

July 26, 2019

Introduction

The scope of this review focused on providing Christ Community Chapel (CCC) with information to help CCC assess its response to allegations of abuse at SANKEY SAMARITAN ORPHANAGE in Lucena, Philippines, where WORLD HARVEST MINISTRIES founder TOM RANDALL was arrested during a raid by the Philippines National Bureau of Investigation on January 13, 2014, approximately two and a half months after he joined CCC's staff.

The report includes a summary of facts with references to and excerpts from original source documents. Given the volume of information taken into account, the review does not include every available fact but rather aims to provide a general overview along with assessments, conclusions and recommendations based on the reviewer's training and experience.

The report includes the following sections:

- 1) Introduction
- 2) Background of Entities and Personnel
- 3) Emergence of Abuse Allegations and RANDALL response
- 4) Changing of SANKEY Security Guards
- 5) Law Enforcement Action and Criminal Cases
- 6) Department of Social Welfare and Development Involvement
- 7) Christ Community Chapel Related Actions and Response
- 8) Conclusions

Background of Entities and Personnel

The matter under review involved three separate entities: SANKEY SAMARITAN MISSION, WORLD HARVEST MINISTRIES and CHRIST COMMUNITY CHAPEL.

On July 12, 2001, SANKEY SAMARITAN MISSION, INCORPORATED's Certificate of Incorporation was issued by the Philippines Securities and Exchange Commission, authorizing the entity to do business as a non-stock corporation.¹ Philippines' incorporation law requires founding documents of a "non-stock corporation to include the amount of its capital, the names, nationalities and residences of the contributors and the amount contributed by each."²

The contributors listed on the original filing, dated March 2001, were CELESTINO M. LAMAR, IAN EDWIN SUTHERLAND, RUTH ANN MAUK, JULIETA RAMIEREZ and PERFECTO LUCHAVEZ, with each contributing 10,000 pesos for a total of 50,000 pesos.³ The same

¹ Document 1, Annex B, Page 25.

² Document 2.

³ Document 1, Page 19.

individuals served as trustees, responsible for conducting business and controlling SANKEY's property, according to bylaws dated March 15, 2001.⁴

On December 14, 2009, in Muntinlupa City, the Republic of the Philippines Department of Social Welfare and Development (DSWD) issued to SANKEY SAMARITAN MISSION, INC. its most recent certificate of licensure. The license was valid from December 14, 2009, to December 13, 2012.⁵

The governance of SANKEY was ultimately the responsibility of its board of directors who, according to records, appointed PERFECTO LUCHAVEZ, aka TOTO, to oversee all operations, a role in which an affidavit by THOMAS RANDALL indicated LUCHAVEZ served from 2005 to 2013.⁶

By the September 30, 2013 filing of SANKEY's annual General Information Sheet, which Philippines law requires corporations file with the Philippines Securities and Exchange Commission, the composition of the board had shifted to be comprised of the following members: PERFECTO M. LUCHAVEZ, VICTORIA A. LUCHAVEZ, MARK JAYROLD A. LUCHAVEZ, JOHN H. SHEPHERD, ALICIA SHEPHERD.⁷

Separately, THOMAS RANDALL served as principal officer of WORLD HARVEST MINISTRIES, a 501(c)(3) he incorporated on January 28, 1992, in Saginaw, Michigan, with the stated purpose of operation as communicating the teachings of Jesus Christ in other cultures and countries by maintaining missionaries and receiving and distributing funds.⁸

No information has been provided to writer which indicates RANDALL was ever a founding board member, director or employee of SANKEY. He was not listed in incorporation paperwork as a founding financial contributor. RANDALL advised writer that RANDALL and his wife have made statements referring to SANKEY or its prior residents as being "ours" due to a sense of personal responsibility and feeling of familial relationship, rather than legal obligation or official relationship.

According to IRS Forms 990 and statements made to writer by RANDALL and CCC's Lead Pastor JOE COFFEY, WORLD HARVEST financially supported ministries in various countries from 1992 to 2014. SANKEY was one of the ministries that received support through WORLD HARVEST. The WORLD HARVEST 990 from 2014 lists the three largest areas of program expenses as follows: \$286,439 expended on orphanage support, missions trips and evangelistic outreach throughout the Philippines; \$200,000 expended on typhoon relief; \$51,859 on gospel outreach throughout the United States.⁹

⁴ Document 1, Annex B, Pages 26-30.

