrary to Title II, Canon 8, §1, “Clergy... of this Church are called to be exemplary in all spheres of morality as a condition of ... remaining in office;” and contrary to 1 Timothy 3, “a bishop must be above reproach, the husband of one wife, self-controlled, respectable.” It is also contrary to the pastoral care and practice of “upbuilding of Christ’s kingdom in family” Canons, Title II, Canon 7, §1; (MSJ, ¶2, TCB 01643).
119. The Court having considered the evidence before it, finds by clear and convincing evidence that the actions and behavior of the Respondent were inappropriate with respect to MINOR A and MINOR B set forth in Charge III and which behavior and actions is found to be conduct, that by its nature, gave just cause for scandal or offense, including the abuse of ecclesiastical power. Such behavior is also a failure to heed the Lord’s command: “Jesus said, ‘Let the little children come to me and do not hinder them...’” (Matthew 19:14).

#### **Count One-MINOR A**

**As to Charge III, Count One, the Court, upon clear and convincing evidence, makes the following finding of facts:**

120. This Court finds that the Respondent sought out a “spiritual fathering” relationship with MINOR A. (MSJ, ¶14, TCB 01645).
121. The Court finds that at the time the Respondent was pursuing a relationship with MINOR A, he planned a trip in order to take MINOR A sightseeing from Lethbridge, Alberta, to Vancouver and Vancouver Island (“Vancouver trip”). This Court takes judicial notice of the fact that the distance from Lethbridge, Alberta to Vancouver, British Columbia is approximately 735 miles.
122. The evidence shows and the Court finds that there was no clear overall ministry purpose for the Vancouver trip for the days that Minor A and her mother were present. One witness testified that the Respondent planned the trip in fulfillment of a promise to MINOR A that he would take her on a shopping trip. The Respondent thereafter arranged for the trip and

according to credible testimony before this Court the Respondent expressed a preference to not have the mother of MINOR A attend the trip with the Respondent and her daughter. (Schedule Q, ¶147, TCB 00446).

123. In or around November [REDACTED] the Respondent took MINOR A and her mother to Vancouver during which the Respondent paid for expensive vacation type items over multiple days. The Vancouver trip was described by witnesses whom the Court finds credible as including an expensive dinner on the coast, sightseeing trips, shopping and dinner on Granville Island, as well as late-night ice skating and a shopping spree on the mainland, (MSJ, ¶14, TCB 01645).
124. Fr. Stephen Barbour and [REDACTED] accompanied the Respondent on that Vancouver trip out of concern for the relationship the Respondent was pursuing with MINOR A. Stephen Barbour testified that he was asked on short notice to come along on the trip as a chaperone.
125. The Affidavit testimony of Father Stephen Barbour and [REDACTED] were admitted into evidence in the trial of this matter.
126. Via funds were used to purchase flights for the Respondent, [REDACTED] and Fr. Stephen Barbour. The tickets for the mother of MINOR A and her daughter (MINOR A) were purchased by a Via board member at the Respondent's request. (Schedule H, ¶43, TCB 00261).
127. The evidence shows and this Court finds that before, during, and after the Vancouver trip, Father Stephen Barbour and [REDACTED] continued to express explicit concerns to the Respondent informing him that his relationship with MINOR A was not safe or healthy behavior.
128. Credible testimony before this Court shows that on several occasions the Respondent sought ways to be alone with MINOR A.
129. [REDACTED] further testified to the continual request of the Respondent to be alone with MINOR A. He testified as follows:

*Following the trip, the five of us flew back to Calgary in order to take our last leg of the journey home by car. While we waited for our luggage to arrive at the baggage claim, Bp Todd approached Fr Stephen and me to ask if we would be comfortable driving home to Lethbridge with the mother. Bp Todd wanted to stay overnight in Calgary with the teenage daughter in order to take her shopping the next day. He told us that it was her wish to do some Christmas shopping and her dad was out of the picture. He assured us that he would book a hotel with separate rooms for himself and the daughter. At this point I was unaware if the mother was aware of this arrangement or not.*

*Right away I expressed my concern, and explained that I did not think this was a wise decision and that I felt uncomfortable with it. Bp Todd seemed irritated and expressed his disagreement with my position. When I reiterated my discomfort, he became increasingly upset and frustrated. Fr Stephen also expressed his sense of concern. After that, Bp Todd agreed to go home with us, but expressed that he did not understand our reasoning and did not agree with our judgment. He walked away to speak with the mother and her daughter. I felt demeaned and my concerns belittled by Bp Todd.* [REDACTED]

(Schedule R, TCB 01655).

130. Fr. Stephen Barbour testifies that at one point during the trip, the Respondent expressed to him his [the Respondent's] pain and feeling some rejection from MINOR A. (Schedule H, ¶47, TCB 00262).
131. During the course of the Vancouver trip, the Respondent paid for many expensive sightseeing activities in the mountains, followed by a day of shopping on Granville Island.
132. According to the testimony of [REDACTED] the Respondent took the participants of the Vancouver trip sightseeing and shopping. He states:

*I remember feeling a bit awkward throughout the day, as this portion of our trip felt less like a ministry trip and more like a vacation, and I had family in [REDACTED] eagerly waiting for me to return home. I voiced these feelings with Fr Stephen and he expressed similar feelings back to me. We went shopping on Robson Street in downtown Vancouver, ice skating, and finished the day with a dinner at a nice restaurant on Granville Island. The whole day I felt uncomfortable and strange due to the mother and daughter's presence (which felt out of place given the purpose of our trip). (Schedule R, TCB 01654).*

133. Fr. Stephen Barbour corroborated the testimony of [REDACTED] concerning the tension around the expenditure for a trip unclear in its purpose.

