

BEFORE THE DIOCESAN REVIEW COMMITTEE OF THE
DIOCESE OF VIRGINIA

In the Matter of:

The Rev. Randolph Merritt Bragg,
Respondent

PRESENTMENT

The Diocesan Review Committee (the “Committee”), acting under the authority of Title IV, Canon 3.1, of the Canons of the General Convention (“Canon IV.3.1”) and Canon 27 of the Canons of the Diocese of Virginia, convened on September 18, 2008.

The following persons, constituting the members of the Committee were present:

Ms. Sarah Reiners Bartenstein, President of the Diocesan Review Committee
The Rev. Daniel D. Robayo, Secretary of the Diocesan Review Committee
Mr. John A. C. Keith
The Rev. David H. May
The Rev. Melana Nelson-Amaker
The Rev. Susan Goff
Ms. Martha W. High
Mr. Alexander H. Slaughter
The Rev. Benjamin P. Campbell
The Rev. Susan L. Daughtry Fawcett
Ms. Myfanwy Hall
Mr. Don Metheny

In accordance with Canon IV.3.13, the Church Attorney, on September 16, 2008, submitted to the Committee his findings and recommendations based on his investigation into a Charge under Canon IV.3.5 that Rev. Randolph M. Bragg (“Respondent”) may have committed one or more canonical Offenses.

The Committee considered the Report of the Church Attorney dated September 16, 2008 (the “Report”), the Temporary Inhibition against Respondent issued by Bishop Lee by letter dated July 22, 2008, and the Report of the Diocesan Response Team dated May 1, 2008.

After review of all the information before it, and upon due deliberation, the Committee concluded under Canon IV.3.14(c) that the information, if proved at trial, provides Reasonable Cause to believe that the Offenses described below were committed and that the Respondent committed the Offenses.

COUNT I – Immorality

1. In or about March of 2005, Respondent was Rector of St. Andrew’s in Arlington.
2. Beginning in the fall of 2004, the Complainant, [REDACTED] P [REDACTED], began attending St. Andrew’s.
3. In or about March or early April of 2005, Ms. P [REDACTED] encountered the Respondent on the walkway outside the main entrance to the Church as she was leaving after a Sunday service. The Respondent wrapped his arm around her back and put his hand on the side of her breast and also kissed her briefly on the lips.
4. In or about April of 2005 or approximately one month after the incident described in Count I above, Ms. P [REDACTED] again encountered the Respondent on the walkway outside the main entrance to the Church as she was leaving after a Sunday service. After a discussion about the sermon with Ms. P [REDACTED], Respondent placed his hands on her breasts and kissed her on the lips.

The Committee charges that the Respondent, by the conduct recited above committed the Offense of Immorality, contrary to Canon IV.1.1(b).

COUNT II – Violation of Ordination Vows

5. In or about March of 2005, Respondent was Rector of St. Andrew's in Arlington.

6. Beginning in the fall of 2004, the Complainant, [REDACTED] P [REDACTED], began attending St. Andrew's.

7. In or about March or early April of 2005, Ms. P [REDACTED] encountered the Respondent on the walkway outside the main entrance to the Church as she was leaving after a Sunday service. The Respondent wrapped his arm around her back and put his hand on the side of her breast and also kissed her briefly on the lips.

8. In or about April of 2005 or approximately one month after the incident described in Count I above, Ms. P [REDACTED] again encountered the Respondent on the walkway outside the main entrance to the Church as she was leaving after a Sunday service. After a discussion about the sermon with Ms. P [REDACTED], Respondent placed his hands on her breasts and kissed her on the lips.

The Committee charges that the Respondent, by the conduct recited above committed the Offense of Violation of Ordination Vows, contrary to Canon IV.1.1(h).

Count III – Conduct Unbecoming a Member of the Clergy

9. In or about March of 2005, Respondent was Rector of St. Andrew's in Arlington.

10. Beginning in the fall of 2004, the Complainant, [REDACTED] P [REDACTED], began attending St. Andrew's.

11. In or about March or early April of 2005, Ms. P [REDACTED] encountered the Respondent on the walkway outside the main entrance to the Church as she was leaving after a Sunday service. The Respondent wrapped his arm around her back and put his hand on the side of her breast and also kissed her briefly on the lips.

12. In or about April of 2005 or approximately one month after the incident described in Count I above, Ms. P [REDACTED] again encountered the Respondent on the walkway outside the main entrance to the Church as she was leaving after a Sunday service. After a discussion about the sermon with Ms. P [REDACTED], Respondent placed his hands on her breasts and kissed her on the lips.

The Committee charges that the Respondent, by the conduct recited above committed the Offense of. Conduct Unbecoming a Member of the Clergy, contrary to Canon IV.1.1(j).

This 19th day of September, 2008

The Diocesan Review Committee
of the Diocese of Virginia

A handwritten signature in black ink, reading "Sarah Reiners Bartenstein". The signature is fluid and cursive, with a horizontal line drawn underneath it.

Sarah Reiners Bartenstein
President, Diocesan Review Committee



Writer's E-Mail Address:
jkeith@bklawva.com
Direct Dial: (703) 293-7225

A. HUGO BLANKINGSHI
JOHN A.C. KEITH
WILLIAM H. CASTERLINE, JR.
SARAH ELIZABETH HALL
PAUL B. TERPAK
PETER S. EVERETT
DAVID RUST CLARKE
DAVID J. GOGAL
ELIZABETH CHICHESTER MORROGH
ROBERT J. STONEY
WM. QUINTON ROBINSON
JOHN F. CAFFERKY
WILLIAM B. PORTER
GIFFORD R. HAMPSHIRE

WILLIAM L. CAREY
MARY MCGOWAN

MARK A. TOWERY, *counsel*

ANDREA D. GEMIGNANI
JEREMY B. ROOT
CHIDI I. JAMES
DANIEL E. ORTIZ
LEZA CONLIFFE
PETULA C. METZLER
MICHAEL L. CHANG

September 26, 2008

BY FEDERAL EXPRESS

Janet P. Peyton, Esq
McGuire Woods LLC
901 East Cary Street
Richmond, VA 23219


Re: Presentment against Rev. Randolph M. Bragg

Dear Ms. Peyton:

I am enclosing the original of the Presentment against the Rev. Randolph M. Bragg, which was issued by the Diocesan Review Committee on September 18, 2008. This Presentment is being sent for filing to you in your capacity as the President of the Ecclesiastical Trial Court. R. Scott Caulkins, Esq. will be serving as the Church Attorney in this matter. If you have any questions or need any further information, please do not hesitate to give me a call.

Thank you for your service to the Diocese of Virginia.

Very truly yours,



John A. C. Keith

JACK:lmh
Encl.