⁵ Document 3.

⁶ Document 1, Page 3.

⁷ Document 1, Annex B, Page 33.

⁸ Document 4.

⁹ Document 5.

The Form 990 filed for WORLD HARVEST indicates that WORLD HARVEST had one employee in 2014.¹⁰

On November 1, 2013, RANDALL joined the staff of CCC. The Form 990 indicates WORLD HARVEST was dissolved with \$2,192,577 distributed to CCC on August 1, 2014.¹¹

Per CCC Finance Director [REDACTED], CCC thereafter acted as the fiscal agent for WORLD HARVEST. [REDACTED] advised that all WORLD HARVEST assets, including cash and investments, received by CCC related to WORLD HARVEST totaled close to \$3 million.

As fiscal agent, CCC has been able to cash checks written to WORLD HARVEST as the payee. CCC continued to receive checks written to WORLD HARVEST, although, according to [REDACTED], incoming WORLD HARVEST funds have declined each year.

Emergence of Abuse Allegations and RANDALL Response

The timing at which actionable allegations *first* emerged has not been clearly established. It has been clearly established that JOSEPH MAUK, a longtime friend and ministry partner of RANDALL notified RANDALL on November 5, 2013, of allegations of two of the girls at SANKEY being kissed by PERFECTO LUCHAVEZ. This is corroborated through an affidavit by RANDALL as well as through copies of emails written by MAUK, in which he referenced the phone call, explained his motives in sharing the information with RANDALL and forwarded to RANDALL letters which had been written by the girls, detailing abuse.

In an affidavit in the criminal case, RANDALL described the call he received from MAUK on November 5, 2013.

“In the that call of Joe, he said that he had received complaints from Ms. Shirley Formales (“Shirley”), a teacher employed by Sankey, regarding two female wards of Sankey, namely, [REDACTED] Allegedly, the complaints stem from incidents of sexual abuse and/or acts of kissing by Toto. Joe also insinuated that Toto, along with all the staff of Sankey and the social workers, were corrupt and that they could not be trusted with my affairs, particularly, with the funding I sourced for Sankey.”¹²

MAUK advised that the allegations to which he alerted RANDALL had come to him through his daughter, MIRIAM BONGOLAN. As noted above, MAUK’s wife RUTH was a founding board member of SANKEY. The couple advised their family had long been involved with SANKEY and continued to visit, host and correspond with staff and those served by SANKEY. As a result, BONGOLAN explained that as she was catching up with a friend who worked at SANKEY, she learned of a variety of concerns, but it was the allegations of abuse that prompted her to take action.

¹⁰ Document 5.

¹¹ Document 5.

¹² Document 1, Page 3.

BONGOLAN explained that she committed to take the concerns to her father to enlist his assistance if she received them in writing from the girls who were making the disclosures and that as a result, she received two letters — one complete and one unfinished at the time — from two of the girls at SANKEY via the friend who worked there.

SHEREE ANN KAW indicated in an affidavit in support of the LUCHAVEZES' defense that the allegations were known to staff much earlier. In fact, per her affidavit, dated January 22, 2014, KAW learned of at least one of the allegations in October 2012 from the social worker assigned to SANKEY at that time, and she indicated others were aware as well.¹³

KAW made a conflicting sworn statement in support of RANDALL's defense. Her affidavit dated January 17, 2014, attached to RANDALL's, stated that

“During my entire stay and employment in Sankey, I did not know or see any abuse done to the children. I only heard about the rumors on 16 November 2013, when Mr. Joe Mauk, who is a friend of Uncle Tom, together with Miriam who is Mr. Mauk's daughter, her husband and Shirley Formales and her boyfriend, arrived in Sankey's compound in order to assign a new group of guards. An Australian couple was also with them.”¹⁴

RANDALL advised that the letters, as the girls' personal property, never should have left the orphanage property, that removing them was a violation of protocol and regulation and that the matter should have been addressed internally through the SANKEY social worker.