*During this time [REDACTED], who had observed some of this began to express concern to me about what was happening. He came on the trip thinking it was a 'ministry trip' and it involved no ministry whatsoever. He was quite concerned with what he was seeing. Further, during this conversation, he told me that his wife was asking questions about what we were doing. [REDACTED] felt the need to hide and downplay what was happening in Vancouver, so she wouldn't know what this trip was actually for, which caused considerable guilt. (Schedule H, ¶48, TCB 00262).*



134. Fr. Stephen Barbour's credible testimony before this Court indicates that the relationship between the Respondent and MINOR A was challenged many times by multiple ministry leaders. Notwithstanding those challenges, the Respondent rejected any type of accountability as well as the idea of any inappropriateness arguing that he did not like the mother of MINOR A and that he [the Respondent] intended to care for her. [REDACTED] observing the Respondent's actions and behaviors on the Vancouver trip, described his reaction to the resistance of the Respondent.

*I was surprised that Bp Todd, as a man of considerable influence, would entertain the thought of putting himself into a situation that could be seen as anything but "above reproach" in the eyes of the church and society. The intention behind my actions was to voice my concern and bring accountability, not to gossip or defame Bp Todd's character. To this day I would raise the same concern to any leader that would bring that suggestion to me as it puts a leader into an avoidable dangerous situation. (Schedule R, TCB 01655).*

135. Fr. Stephen Barbour testified to the destructive nature of the "spiritual fathering" relationship between MINOR A and the Respondent. The family of MINOR A were new converts to Christianity from [REDACTED]. The credible testimony was that the family of MINOR A left Via and the Christian church. According to the testimony of Fr. Stephen Barbour, the ultimate breakdown of the relationship between MINOR A and the Respondent contributed to their returning to their former religion. (Schedule H, ¶57, TCB 00265).

136. Ryan Matchett testifies to the relationship with the Respondent and MINOR A:

*Todd was again openly using language of spiritual daughter when he spoke of her. She showed me a gift once, that she brought for him, and a card she had written. In the card she talked about Todd being her spiritual father.*

*In passing, Todd once told me that he believed these relationships were key to his calling and the future of Via, and that he took a personal line of credit out to be used just for spending money on MOTHER A's daughter.*

*At this time, Todd was becoming more abrasive in his responses to our concerns. He would often rebuff us by saying, "MOTHER A is not even my type." As a phrase this is not a justification, but what was more concerning was that he said he has a type and she doesn't fall into it. He said outright that he was not interested in her, he was interested in her daughter, which was further concerning.*

*When he [the Respondent] was speaking openly about not liking her [Mother of MINOR A], and we were trying to discern what was going on in that*

*relationship, he stated he was interested in her daughter and had to have MOTHER A there to get to her. That's when we became very concerned.*  
(Schedule Q, ¶146-148, TCB 00445).

137. The credible testimony before this Court is that the Respondent insisted that he personally was the instrument of healing for MINOR A and therefore all challenges from ministry leaders (even the Mother of MINOR A) were seen as challenges to the authority of God. The Respondent used his role as Bishop coupled with access to funding for which he had little or no accountability, exerting control and influence on the most vulnerable of congregational candidates. This inflated and grandiose sense of self-importance, like a drug, fed the illusion that the Respondent was the chosen intermediary between God and those wounded individuals he sought out for a relationship which ultimately yielded anxiety, fear, and family disunity.
138. This Court therefore finds as to Charge III, Count One, by clear and convincing evidence, that the actions and behavior of the Respondent were inappropriate with respect to MINOR A, exhibiting conduct that by its nature, gave just cause for scandal or offense, including the abuse of ecclesiastical power. (MSJ, ¶3, TCB 01643).

**Count Two-Jane Doe/MINOR B**

**As to Charge III, Count Two, the Court, upon clear and convincing evidence, makes the following finding of facts:**

139. This Court finds that the Respondent, sometime in [REDACTED], purposefully and with intention sought out a relationship with MINOR B employing means similar to the patterns and actions repeated in the previous charges and counts.
140. The credible evidence before this Court is that on at least two occasions, actions were taken by the Respondent with respect to MINOR B that were inappropriate, manipulative, and demonstrated a total disregard for obvious and clear conventional norms of behavior and boundaries for Christian adult males in general, let alone that of a Bishop.
141. The record shows, and this Court finds, that in or around [REDACTED] the Respondent invited (without her parents' knowledge or permission) MINOR B (a 13-year-old girl at the time), to get coffee together, alone. This Court has previously found based on the totality of evidence before it, that the Respondent used isolation and time alone as a means of controlling and manipulating relationship with chosen women. Being alone with a woman with whom he was developing a "spiritual fathering" relationship was of primary importance to the Respondent. As with MINOR A, the Respondent failed to observe conventional boundaries of a male clergy with a woman, especially those at the vulnerable ages of MINOR A and MINOR B.
142. This Court takes judicial notice of the various Child Protection policies in existence including the ACNA Diocesan Model Policy which reflect the well-established "Two Person" rule precluding male adults from being in any setting (including travel) alone with a minor. Notwithstanding this long-standing minimal standard, at no time did the

Respondent observe even the most common-sense conventional boundaries of a male clergy with MINOR B. The Respondent, while traveling to and from the coffee location, to and from his home and to and from her home, did intentionally and for inappropriate purposes remain alone with MINOR B.

