



# The Bad Shepherd

An alleged victim of sex abuse turns to Nashville's Southern Baptist Convention for help but finds herself facing Goliath instead

BY ELIZABETH ULRICH — APR 24, 2008 4 AM

Shayna Werley was only 14 when the Rev. Jeremy Benack came knocking on the door of her family's Pennsylvania home, asking them to join the First Baptist Church of Lansford. Soon Werley found herself, at the pastor's urging, deeply involved in the church: in the youth group, the praise and worship team and Bible study. Benack, now 30, even enlisted her to set up for church functions, select music for services and take guitar lessons—from him, of course.

But when Werley's parents found explicit photographs of their beloved pastor on their daughter's cell phone in the summer of 2007, they say Benack's true intentions were clear: The married pastor was grooming their young daughter for a sexual relationship. This all according to a little-known lawsuit Werley, now 20, filed in a Pennsylvania court in February. Shortly after the cell phone discovery, Werley's mother called the Nashville headquarters of the Southern Baptist Convention (SBC) to lodge a complaint against Benack. According to Werley's lawsuit, the First Baptist Church of Lansford is affiliated with the SBC, so the Werleys turned to the church's "parent organization" for help.

They didn't get any.

Instead, they claim that the SBC had a hand in creating a farcical treatment plan for their daughter—one that forbade her from being alone with men and that seemed to have been designed to shame and punish Werley while Benack faced few, if any, ramifications.

Werley named the SBC in the lawsuit—along with Benack, the First Baptist Church and the Northeast Pennsylvania Baptist Association, which she says also governed her hometown church—for unnamed compensatory and punitive damages for the serious emotional pain and mental and physical injuries she suffered.

According to the lawsuit, the church and the SBC should have protected Werley. Or, at the very least, they should have used “reasonable care...in supervising and controlling Rev. Benack.” Unfortunately for the Werleys, the SBC doesn’t see it that way. And neither does the First Baptist Church of Lansford, where, according to court documents, Benack still works. The pastor did not respond to the *Scene*’s repeated requests for an interview.

Asked about its liability in this case, SBC general counsel Jim Guenther offers a curt email in which he simply writes, among other unstirred statements, “The law does not hold persons liable for things they had nothing to do with.” Never once in that message, or during a short phone interview, does Guenther express concern or sympathy for the victim. He does, however, speculate on the merit of her lawsuit.

“It is most likely that the plaintiff will voluntarily dismiss her law suit [sic] as to the SBC...,” Guenther writes. “That is what routinely occurs when the SBC is sued in these kinds of cases. If she does not dismiss her suit, I expect the judge will dismiss the SBC on its motion for summary judgment because the SBC was not involved in this matter in any way.”

Guenther has every reason to be confident. The SBC has never lost a lawsuit of any kind. In the nearly 50 years he's represented the denomination, Guenther says the SBC has only been sued in sexual abuse cases five times and settled only one of those—not through an admission of guilt, he adds, but because the denomination's insurance company chose to pay the plaintiff a "small nuisance value" rather than the attorney fees to try the case.

Many SBC higher-ups boast about this record with a sense of bravado. Take this comment from Augie Boto, legal counsel for the SBC executive committee, in an interview with Baptist website SBCOutpost: "Though the SBC is named as a party in legal proceedings about twice per year on average...it has not ever had a judgment rendered against it throughout its entire existence (i.e. since 1845). SBC polity is the major reason for its frequent dismissal out of lawsuits on motions for summary judgment."

Guenther says SBC modus operandi in cases such as this is clear: Southern Baptist churches are autonomous—free to hire and fire whomever they choose and make decisions on the local level without SBC approval. Hence the SBC isn't culpable when something goes awry. But it's that very blanket of autonomy that makes it all too easy for the SBC not to fend for its flock of devout followers, and according to some victims' advocates, for sexual predators to infiltrate the faith group. This allows predator pastors to operate with impunity. But if the SBC won't act, then who will?