Indeed, the allegations should have been addressed through the social worker. The social worker should have reported to DSWD more than a year earlier when she became aware of them if KAW's statement about the first social worker's knowledge in 2012 is accurate. Otherwise, the moment the new social worker (or any staff member) became aware of the allegations they should have been reported, which at a minimum would have occurred when the MAUKS visited SANKEY with the new guards.

In contrast to the appropriate protocol, an email written under the name of RANDALL's wife, KAREN, expressed concern to MIRIAM MAUK BONGOLAN about that very result potentially occurring after action BONGOLAN and others had taken.

“There are some troubling things about the incident at Sankey that we are all working through. One of the most troubling is the chance of DSWD filing a legal report that could result in a wider investigation. We would have preferred to handle things on our own but the government is now involved.”¹⁵

Yet RANDALL himself advised writer that per the law, notification to DSWD of the allegations was required. That does not appear to have occurred until after RANDALL's arrival at

¹³ Document 6.

¹⁴ Document 1, Page 50.

¹⁵ Document 7.

SANKEY, more than a year after KAW said at least one of the allegations became known to staff.

That no earlier notice was provided to DSWD is evidenced by a legal filing on behalf of SANKEY in which SANKEY's own attorney asserted that the first notification DSWD received of abuse at SANKEY was in fact from SANKEY itself via letter dated December 13, 2013.¹⁶

The letters written by the disclosing wards contained the type of detail and expression of trepidation that would be expected in a truthful account.

One of the letters (certified translation) began:

"Before I share my shameful secret, I hope that whoever reads this won't change their opinion of me. This happened to me about four or three years ago and the reason why I haven't told this to anyone is because I know this will spread and I know that many people will judge and belittle me. I didn't want that to happen. And that's why I kept my silence. But now, I really need to talk about it because I don't want the same thing to happen to anyone else."

██████████ described how TOTO was initially kind and managed SANKEY well, then when she was in elementary school, he began hugging her and asking for kisses on the cheek, which surprised her at first, until she recalled that is how the kids interacted with the RANDALLS.

"And one time, [when] all the girls were in the dorm watching [a] movie and I was at the big girls' sala (living room) doing something, I didn't know that Kuya Toto was at our dorm checking our rooms. He saw me at the big girls' sala and I was the only person there. Everyone else was outside watching a movie. At the time, I felt that there was something not good that was going to happen. I suddenly got nervous. After that, the only thought I had was to leave and go to where the other girls were. I hurriedly stood up and my heart was beating fast. I decided to just say, "Hi, Kuya" then I swiftly walked away. I really got so nervous and I just wanted to get away from that place. When I was almost¹⁷ out of there, he caught up to me and he pulled me by the hand back to the sala, and I became more nervous. I couldn't scream because fear got the best of me and thought about what he would do to me if I made any noise. He said, "Be quiet, this will be quick," then he gripped my wrist tighter. I already wanted to cry because of the fear and the pain of his grip on my wrist. Then, he pulled his face closer to mine while I was trying to dodge it. Then he suddenly said, "Stop it already," then my head involuntarily jerked upward and then he suddenly kissed me on my lips."

She wrote further details about how she was feeling and how she was thinking about telling his wife or staff and explained the fears that kept her silent. The letter ended mid-sentence.¹⁸

The letter from the second accuser describes multiple escalating incidents.

¹⁶ Document 8; Document 9, Pages 1-2.

¹⁷ Document 10.

¹⁸ Document 11.

She wrote, *“Then, the third time when he called me to his office came. I was a bit nervous but I wasn’t showing. At the time, Ate Alice was on the other side of the room. Before leaving, he stretched his arms out again for a hug (he was sitting on his chair). Then he asked me to kiss him on the lips again, a smack. I said, “I don’t want to, Kuya.” What he did was he gestured for me to keep quiet because Ma’am Alice was in the adjacent room (only a wall separated them). So I did it but this time, it was very disgusting for me. When I was about to give him a smack on the lips, I felt his lips open. My mind raced and thought that this was already something different! I was shocked, I felt his saliva on my [lips] and I immediately moved away.”*¹⁹