143. The Respondent picked MINOR B up at her home and drove her to Starbucks and instead of going inside to talk, used the drive-through. The Respondent then explained to MINOR B that he wanted to change the plans and instead, take her to an event at his home which came as a complete surprise to MINOR B. (Schedule S, ¶5, TCB 01658).
144. Following what MINOR B described as a “coffee date” the Respondent, who was to return her to her home after coffee, detoured from returning her to her home and instead, took her to his home, where his son was having a birthday celebration to which MINOR B had not been specifically invited. MINOR B describes her confusion and nervousness at this change in plans:

*Bishop Todd picked me up in the afternoon and drove to Starbucks. While in the drive through, he asked if I wanted a cinnamon bun. I was kind of nervous. I had never spent one on one time with a pastor before, and I didn't really know how to act. I didn't really know about it, and didn't think I really wanted anything. Bishop Todd said it was okay, and turned the vehicle around. He then said, "Actually, I'm having a dinner party for my son's birthday at my house, if you want to come over?" Bishop Todd said his son was having some people over and it was going to be fun. (Schedule S, ¶5, TCB 01658).*

*It was super uncomfortable. I had no idea that there weren't any other kids my age there, because I thought it was a surprise party for him with his friends and that there would be people I knew from the church and my youth group present as well. When it turned out to just be his family, I felt very nervous. (Schedule S, ¶9, TCB 01659).*

145. The evidence shows, and the Court finds, that a few days following the coffee date, the Respondent asked MINOR B out on another outing. Once again, the invitation was made without MINOR B's parents' knowledge or permission and was purposefully designed to allow the Respondent to be alone again with MINOR B. The invitation was for a “movie night” at his home. The Respondent thereafter picked MINOR B up at her home at night without any additional adult supervision. He drove her alone in his car to his home during a time when no one else was present at the home. He led MINOR B to the basement of his house, put on a movie and then the Respondent and MINOR B proceeded to watch the movie in the dark, sitting closely to one another on the sofa.
146. MINOR B describes the movie night interaction at the Respondent's home.

*Bishop Todd picked me up and we drove to his house. It was night time. His wife was still working; she wasn't at the house. His sons weren't home either. I was home alone with him. Bishop Todd had a small house. We went to the basement.*

*It was dark, and I remember thinking it was weird and I was uncomfortable. Bishop Todd had snacks on the coffee table, and we sat in the basement in the dark watching the movie "Jurassic Park". In my opinion it was weird. I did not choose the movie. Bishop Todd had told me it was one of his favorite movies. I told him I had not seen it, so he wanted to watch it. (Schedule S, ¶15, TCB 01661).*

147. The evidence shows that the Respondent's wife Cheri came home during the movie and visited for a brief time with the Respondent and MINOR B, turning on the lights as she left them to continue the movie alone. Thereafter, the Respondent took MINOR B home without supervision. (Schedule S, ¶19, TCB 01662).
148. The Court notes that the uncontroverted actions of the Respondent toward MINOR B follows, and is subsequent to, numerous attempts by the Respondent to impose relationships on women involving manipulation, gifts, and time alone, in order to control and influence individuals selected for a particular kind of relationship. The Court finds the Respondent's pattern of behavior with MINOR B to be predictable and consistent with similar behavior detailed in the charges and counts above.
149. The Court finds further that the Respondent's action toward MINOR B, are subsequent to, and following, the extraordinary attempts by numerous people to confront the Respondent and hold him accountable for his actions. These individuals include spouses, fellow clergy, church leaders, congregants, mothers, and fathers. These individuals also include the husbands who have suffered as a result of the Respondent's relationships with their wives, under the guise of "spiritual fathering." It is the credible testimony of numerous concerned individuals, families and victims that has given context to the case of MINOR B, bringing to light that which was intended to be kept private.
150. This Court therefore finds as to Charge III, Count Two, by clear and convincing evidence, that the actions and behavior of the Respondent were inappropriate with respect to MINOR B, exhibiting conduct that by its nature, gave just cause for scandal or offense, including the misuse of his ecclesiastical authority and influence with MINOR B.

**FINDINGS OF FACTS AS TO CHARGE IV**  
**[Abuse of Ecclesiastical Power Through Patterns of Manipulation and Control in Violation of Canon IV.2.4]**

151. The Court now considers Charge IV of the Presentment. This Charge is a global charge in that it is presented without specificity to any specific individual. Here, the Court is now afforded an opportunity to step back and consider the previous findings of fact as a whole against the backdrop of the entire corpus of evidence. It is, in many ways, an opportunity to consider the behaviors and actions of the Respondent in their historical context allowing patterns, practices and behaviors to be more easily recognized amidst the voluminous record before this Court. When applicable, it also provides the Respondent, through his witnesses and supporting documentation, an opportunity to proffer evidence of changed behavior or

genuine contrition, which evidence may be considered at sentencing in cases where violations are found.

**This Court having heard Charge IV of the Presentment and having considered and weighed the evidence concerning Charge IV, makes the following finding of facts:**