Christa Brown, outreach director of the Baptist arm of Survivors Network of those Abused by Priests (SNAP), attributes the SBC's legal prowess to the "incredible wall of protection" its leaders have built. She says the SBC's Teflon tendency in court, coupled with a "circle-the-wagons attitude" that she's encountered from SBC leaders in Nashville, can be daunting for victims who turn to the SBC while clinging to a steadfast belief that religious leaders will want to do something to help them. As reported here ("What Would Jesus Say?" Feb. 14), the SBC not only has told many victims that

there's little it can do to protect them, its leaders have also treated many of these women in a manner that's dismissive and uncaring—and at times, downright unconscionable.

One Baptist sex abuse survivor who spoke to the *Scene* in February reached out to a litany of SBC officials, begging the men to take action against an SBC pastor who she says raped her for years, starting when she was only 15, and eventually fathered her child. Instead of offering to help or counsel the woman—or even meet with her face-to-face, as she asked—SBC officials such as president Frank Page dismissed her. Some simply told her to pray about it; others shamed her for turning to the “evil-doers” such as Brown at SNAP for help. That pastor, who admitted to having sex with the woman, today remains in the pulpit in a small SBC-affiliated church in Texas.

When it comes to Werley's claim that her mother called the SBC and received assurance from a representative who said the call was appreciated and promised to address the problem, it's business as usual for the SBC. True to form, Guenther says it never happened. He told the *Scene* that he determined that such a call never came in to Nashville headquarters. Last month, Guenther went even further, telling a Pennsylvania newspaper that the SBC knew nothing about Werley's claims, adding, “If we knew anything about it, we could not have provided any relief or prevention.”

When asked how he determined that Werley's mother never made that call to Nashville, Guenther declines comment. He also refuses to disclose whether the SBC has any protocol for handling and documenting such complaints. Brown, who dubs the SBC self-protective, says Guenther's statement implicitly suggests that the SBC must have some sort of internal system of tracking reports of clergy sexual abuse. He's reluctant to admit as much, she says, because the SBC wants to “maintain the illusion that they cannot do anything.”

“If people knew that they actually kept track of this stuff—did nothing, but nevertheless kept some little record—I think people would insist on some action,” she says.

The Werley family certainly hoped the SBC would take action. They're quite certain that Benack was prepping their daughter for a sexual affair, sharing intimate details of his life and using the pastoral trust he'd established with the young girl to encourage her to open up to him. By Werley's 18th birthday, that grooming process was complete. Benack, who at the time was expecting a child with his wife, slipped his wedding band onto Werley's finger. He said he was performing a marriage ceremony that meant they were wedded in the eyes of the church.

Therefore his sexual advances—the inappropriate touching, kissing, hugging and other overtly sexual behavior—were not in violation of church laws. Though, according to the lawsuit, Werley experienced “significant doubt concerning the propriety of her relationship with Rev. Benack,” he assured her that there was nothing immoral about it. It wasn't until Werley's parents discovered those cell phone photos that Benack was exposed.

Even when her parents stepped in to help, things didn't get much better for Werley. According to her lawsuit, the SBC played a part in assigning a man by the name of Gerald Mounce to investigate her case and help remedy the situation by assembling a “transition team.” But court documents outline that the team developed a “spiritual care plan” for Werley that prohibited her from dating or even being alone with a man for a year.

Werley followed those terms until the transition team inexplicably revoked the plan and rescinded its decision to remove Benack from the pulpit, an act that culminated with Werley standing before the church at a public meeting to address the matter of her allegations. At the end of that gathering, police were summoned, and Werley was threatened with arrest. Guenther denies that the SBC was involved at all with the transition team.

Still, Brown says Southern Baptist officials have been completely blind to their moral obligation to help Werley. Instead, the SBC has concentrated most of its efforts on defending itself, shirking responsibility and explaining why there is nothing it can do for victims.

But Brown firmly believes that the SBC's well-formed wall of legal protection will crumble. "I believe it is inevitable that there will come a time, chink by chink, when that wall will be torn down," she says. "A wall that protects clergy sex abusers and child molesters cannot stand."

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