MAUK indicated in an email sent to RANDALL on November 5, 2013, that he was sharing this difficult information out *“of friendship and concern for the ministry. But primarily love and concern for you.”* He closed saying, *“Actually my first desire was to come home and enlist the help of Joe Coffey to break the news to you. Unfortunately my passport is being renewed and the time of your trip is very soon.”*

MAUK also warned in the email against allowing TOTO to know RANDALL had been informed. He cautioned, *“If you give Toto any indication you have been informed of this, innocent people may suffer and most likely no additional evidence of wrongdoing will ever come forth from our kids.”*²⁰

RANDALL advised writer that the heightened level of urgency he might have felt in receiving the news from MAUK was tempered by a pattern of false allegations by one of the wards. He indicated that each time he would address one of those allegations, which he said he did in partnership with the local DSWD office, she would admit to having fabricated her statement because she had been disciplined or to get attention. He said the local DSWD office also knew her not to be credible because he worked so closely with them.

RANDALL described two methods of addressing allegations that had come to his attention:

- 1) He spoke on the phone with the accused and then confronted the ward about her truthfulness after the accused denied the allegations.
- 2) He confronted the ward in the presence of the accused and she admitted the allegations were false.

RANDALL advised that in each instance, when he questioned the veracity of the ward’s statements, she would admit she had lied and apologize. He advised the pattern with this ward began when she was approximately 13 years old and occurred every couple of years.

Per the assertion by SANKEY’s attorney (whose firm also served as RANDALL’s defense counsel), as noted above, none of those prior allegations referenced by RANDALL appear to have been addressed or documented by DSWD at the time of their disclosure.

¹⁹ Document 12.

²⁰ Document 31.

RANDALL advised writer that regardless of his doubts about the credibility of allegations brought to him by MAUK, and despite having been assured by MAUK that action could wait until RANDALL's arrival for his annual visit in a few weeks, RANDALL took immediate action. He made similar statements in an affidavit,

"Nevertheless, I immediately took action. After I spoke with Joe, I immediately called Toto about the information relayed by Joe. Thereafter, being the founder of Sankey, I suggested that Toto be banned from the orphanage and that he should not have contact with the children."

*"Thus, Toto stepped down as President of Sankey."*²¹

While contrary to MAUK's request that RANDALL not alert LUCHAVEZ to the accusations, a typical protocol to abuse allegations would be to place the accused on leave, which is what RANDALL advised he did, and which is corroborated by some accounts. Other accounts, including RANDALL's at times, indicated LUCHAVEZ remained in a position of authority and influence.²²

Yet, as detailed in the *Background of Entities and Personnel* section of this report, RANDALL had no official capacity from which to enforce any instruction to LUCHAVEZ, although he exercised functional authority as SANKEY's recognized founder. He also did not have the physical proximity to monitor whether LUCHAVEZ complied with any instructions.

Asked during the course of the review why LUCHAVEZ complied with RANDALL's removal instruction given RANDALL's lack of official authority, RANDALL explained that it was a matter of respect shown as part of the Philippines culture. He advised LUCHAVEZ typically complied with his requests, although LUCHAVEZ sometimes said it was not possible to do what RANDALL asked due to the Philippine government's regulations.

A DSWD report and statements by SANKEY staff and wards corroborated that RANDALL did conduct an investigation of allegations of forcible kissing prior to the raid that occurred on January 13, 2014, and that notice was provided to DSWD of those allegations.

An affidavit for RANDALL said,

"I arrived in the Philippines on 11 December 2013. I wasted no time in conducting an investigation regarding the alleged sexual assault on [REDACTED] and [REDACTED]. I practically interviewed all the girls in Sankey (except [REDACTED] who was mentally disabled). I also advised Venny to conduct his own investigation."

*On 13 December 2013, Venny submitted the result of his investigation to DSWD for appropriate action and further investigation."*²³

²¹ Document 1.

²² Document 1; Document 13; Document 14.

²³ Document 1, Page 5.