152. With the Province, this Court finds a logical connection between Charges I, II, III, and Charge IV. The facts before us, evidence that the Respondent engaged in inappropriate "spiritual fathering" relationships with women, thereby abusing his ecclesiastical power. (MSJ, ¶44, TCB 00316).
153. The Court finds that the "spiritual fathering" relationships the Respondent engaged in were themselves abuses of ecclesiastical power in which he manipulated and controlled the women and their husbands, enumerated in each of the Presentment's Counts, who were under his care and leadership, and in most cases, the husbands were also his employees and subordinates.
154. The Court finds that the Respondent agreed to the conclusion in Bishop Walters report that his relationship with Lisa was one of "co-dependency," a failure to "be aware of and avoid possible risks of dependency." (MSJ, ¶45, TCB 00316).
155. The inappropriate relationships set forth in Charges I-III grew out of the Respondent's pastoral and episcopal position, and he utilized such position to build his co-dependency with them, as evidenced by the following.
  - a. The Respondent met all of the women through his capacity as pastor/bishop of Via Apostolica.
  - b. The Respondent used past hurts and a need for healing to initially build relationships with the women. (MSJ, ¶46, TCB 00316).
  - c. The Respondent used Via Apostolica funds to purchase gifts for the women and their families to build trust. He also used these funds to purchase gifts to appease those who challenged his behavior.
  - d. The Respondent used spiritual language and concepts to convince the women of their need for his place in their lives. For example, the Respondent, attempting to convince Lisa that her husband's desire that she not communicate with the Respondent was unhealthy, sent an Instagram message that stated: "*My ideal scenario is to confirm things God is putting in your heart; to give you a sense of 'permission' to do what was in your heart but might doubt yourself in.*" (Schedule U, TCB 01522). The Respondent used claims about God, His voice, and Lisa's ability to hear Him, to manipulate her into choosing to defy her husband's requests and stay connected with the Respondent. Given his position as a spiritual authority over her, we find this to be an abuse of ecclesiastical power.
156. The Court finds credible, the testimony of [REDACTED], [REDACTED] and friend to Lisa, when she testified:

*...I remember taking a walk with [Lisa] around the neighborhood one evening and her saying, "What if this 'healing culture' is wrong and we have all just drunk the Kool-Aid?" (Schedule P, ¶16, TCB 00404).*

157. This Court notes that the nature of the Respondents relationships with women who were not his wife, and his behavior in interfering with the marital relationships of others, cannot be justified by the consent of the women and husbands involved. (MSJ, ¶47, TCB 00317).
158. The repeated testimony of the spouses and close witnesses show that the pattern of the Respondent acting from a position of authority, at times in control of their livelihoods and ministry futures, caused them to feel pressured into consenting to relationships imposed upon them by the Respondent. (MSJ, ¶50, TCB 00318).
159. This Court, having found the relationships enumerated in the various counts to be inappropriate and gained through the abuse of the Respondent's ecclesiastical authority, rejects any defense premised on consent. To the extent that consent was present, it serves only to exacerbate the violation set forth in this order, underscoring the coercive nature of the Respondent's behaviors. Here, where the crossing of boundaries is uncontroverted, these improper relationships cannot now be made appropriate through consent. Consent serves as neither a defense nor a corrective to relationships gained through coercion, manipulation, and exploitation.
160. Throughout the Respondent's episcopal ministry, he exhibited patterns of behavior rooted in his position of trust. The Court finds established cumulative patterns of manipulation and control amounting to the abuse of ecclesiastical power which include those set forth below.
161. This Court finds, consistent with the allegations of Charge IV of the Presentment that that the Respondent improperly used the wounds and previous experiences of abuse of people under his care against them as a means of control.
162. The credible testimony before this Court is that the Respondent routinely used the previous experiences of trauma and abuse by the women he "fathered," in order to convince them of their need for healing by way of him. The Court finds this a clear abuse of ecclesiastical power. (MSJ, ¶52, TCB 00318).
163. This Court finds credible the multiple witnesses that testify that the Respondent's known "type" for "spiritual fathering" relationships included brunette women with a history of some sort of trauma, abuse, and/or issue with their father. (See, e.g., Schedule H, ¶9, TCB 00253; Schedule Q, ¶126, TCB 00440; see also, Schedule W, TCB 01597).
164. ██████████ testified regarding the relationship the Respondent had with his wife ██████████

*From the relationship's inception it was clear from the things Bishop Todd said that he believed that God was giving them as a gift to each other because ██████████*

*had a complicated relationship with her dad and abuse in her past, and he was the gift to heal that spot. (Schedule G, ¶11, TCB 00199).*

*In their conversations, and texts that I read, Bishop Todd was clear that he was the authority figure who was called to lead and teach her. He was consistent that this was God's plan, God's fulfilment of their dreams, and that they were God's healing for one another. (Schedule G, ¶33, TCB 00208).*

165. Lisa Kremer stated in her affidavit that “one of the hardest aspects of my interaction with Todd was having my past abuse weaponized against me.” (Schedule F, ¶94, TCB 00157).
166. The Court finds that on or about September 13, 2015, the Respondent communicated via an Instagram message to Lisa Kremer: “your past family stuff means you desperately want to do the right and godly thing here but can’t see clearly what that is.” This is but one example of a consistent pattern of the Respondent in which he created doubt in the mind of those he counseled, while at the same time, bolstering in the mind of the counselee the Respondent’s direct connection with God which enabled him to choose for the individuals the “right” course of action. (Schedule U, TCB 01515).
167. Lisa Kremer stated that “Bishop Atkinson made “multiple references to my ‘past trauma’ clouding my judgment,” and that he told her “the goal and objective was my healing,” “and later being told that my ‘healing’ was at stake and that I should follow his guidance because not doing so meant that I might be reverting to old patterns, etc.” (Schedule D, Conclusion 16, TCB 00060).
168. Via Lethbridge clergy testified to the general culture at the church, where the Respondent was the senior leader, as being one that utilized past traumas and wounds to shift blame:
  - a. [REDACTED]: *It was common in those days for Bishop Todd to respond to people’s pain by saying that God was using him and our church to heal past hurts (usually from parents). This culture also meant if people responded poorly towards him, they were told that they were responding out of their pain because they weren’t healed enough. It was a very messy culture. Your perceived healing often opened opportunities for you or stopped opportunities from being opened to you. There was no real rubric for accessing this, only the leaders’ perceptions. (Schedule G, ¶116, TCB 00240).*
  - b. Stephen Barbour: *The Via culture and teaching around healing ministry was prosperity Gospel-ish and therapeutic with a significant inward focus, almost a total removal of conversation about sin, and a focus on wounding done by parents and former ministry leaders... People would spend years considering every hardship in their life, turning it into crippling trauma, and asking the Lord to heal them miraculously. Of course, some of these things are not bad, but the fruit was narcissism and self-focus... Todd and others in leadership became pseudo-therapists through this healing journey, all with very little training. The*

damage done in that season is still being worked out today in Via Lethbridge. (Schedule H, ¶8, TCB 00252).

