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February 15, 1999

BY FEDERAL EXPRESS

The Rev'd Canon Gay C. Jennings
2230 Euclid Avenue
Cleveland, OH 44115

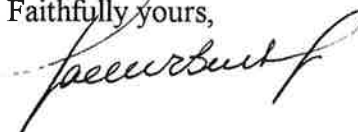
CONFIDENTIAL

The Rt. Rev'd George F. Bates

Dear Ms. Jennings:

In accordance with Title IV, Canon 3.47, I enclose a true copy of the Presentment of Bishop Bates which has been signed by Bishop Moody, President of the Title IV Review Committee. I am providing this at the written request of Ms. Marjorie Fitch for whom you are the Advocate.

Faithfully yours,



Jack W. Burtch, Jr.
Lay Assessor

JWB/jjl
Enclosure

ECCLESIASTICAL TRIAL COURT
OF THE PROTESTANT EPISCOPAL CHURCH
IN THE UNITED STATES OF AMERICA

The Protestant Episcopal Church in the
United States of America

vs.

February ____, 1999

The Right Reverend George F. Bates

PRESENTMENT

HEAR YE! HEAR YE! Comes now The Protestant Episcopal Church in the United States of America (the "Church") and, pursuant to Title IV of its Constitution and Canons, brings forth the following charges of Immorality (Title IV, Canon 1.1(b)) and Conduct Unbecoming a Member of the Clergy (Title IV, Canon 1.1(j)) against the Right Reverend George F. Bates ("Bishop Bates" or the "Bishop"), retired Bishop of Utah, to be tried in the Ecclesiastical Trial Court of The Protestant Episcopal Church in the United States of America.

I. PROCEDURAL HISTORY

1. On or about January 13, 1998, the Rt. Rev'd Frank T. Griswold, Presiding Bishop, received from Ms. Marjorie Fitch of Salt Lake City, Utah a sworn statement containing allegations of Offenses against the Rt. Rev'd George F. Bates, a retired Bishop now residing in Oregon (the "Charge").

2. On May 19, 1998, Presiding Bishop Griswold informed the Review Committee in writing of the nature of the alleged Offenses and enclosed for the Review Committee a copy of Ms. Fitch's Charge.

3. The Review Committee met on May 28, 1998 and determined that, if the facts alleged in Ms. Fitch's verified statement are true, then an Offense or Offenses may have occurred.

4. Pursuant to Title IV, canon 3.40, the Review Committee, through Lay Assessor Jack W. Burtch, Jr., submitted to the Church Attorney on or about June 12, 1998 a written general statement of the Charge and the facts alleged to support the Charge. Thereafter, the Church Attorney undertook an investigation of the Charge. Title IV, Canon 3.41.

5. At the conclusion of the investigation, the Church Attorney submitted a report to the Review Committee as provided for by Title IV, Canon 3.42. After receipt of the report, the Review Committee convened to consider the report and whether or not a Presentment should issue. The Review Committee determined that the information before it, if proved at Trial, provided reasonable cause to believe that (i) the Offenses of Immorality and Conduct Unbecoming a Member of the Clergy were committed, and (ii) Respondent Bishop Bates committed the Offenses. Title IV, Canon 3.43. More specifically, the Review Committee resolved that it had reasonable cause to believe that sexual exploitation has occurred which constitutes the Offenses of Immorality and Conduct Unbecoming a Member of the Clergy under Title IV, Canon 1, and caused the Church Attorney to prepare this Presentment accordingly. Title IV, Canon 3.44(c).

II. STATEMENT OF FACTS

6. From October 1986 through October 1987, Marjorie Fitch worked in the office of the Diocese of Utah. Previously, Ms. Fitch had been a senior warden and member of the vestry of St. James parish in Utah. George Bates was Bishop of the Diocese of Utah at the time Ms. Fitch worked in the Diocesan offices.

7. During her tenure in the Diocesan offices, Bishop Bates repeatedly stroked Ms. Fitch's leg, touched her breasts, put his hand up her skirt and otherwise inappropriately placed his hands on her.

8. On the day of the arrival of his purple vestment shirts, Ms. Fitch drove Bishop Bates to his house so that he could try on these shirts. While at the Bishop's house, he undressed from the waist up in front of Ms. Fitch.

9. During 1987, Ms. Fitch, as a liaison member of the Diocesan Standing Committee, accompanied the Bishop on various parish visitations. Occasionally, these trips would necessitate overnight stays at motels.

10. In January of 1987, during such a trip and while staying at a motel in Price, Utah, Bishop Bates made statements of sexual innuendo to Ms. Fitch and attempted to kiss her.

11. The following day, Ms. Fitch confronted Bishop Bates regarding his behavior. Ms. Fitch confided to Bishop Bates that she had been a victim of incest with her father, and explained her vulnerability resulting from that history. She told Bishop Bates that she was uncomfortable about the way he touched her, told him that she needed to trust him, and told him that she did not want him to take advantage of her vulnerability.

12. For a period of time, the Bishop's physical conduct with Ms. Fitch subsided.

13. In April of 1987, while traveling to a parish visitation in Vernal, Utah, several incidents of inappropriate conduct occurred. While traveling to Vernal, the Bishop placed Ms. Fitch's hand on his crotch to feel his erection. Later, the Bishop kissed Ms. Fitch. That evening, while meeting in his motel room, the Bishop provided Ms. Fitch with medication for a backache and proceeded to undress her. She then performed oral sex on him.

14. Ms. Fitch left the employ of the Diocese in October 1987.

15. At the May 1988 Annual Convention of the Diocese of Utah, the Bishop again sought out Ms. Fitch's presence in private, and kissed Ms. Fitch.

16. In November of 1988, believing that she was to be laid off by her new employer, Ms. Fitch sought to return to work for the Diocese, but was informed by Bishop Bates that no position was available.

17. In January of 1989, Ms. Fitch retained a lawyer and began efforts to sue the Diocese, the “National” Church and the Bishop for sexual harassment in the secular courts of the United States. Her lawyers eventually withdrew her secular complaint in 1992.

III. OFFENSES

COUNT 1

18. Paragraphs 6 through 15 are incorporated as if specifically set forth herein.

19. The foregoing conduct of Bishop Bates constitutes acts of sexual exploitation. Title IV, Canon 14.4(a)(3).

20. The foregoing conduct of Bishop Bates constitutes the Offense of Immorality in contravention of Title IV, Canon 1.1(b).

COUNT 2

21. Paragraphs 6 through 15 are incorporated as if specifically set forth herein.

22. The foregoing conduct of Bishop Bates constitutes acts of sexual exploitation. Title IV, Canon 14.4(a)(3).

23. The foregoing conduct of Bishop Bates constitutes the Offense of Conduct Unbecoming a Member of the Clergy in contravention of Title IV, Canon 1.1(j).

Wherefore, premises considered, The Protestant Episcopal Church in the United States of America respectfully requests that the Ecclesiastical Trial Court enter judgment in favor of the Church and against Bishop Bates and impose a Sentence accordingly.

Respectfully submitted by
The Protestant Episcopal Church in the
United States of America

By Robert M. Moody
The Right Reverend Robert M. Moody
President, Title IV Review Committee