The letter submitted by the SANKEY social worker, under his and RANDALL's signatures, to DSWD requested a meeting the following week to discuss the "Investigation on alleged abuse" and stated, "I have attached herewith pertinent records of our own investigation that you might see in order."²⁴

While administrative leave and investigation are appropriate responses to abuse allegations by a staff member, to be effective they must occur in tandem with professional execution. The manner of investigation described by RANDALL reversed the typical role of victim and subject, with the subject being believed on the spot, while the victim was interrogated for lying. Interviews of child victims in particular require a careful method of open-ended, nonleading questions to ensure that statements are truthful and untainted by either intentional manipulation or inadvertent influence such as a bond of affection. Interviewing a potential victim in the presence of the accused perpetrator should never occur and can only be expected to result in allegations being recanted regardless of their veracity.

However, RANDALL's self-described pattern of confronting victims does not appear to be what triggered the recanting in this instance. LUCHAVEZ appears to have been aware of the allegations before RANDALL notified him, and the victim had already recanted her statement in writing after it was "discussed" with her by the accused, PERFECTO LUCHAVEZ, along with Social Worker VENANCIO JUMAWAN and SHEEREE ANN KAW on September 30, 2013, according to an affidavit by KAW. Per KAW, the victim thereafter wrote the apology letter recanting on the same date.²⁵

A certified translation of the handwritten letter stated:

*All the accusations on me are not true including "commanding to open the logbook", that I was the one behind all the chaos. All the accusations to Kuya Toto, Ate SheAnn and Mama Blesie are also not true. It is also not true that I will be forced to stop in going to school. "Kuya Toto will help me finish my studies and I promise that I will fulfill my duty to complete my schooling."
I ask for Kuya Toto's forgiveness for all the things that I've done.*²⁶

Thus, the recanting of the allegation occurred as a result of conversation with the accused before RANDALL indicated he was even first advised of the accusation. This second letter by the victim does not contain the same detail or tone as the first. This, coupled with the letter being precipitated by conversation with the accused, along with its having been presented by KAW, whose sworn affidavits conflicted, cause concern that the statement was recanted as a result of coercion and duress.

Changing of SANKEY Security Guards

²⁴ Document 1, Page 37.

²⁵ Document 6, Page 20.

²⁶ Document 15, Page 1.

A point of contention, which eventually became a trespassing claim filed by SANKEY, subsequent to the arrests of RANDALL and the LUCHAVEZES, was the November 16, 2013, changing of security guards on SANKEY's premises. RANDALL described an attempted armed takeover and accused MAUK of failing to wait to give RANDALL time to arrive in the Philippines to address the allegations MAUK had called about 11 days earlier. RANDALL advised that MAUK had promised not to take any action without him. RANDALL said it potentially created a dangerous clash between the guards and the responding police and military when MAUK showed up on the property with armed guards.

RANDALL's affidavit described receiving a frantic call from MAUK:

“On 16 November 2013, I again received a call from Joe. He was shouting and commanding me to tell Toto to stop calling the police and military. I then called the staff of Sankey to apprise me of the situation. It was at this juncture that I learned that sixteen (16) armed men, with Shirley as their guide, entered Sankey on the same date with the objective of changing the security guards in Sankey, searching the premises, and interrogating some of the children.

I was alarmed and frightened that if and when the police and/or military would arrive at Sankey, a skirmish might ensue and endanger the children. Thus, I pleaded with Joe to ask his party to leave Sankey. However, he would not leave until the security guards on detail were removed. I agreed with his request for the safety of the children and his as well. Furthermore, I reminded him that he did not have any authority whatsoever as he was neither an employee nor an officer of Sankey. Neither did I give him any authority to act on my behalf as an adviser of Sankey. Thus, I do not know where he gets his authority to enter into the Sankey compound and endanger the children”²⁷

MAUK affirmed that he had called RANDALL concerned about a dangerous situation, urging RANDALL to tell LUCHAVEZ to call off the police and military. MAUK also corroborated that RANDALL had asked him to wait to take any action related to the abuse allegations to which he had alerted RANDALL 11 days earlier.

MAUK advised that subsequent to his November 5, 2013, call with RANDALL, his concern for the welfare of the girls escalated when he learned of a man entering the girls' dormitory. MAUK advised he contracted with and paid the security guards on the compound and expected that as part of their duties, they would prevent men from accessing the girls' sleeping quarters.