- c. Ryan Matchett: *Not only did we have to have "heart awareness" of the wounding or trauma, but as a leader, Todd had to be the source of that healing. This kind of relationship was a prerequisite for ordination. It became a big part of Todd's ministry emphasis, especially with the women; healing of the heart through their relationship. It was through the relationship that one was healed. There was not a lot of healing prayer sessions. What he would do is, unpack your past, and let your/their relationship with him be the means of healing for that.* (Schedule Q, ¶33, TCB 00415).
  - d. Ryan Matchett: *...everything you had shared with Todd; your story, your trauma, was now available for him to use to reinforce the relational agreement. You are what's wrong, you are responsible for this mess, and other people are talking about you. So, you have a very unsafe environment. You have no anchor in Todd, and now your community is rejecting you. Anything you say to them, including healing prayer sessions, counselling sessions, is now being used as fodder to keep you in this system. There were so many layers of abuse of that in Via. Use of disclosures against them.* (Schedule Q, ¶81, TCB 00427).
  - e. Ryan Matchett: *In our relationship [Todd] would say things such as, "You are like this because your dad abused you" or, "You are just afraid to commit to a good father". He would enlist specifics from my story and use it violently, the intent was to harm with the statement.* (Schedule Q, ¶63, TCB 00423).
  - f. Howard Espie: *I noted one key phrase used at Dan, Ryan and ██████'s exit. In a throw-away fashion, Bishop Todd said, "Well, you know, they had father issues..."* (Schedule N, ¶21, TCB 00371).
  - g. ██████: *Via is a breeding ground for insecurity and preys on vulnerable people with "broken" pasts. This church always runs in a deficit position where no one is good enough, everyone has "dad" issues of some kind, and healing/counseling is almost forced upon you. Deep valleys of weeping, followed by high pinnacles of jubilation, this was always the theme of Via. Never calm, never balanced, never peaceable. If you take a look at all the clergy in this organization, every single one has what is perceived as significant "dad issues." When I eventually left the church and looked back, it was only then that I realized this. All of the men put in positions of leadership were young, impressionable, and ultimately formed a relationship with Todd as their replacement father figure.* (Schedule O, ¶4, TCB 00377).
169. This Court finds consistent with the allegations of Charge IV of the Presentment that the Respondent engaged in a pattern of shifting the blame of his actions onto other people as evidenced in his dealings with the Kremer's, ██████'s, Stephen Barbour, and ██████. (MSJ, ¶79, TCB 00326).



170. The credible testimony of one witness at trial described how the Respondent blamed the *communication ban* on Dan by calling it “an unrighteous rule birthed in simply jealousy.” (Schedule D, Schedules 8/9, TCB 00159). Additionally, the Respondent’s attempts to accuse Dan of domestic abuse towards Lisa, as evidenced by the testimonies of Lisa, Dan, and Walters, *supra*, are illustrative of the Respondent’s continuous attempts to thwart accountability and shift the blame to others.

171. In an Instagram message to Lisa Kremer, the Respondent blamed her husband, Dan for “the control, the unrighteousness rules, the not treating you like a grown godly woman.” (Schedule U, TCB 01564). After feeling the need to move to avoid further contact with the Respondent, the Respondent wrote to Lisa Kremer, blaming the move itself on her husband. The Respondent wrote to Lisa stating, “[h]im removing you from the people and the church you love is merely a SYMPTOM of the problem.” (Schedule U, TCB 01568).

172. The Court found credible the testimony of ██████████ related to blame shifting:

*To me, he blamed her for the relationship intensity. To her, he blamed me for any reason they need to be careful, secretive or stop. Even his apologies were laced with ‘because’ or ‘she wanted.’ It was never his fault. Though he is the Bishop, the leader, and the supposed spiritual father, he was also somehow the victim if something was wrong.* (Schedule G, ¶88, TCB 00229).

173. Stephen Barbour testified to a conversation with the Respondent following Walters investigation during which he shifted blame to him [Stephen Barbour].

*Despite years of warnings, Bishop Todd... told me that he always thought he was doing the right thing because I never warned him. I was “the most prophetic person he knew and his most trusted voice,” and if I had not been warning him, he must be right. This, of course, shocked me because I had warned him. I reminded him that I explicitly asked if he was having an affair and told him how many times and how many different ways he was warned by me alone.* (Schedule H, ¶95, TCB 00277).

*When I said this, he became quite angry, yelled at me, and accused me of warning him too poorly, with warnings that must have been unrecognizable. Because of this, he threatened to end our personal and working relationship because if I could care so little about him by seeing the pitfall before him and still let him fall into it, it meant he could not trust me. This moment drastically changed our relationship. It became clear that he was quick to revise history and believe only what he wanted to believe.* (Schedule H, ¶96, TCB 00277).

174. ██████████ whose testimony the Court finds credible, testified also regarding the blame shifting:

*I went into his office and told him I felt he had put me in a very uncomfortable situation in his relationship with Lisa Kremer. I felt he had used me. His response was that I was terribly wrong, and that wasn't how it had happened at all. He said that if I felt that way, it was my fault. He said I should have told him to stop, and I didn't so that was on me. (Schedule P, ¶27, TCB 00406).*

*I'm not upset that I wasn't [REDACTED] However, feeling manipulated into Todd's ends with Lisa, and then summoning the courage to try to reconcile with Todd, only to be told that the problem was with me, has been very difficult. (Schedule P, ¶31, TCB 00406).*

175. This Court finds consistent with the allegations of Charge IV of the Presentment in that the Respondent engaged a pattern of angry outbursts to dissuade dissenting opinions, reject attempts at establishing appropriate boundaries or calling for accountability.
176. Bill Alles, whose testimony the Court finds credible, also testified concerning the Respondents' rejection of accountability. "Todd has a hair-trigger when people try to hold him accountable." (Schedule K, ¶25, TCB 00348).
177. Ryan Matchett, whose testimony the Court finds credible, testified as to the Respondent's rejection of advice or counsel:

*The biggest triggers for Todd's anger were the relational conflict... He would really undermine me as a person in front of my wife when he was in our home. He would seek to embarrass and undermine me and try to enlist her agreement in it. I tend to go very inward and isolate in those times, and I would pull back from him. Todd would try to initiate a conversation between us, and I would try to give words to how hurt I was by what he had said or done. If I didn't agree with how he would frame the incident, he would start to fume. Todd is very controlled, emotionally, but you can tell when he is fuming. When he is really angry, he is very cutting in his words; cut you off at the knees statements. He wouldn't yell or explode, but with pinpoint accuracy to be able to wound you. In our relationship he would say things such as, "You are like this because your dad abused you", or, "You are just afraid to commit to a good father". He would enlist specifics from my story and use it violently, the intent was to harm with the statement. (Schedule Q, ¶63, TCB 00423).*

178. This Court finds consistent with the allegations of Charge IV of the Presentment that that the Respondent improperly used funds and gift giving as a means to control and manipulate.
179. [REDACTED] testified: "He would use gift buying to woo people into Via, and he spent a lot of money. The receipts came to me as part of my role. He tried to buy me gifts too, but I resisted him because it made me uncomfortable. There was a line item in the budget for these gifts. The board saw the line item, but they didn't see the specifics." (Schedule P, ¶17, TCB 00404).

180. Lisa Kremer testified, providing an example of what the Court found to be a continuous pattern of using money and gifts to manipulate and control others:

*Todd told me I needed hiking stuff, a hiking backpack and a jacket. At one point during the shopping I felt awkward. Todd asked me if my dad ever took me shopping, and I told him no, cognizant of the background of neglect and bad relationship I had with my father. I felt that it made sense because Todd was a representative to restore all of these things in my heart about being a daughter. This was one of the things Todd told me at the time; he felt one of the first steps for my healing was learning to receive things as a daughter and be spoiled as a daughter. I felt it made sense and I couldn't argue with that. I think Todd spent \$800 on me. At one point, Todd told me about his wife needing a new iPhone, yet here I was getting \$800 worth of items. Todd told me not to worry about it, that the church had given him a Christmas gift this year and he wanted to spend it on me. I was blown away by it. (Schedule F, ¶13, TCB 00129).*

181. The following text was among the hundreds admitted into evidence and serves as an example of a continuous pattern of using money and gifts to gain, sustain, and control certain relationships:

*I asked Dave Stroeve to give you and Dan a cheque from Via for \$300 today... Dan told me you were getting groceries there so I wanted you to have a little more wherewithal... You can count on that cheque when you get back to help pay for this trip... Shoes were on your prayer list? I hope you know that it would mean so much to me if I could be the answer to that prayer! If you even saw a couple pairs that you like I could give you the money when you get home. It's not just the gifts, it's that I get to treat you like the worlds most valuable daughter! (Schedule T, TCB 00481-482).*

182. ██████████ testified to the “extravagant” gift giving from the Respondent to his wife and family:

*There were many extravagant gifts for her and our family. They weren't always extravagant. Every new trip there were new clothes; they would go shopping together and she would come home with new clothes. He would buy me boots, motorcycle boots. He bought us Barbour jackets, which are very expensive. There was a lot of exercise clothing, but a lot of simple sentimental things that would speak her love language (that's language he would use about gift giving across all of Via, not just with ██████████) like old school dictionaries and things like that. (Schedule G, ¶24, TCB 00204).*

183. Stephan Barbour testified regarding the Respondent: “He would help with groceries, give us random gifts of money, and periodically, he began to take Jess shopping to buy her new clothes.” (Schedule H, ¶65, TCB 00267).

184. Ryan Matchett testified to the control the Respondent maintained over disbursement of gifts and funds:

*Via didn't have a ton of resources or money; anything you did get would come directly from the hand of Todd. In a planting situation, you are dependent on cash, and you need Todd to bring you cash. There is a direct line of financial support coming directly from Todd. (Schedule Q, ¶149, TCB 00446).*

*Todd would buy [REDACTED] gifts. She would show up in a new coat that Todd bought her. (Schedule Q, ¶124, TCB 00440).*