MAUK advised that he consulted his attorney and the owner of the security company who indicated that as the holder of the contract and as the party who paid the bill for the guards, MAUK could request the personnel assigned to SANKEY be changed.

Although RANDALL initially provided an account to writer of MAUK and his companions attempting an armed takeover of SANKEY, RANDALL acknowledged that MAUK's name was

²⁷ Document 1, page 4.

on the contract for the guards, and MAUK paid the bill. RANDALL advised this was a technicality in that it was a repayment of a debt MAUK owed to WORLD HARVEST.

MAUK indicated he was unaware of such a debt. Regardless, both agree that MAUK held the contract.

SANKEY filed a civil action against MAUK and some of those who accompanied him onto SANKEY property. RANDALL advised writer he believed they were attempting to collect evidence.

In fact, MIRIAM MAUK did advise of evidence received. She said one of the girls who had disclosed abuse finished her incomplete letter that day.

SHEEREE ANN KAW, as corporate secretary, deposed that at a meeting of the SANKEY board of directors on March 3, 2014, the board voted approving a resolution that “authorizes the filing of proper cases, including a criminal case for qualified trespass to dwelling, against Mr. Joseph Mauk, Miriam Mauk-Bongolan, Edwin Bongolan, Shane Stevenson and other persons.”

An affidavit by PERFECTO LUCHAVEZ detailed allegations against the above-named individuals including the following:

“On 16 November 2013, Respondents, with neither right nor authority, unceremoniously entered the premises of Sankey with the aid of about (12) armed men.”

“Respondent Joseph Mauk, under the pretense that he had authority to do so, directed the security guards assigned to Sankey to be replaced by the men he had with him.”

“Respondents, with the aid of the armed men, disarmed the security guards at Sankey and took control of the premises.”

“While at the girls’ dormitory, Respondent Miriam Mauk-Bongolan, accompanied by Respondent Edwin Bongolan, set up a lap top computer and tried to force the wards to tell Mr. Randall that they were happy that the security guards were replaced. Apparently, Respondent Miriam Mauk-Bongolan wanted to use the wards to convince Mr. Randall to authorize the replacement of the guards. However, before Respondent Miriam Mauk-Bongolan could carry out her plan, the other Repondents shouted that it was time for them to go as the police were on their way. With that, the Respondents hurriedly left the premises.”²⁸

An affidavit for TREVOR HILL described a more peaceable entry onto the premises and a more amicable initial interaction than LUCHAVEZ did. HILL’s affidavit said he entered the SANKEY property on that date with the MAUKS, that the gates were open, and the guards allowed entry. He said *“I Trevor spent about 20 to 30 minutes with Toto and Joe Mauk walking around the Sankey compound. Toto took us down to look at the piggery which I had built for*

²⁸ Document 16, Pages 3-4.

them approximately 10 years ago. On the way back Toto showed us around John and Alice Sheperds new house and the new school that had been built.”²⁹

(Notably, if LUCHAVEZ in fact gave a tour, he was freely accessing the SANKEY compound after RANDALL advised he had been “banned” from the premises.)

In an email provided from MAUK, time/date stamped as sent to RANDALL on November 16, 2013, prior to any of the court filings, MAUK explained that TOTO’s change in demeanor occurred when LUCHAVEZ realized the intention to switch out the guards,

“Ruth thinks I shouldn't say anything else but just two brief things. First, I have never in my life lied to you, including the awful things you mentioned.

Secondly, I introduced Toto to Shane and said that Shane, as a former police officer, had some recommendations for our security and asked Shane to explain our plan to him. As soon as he realized Shane was suggesting a replacement of the existing guards, he started walking rapidly away from Shane and telling me this is not possible. I said let's talk to Tom. He walked rapidly past me handling his phone and the next thing I heard was him asking his military friends to contact the general and send soldiers to Sankey immediately. That is why I called you in some kind of panic. He never said Joe, let's sit down and talk. He never said let's talk to Tom.”³⁰

An affidavit by RANDALL in the criminal case against him stated that a SANKEY teacher accompanied the contingent onto the grounds. RANDALL stated, *“It was at this juncture that I learned that sixteen (16) armed men, with Shirley as their guide, entered Sankey on the same date with the objective of changing the security guards in Sankey, searching the premises, and interrogating some of the children.”*³¹

Later, in that criminal case, RANDALL would place blame on the MAUK family for orchestrating events that led to his arrest and the removal of the wards from SANKEY:

“Later on, when I got to read the Joint-Affidavit of Arrest of the AHTRAD and its accompanying documents, I realized that the entire incident was brought about by the machination of Joe, Ruth and Shirley. They wanted to take over Sankey. This is indubitably shown by their actions of replacing the guard, searching the premises of Sankey, and interrogating the children last 16 November 2013. Since they did not succeed the first time around, they used the NBI, and even the Department of Homeland Security, to unwittingly aid them in their purpose. I am innocent of all charges against me, yet I am detained and made to answer such malicious accusations.”

Law Enforcement Action and Criminal Cases

On January 13, 2013, the National Bureau of Investigation conducted a raid at

²⁹ Document 17, Page 1.

³⁰ Document 1, Pages 6-7; Document 17, Page 7.

³¹ Document 1, Page 4.

SANKEY SAMARITAN MISSION.³²

RANDALL advised that local DSWD was never alerted of the upcoming raid and therefore never had the opportunity to provide information that the allegations had already been investigated and found to be unsubstantiated. He advised that if NBI had contacted the local office, they would have known the investigation was complete.

RANDALL's statement regarding lack of deconfliction is corroborated by a DSWD court filing dated April 24, 2014, in Civil Case No. 14-229, in which SANKEY filed a petition for an annulment of the Notice of Suspension of SANKEY's license. DSWD indicates the agency was advised of and attended a briefing on an upcoming law enforcement operation but was not notified of the entity or targeted subjects.³³

In sensitive operations, particularly where subjects have strong ties to local agencies, routine practice is for law enforcement to protect target information so that operations are not compromised intentionally or inadvertently.

However, RANDALL's conclusion that such deconfliction would have averted the operation is likely false. In fact, DSWD did complete their investigation of the allegations of abuse at SANKEY and noted in a court filing of having completed a report dated January 3, 2014, which identified additional disclosures of abuse as further discussed under the DSWD section of this report. Thus, if DSWD had been consulted, lacking any corruption, law enforcement concerns likely would have escalated rather than been alleviated. In fact, regardless of the information previously reported to law enforcement, if appropriate protocols were followed, DSWD's investigation should have ultimately led to law enforcement action.

The NBI stated in an affidavit that information was received on January 3, 2014, from Homeland Security Investigations, United States Embassy in Manilla alleging that *"the operators of the orphanage are trafficking adults and minors and are also allegedly sexually abusing the orphans."*³⁴

As predication for the raid, NBI cited a firsthand report received from a male victim who described sexual abuse perpetrated by JAKE LUCHAVEZ, along with the same victim's report of a more recent forcible kissing of the victim's sister by JAKE's father, TOTO LUCHAVEZ.

NBI cited supporting statements from CATHERINE WALTERS, a missionary at another children's shelter, who attested to how the allegations had been previously disclosed to her, and SHIRLEY FORMALES, a teacher at SANKEY who conveyed the disclosures of the two SANKEY wards whose written accounts had been forwarded to RANDALL by MAUK.

³² Document 18, Page 8; Document 19; many others.

³³ Document 19, Page 6.

³⁴ Document 18, Page 7.

The former male ward reported that in 2005 he and another ward had been raped at SANKEY by MARK JAYROLD A. LUCHAVEZ aka JAKE.³⁵

At that time, JAKE would have been approximately 17 years old.³⁶

A sworn statement by the former ward explained why he didn't contact law enforcement nine years earlier:

*"I was just 13 years old at the time. I still didn't know where to go and ask for help. I thought that kind of abuse that happened to us was just normal because I was innocent about those kinds of things. When I got older, that's the moment I realized that what was done to us was wrong."*³⁷

He advised after his sister told him that she was recently forcibly kissed by LUCHAVEZ, he decided to disclose his own abuse, *"That's that time I decided to tell the authorities because I don't want my sister to experience the same abuse that happened to me."*³⁸

A letter dated January 14, 2014, from the NBI Anti-Human Trafficking Division (ATHRAD) to the Philippines Prosecutor General, recommended RANDALL, LUCHAVEZ, LUCHAVEZ and former dorm parent MELVIN GARCIA for criminal charges after NBI executed warrantless arrests of RANDALL, LUCHAVEZ and LUCHAVEZ during the raid the previous day. As in the United States, Philippines law contains exceptions for the requirement of a warrant.