185. The financial reports for Via Apostolica show that from September 2013 to September 2014, the Respondent spent over \$10,000 on personal gifts for pastors and their wives. This does not include money given to pastors and staff from the benevolence fund. (Schedule X, TCB 01598-01604).
186. The facts in this case evidence a long history by the Respondent of abuse, calculated manipulation, and inappropriate relationships that were allowed to continue throughout his episcopal ministry, in part, due to his wholesale rejection of accountability. Notwithstanding the fact that advice, warnings, and counsel of others went unheeded, the Court finds that there were godly leaders in the midst of these events that tempered, to some degree, behaviors that otherwise might have become unrestrained.
187. A Bishop is called by God and the Church to be a shepherd who feeds the flock entrusted to his care. A Bishop is an overseer of the flock and as such is called to propagate, to teach, and to uphold and defend the faith and order of the Church willingly and as God wants him to – not greedy for money, but eager to serve; not lording it over those entrusted to his care, *but being a wholesome example to the entire flock of Christ* (1 Peter 5:2-3). These requirements are in addition to the requirements set forth in Canon 2 for Deacon (1 Timothy 3:8-13) and for Presbyter (1 Timothy 3:1-7; 5:17; Titus 1:6-9). This Court finds that the Respondent abused his authority as a Bishop and rather than feed the flock entrusted to his care, abused them by engaging in patterns of manipulation and control in violation of Title IV, Canon 2.4 which expressly identifies the abuse of ecclesiastical power as an example of conduct giving just cause for scandal or offense. The behavior exhibited by the Respondent over the course of his episcopal ministry is contrary to and in violation of Title III, Canon 8, Section 1 “Of the Qualifications of Bishops,” who are to exercise their rule “not lording it over those entrusted to his care but being a wholesome example to the entire flock” and 1 Timothy 3 “a bishop must be above reproach... self-controlled, respectable, not violent, but gentle.” In this same regard, “Ministers should be aware of and avoid possible risks of dependency, manipulation, competitiveness and collusion in professional relationships.” (Principle 45.3) (MSJ, ¶43, TCB 00316).
188. This Court therefore finds as to Charge IV, that the testimony and evidence before this Court in its entirety establishes, by clear and convincing evidence, that the Respondent engaged in patterns of manipulation and improper control amounting to the abuse of his ecclesiastical

power in violation of Canon IV.2.4 and directly contrary to Title III, Cn. 8, §1 and in so doing has violated the Scriptural mandates upon which they rest.

### CONCLUSIONS OF LAW

Therefore, after prayerful consideration and with due regard for Respondent and every person named in the entire trial court record, as a complainant or as a witness, and based upon the entire record before the Court, including every affidavit, schedule, and exhibit submitted by both parties, the Court finds the following based upon clear and convincing evidence as to each Count set forth in the PRESENTMENT, as follows to-wit:

#### **Title IV. Canon 1. *Of the Nature of Discipline in the Church***

*The Church has its own inherent right to discipline the faithful who commit offenses. Penalties are established only insofar as they are essential for repentance, reformation, and ecclesiastical discipline and order.*

Throughout all pre-trial procedures, hearings, and all deliberations, the Court was ever mindful of Title IV, Canon 1 and Title IV Canon 5, § 7. *Concerning Procedures.*

#### **CHARGE I: Inappropriate Relationships with Women in Violation of Title IV, Canon 2, §4.**

##### **Count 1: Lisa Kremer**

In the matter of Lisa Kremer, the Court after giving due consideration to all of the allegations by Lisa Kremer and all of the defenses raised by the Respondent, and giving due weight to all of the evidence concerning Count 1 in the trial court record, there being no genuine issue as to any fact material to a determination that Respondent committed the offense charged, based on clear and convincing evidence, the Court by unanimous opinion (7-0) finds that Bishop Todd Atkinson is guilty of a violation of Title IV, Canon 2, §4. *Conduct giving just cause for scandal or offense, including the abuse of ecclesiastical power.*

##### **Count 2: [REDACTED]**

In the matter of [REDACTED], the Court after giving due consideration to all of the allegations by [REDACTED] and all of the defenses raised by the Respondent, and giving due weight to all of the evidence concerning Count 2 in the trial court record, there being no genuine issue as to any fact material to a determination that Respondent committed the offense charged, based on clear and convincing evidence, the Court by unanimous opinion (7-0) finds that Bishop Todd Atkinson is guilty of a violation of Title IV, Canon 2, §4. *Conduct giving just cause for scandal or offense, including the abuse of ecclesiastical power.*

##### **Count 3: [REDACTED]**

In the matter of [REDACTED], the Court after giving due consideration to all of the allegations by [REDACTED] and all of the defenses raised by the Respondent, and giving due weight to all of the evidence concerning Count 3 in the trial court record, there being no genuine issue as to any

fact material to a determination that Respondent committed the offense charged, based on clear and convincing evidence, the Court by unanimous opinion (7-0) finds that Bishop Todd Atkinson is guilty of a violation of Title IV, Canon 2, §4. *Conduct giving just cause for scandal or offense, including the abuse of ecclesiastical power.*

**Count 4: Jane Does**

In the matter of the allegations concerning Jane Does, while the Court finds similarities of pattern and practice in similar inappropriate relationships, the Court finds that there is not enough specificity given in the charge for a specific claim to be sustained. The Court, therefore, hereby dismisses Count 4 by unanimous (7-0) verdict.

**CHARGE II: Interfering in marriage and family relationships in violation of Title IV, Canon 2, §4.**

**Count 1: Kremer Family**

In the matter of the Kremer family, the Court after giving due consideration to all of the allegations by the Kremer family and all of the defenses raised by the Respondent, and giving due weight to all of the evidence concerning this Count in the trial court record, there being no genuine issue as to any fact material to a determination that Respondent committed the offense charged, based on clear and convincing evidence, the Court by unanimous opinion (7-0) finds that Bishop Todd Atkinson is guilty of a violation of Title IV, Canon 2, §4, *Conduct giving just cause for scandal or offense, including the abuse of ecclesiastical power* and the spirit of Title II, Canon 7, *Of Christian Marriage*, and also in violation of Hebrews 13:4. "Give honor to marriage."

**Count 2:** [REDACTED]

In the matter of the [REDACTED] family, the Court after giving due consideration to all of the allegations by the [REDACTED] family and all of the defenses raised by the Respondent, and giving due weight to all of the evidence concerning this Count in the trial court record, there being no genuine issue as to any fact material to a determination that Respondent committed the offense charged, based on clear and convincing evidence, the Court by unanimous opinion (7-0) finds that Bishop Todd Atkinson is guilty of a violation of Title IV, Canon 2, §4. *Conduct giving just cause for scandal or offense, including the abuse of ecclesiastical power* and the spirit of Title II, Canon 7, *Of Christian Marriage*, and also in violation of Hebrews 13:4. "Give honor to marriage."

**Count 3: Doe Families**

While the Court finds that there is behavior alleged in this Count which, if proven, would corroborate and be an example of similar conduct, practice, and pattern of interfering in marriage and family relationships, the Court finds that there is not sufficient identifying facts of who was harmed. Therefore, the Court by clear and convincing evidence finds the Rt. Rev. Todd Atkinson not guilty of this Count and dismisses this Count in its entirety.

**CHARGE III: Inappropriate Interactions with Minor Females in Violation of Title IV, Canon 2, §4.**

**Count 1: MINOR A**

The Court, after review of all of the allegations of the Province related to Count 1: MINOR A, the Court after giving due consideration and giving due weight to all of the evidence concerning this Count in the trial court record, there being no genuine issue as to any fact material to a determination that Respondent committed the offense charged, based on clear and convincing evidence and noting that the Respondent made no defense to this Count, the Court by unanimous opinion (7-0) finds that Bishop Todd Atkinson is guilty of a violation of Title IV, Canon 2, §4, *Conduct giving just cause for scandal or offense, including the abuse of ecclesiastical power.*

**Count 2: MINOR B**

The Court, after review of all of the allegations of the Province related to Count 1: MINOR B, the Court after giving due consideration and giving due weight to all of the evidence concerning this Count in the trial court record, there being no genuine issue as to any fact material to a determination that Respondent committed the offense charged, based on clear and convincing evidence and noting that the Respondent made no defense to this Count, the Court by unanimous opinion (7-0) finds that Bishop Todd Atkinson is guilty of a violation of Title IV, Canon 2, §4. *Conduct giving just cause for scandal or offense, including the abuse of ecclesiastical power.*

**CHARGE IV: Abuse of Ecclesiastical Power Through Patterns of Manipulation and Control in Violation of Title IV, Canon 2, §4.**

In the matter of Charge 4, after giving due consideration to all of the allegations set forth in Charge 4, all of the defenses raised by the Respondent, and giving due weight to all of the evidence in Charge 4 in the trial court record, there being no genuine issue as to any fact material to a determination that Respondent committed the following offenses charged, by clear and convincing evidence, the Court makes the following findings:

1. With respect to the allegations the Respondent improperly used wounds in previous experiences of abuse of people under his care against them as a means of control, the Court finds unanimously (7-0) that Bishop Todd Atkinson is guilty of violation of Canon IV, Canon 4, Abuse of Ecclesiastical Power.
2. This Court finds that Respondent is guilty of violation of Title IV, Canon 2, §4, Abuse of Ecclesiastical Power engaging in a pattern of shifting the blame of his actions onto other people as evidence in his dealings with the Kremers, ██████████, Stephen Barbour, and ██████████. The Court's ruling on this Count was unanimous (7-0).
3. This Court finds that with respect to the allegations that Respondent Todd Atkinson engaged in a pattern of angry outbursts to dissuade dissenting opinions, rejected attempts at establishing appropriate boundaries or calling for accountability. The Court finds Bishop Todd Adkinson guilty of violation of Title IV, Canon 2, §4 Abuse of Ecclesiastical Power unanimously (7-0).

4. Based upon a review of the trial court record in this case, the Court finds Respondent improperly used funds and gift giving as a means to control and manipulate. The Court finds Respondent guilty of violation of Title IV, Canon 2, §4, Abuse of Ecclesiastical Power by unanimous decision (7-0).


**SO ORDERED and ENTERED, this the 1<sup>st</sup> day of April, 2024**

**Ecclesiastical Court for the Trial of a Bishop.**

**Trial Court Presiding Bishops:**

By:  Date: March 27, 2024  
Bp. William J. White

By:  Date: 3/27/24  
Bp. Eric Vawter Menees

By:  Date: 3.27.2024  
Bp. Stephen D. Wood

**Trial Court Presiding Presbyters:**

By:  Date: 03/27/2024  
Rev. Jeffrey G. Weber, Esq.

By:  Date: 3/27/24  
Rev. Canon Dr. David D. Wilson



**Trial Court Adult Confirmed Members in Good Standing:**

By:   
Mr. Jeff Gaffney, Esq.

Date: 3/27/2024

By:   
Ms. Sarah Mims Kwolek

Date: 3-27-2024

[END OF DOCUMENT]

**In the Matter of The Rt. Rev. Todd Atkinson  
Bishop, Via Apostolica Missionary District**

**ORDER by the Ecclesiastical Court for the Trial of a Bishop  
Anglican Church in North America**

**CERTIFICATE OF SERVICE**

I, Jeffrey G. Weber, Attorney, do hereby certify that I have served a copy of the ORDER by the Ecclesiastical Court for the Trial of a Bishop, Anglican Church in North America, **In the Matter of The Rt. Rev. Todd Atkinson Bishop, Via Apostolica Missionary District** via FedEx Overnight mail to the following counsel of record:

For the Province: The Rev. Dr. Chad Graham, Esq.

For the Respondent: The Rt. Rev. Todd Atkinson, appearing through counsel, Mr. Shawn Leclerc, Esq.

This the 14<sup>th</sup> of April, 2024.



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Ecclesiastical Court for the Trial of a Bishop  
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