The attached NBI arrest-affidavit stated:

*"Victim ██████ and ██████ were made to perform fellatio by Subject Mark Jayrold "Jake" Luchavez when the victims were 13 and 11 years old respectively. Victim ██████ was made to perform fellatio with "mayonnaise" by dorm parent Melvin Garcia when she was 11 or 12 years old."*³⁹

The affidavit noted several acts of aggressive, nonconsensual kissing and touching against girls at SANKEY by TOTO and concluded, *"There exists a pattern of continuing sexual abuse and exploitation occurring inside the orphanage's premises with the maintainer, specifically Subject Perfecto "Toto" Luchavez as the sexual predator."*

Both LUCHAVEZES were recommended for trafficking charges as principals.⁴⁰

TOM RANDALL was recommended for prosecution for being an accessory to the crime of trafficking in persons under Section 4-C par. B of Republic Act 9208, as amended by Republic Act 10364 and for obstruction.

³⁵ Document 18, Page 7.

³⁶ Document 20, Page 4.

³⁷ Document 14, Page 25.

³⁸ Document 14, Page 26.

³⁹ Document 18, Page 9.

⁴⁰ Document 18, Page 9.

The provision related to the trafficking offense requires

- (a) The accused has knowledge of the commission of the crime of trafficking in persons.
- (b) The accused did not participate in the commission of the crime either as principle or as accomplice.
- (c) The accused concealed or destroyed the body of the crime or effects or instruments thereof in order to prevent its discovery.⁴¹

The elements for the obstruction offense are as follows:

- (a) The accused obstructs, impedes, frustrates or delays the apprehension of suspects and the investigation and prosecution of criminal cases.
- (b) The accused obstructs, impedes, frustrates or delays the apprehension, investigation and prosecution by committing any of the acts enumerated in Section 1.
- (c) The accused commits the above-mentioned acts knowingly or willfully.⁴²

The affidavit stated that RANDALL

*“tried to conceal the complicity of Subject Toto Luchavez by stating that the latter is no longer connected with Sankey Samaritan Missions. However, statements made by the victims clearly show that Luchavez still runs the day-to-day operations of the orphanage. Randall was also informed on several occasions by the victims and by concerned individuals that sexual abuses were occurring inside the orphanage, but for reasons known only to him, Subject Randall chose to ignore the complaints.”*⁴³

The recommended charges against RANDALL hinged on 1) his knowledge of trafficking and whether he impeded response to it 2) the veracity of his claims regarding LUCHAVEZ.

RANDALL’s affidavit argued,

“None of the above-mentioned elements is present in the instant case. I have no knowledge of any commission of trafficking in persons in Sankey. In fact, I only learned of reports of sexual abuse on 1 November 2013 from Joe’s phone call and, as earlier mentioned, I immediately acted on the complaints. Toto was immediately banned from Sankey’s premises was removed from service (sic), even if my investigation was inconclusive as to whether or not he actually committed sexual abuse.

*I neither concealed nor destroyed the body of the alleged crime when I told the NBI agents that Toto is no longer connected with Sankey since at the time of my arrest, Toto was already dismissed from service.”*⁴⁴

⁴¹ Document 1, Page 10; Document 18, Page 2.

⁴² Document 1, Page 11; Document 18, Page 2.

⁴³ Document 18, Page 5.

⁴⁴ Document 1, Page 10.

As the prosecutor ultimately dismissed human trafficking charges against LUCHAVEZ and LUCHAVEZ for lack of probable cause, it stands to reason there would be no prosecutable charge for RANDALL as an accessory.

In addition, RANDALL argued that he did act to address allegations of abuse that had reached him. The record shows RANDALL did conduct an investigation, that notification was made in written form to DSWD and that DSWD conducted interviews prior to the raid.

An affidavit by ██████████ says RANDALL investigated, alerted DSWD and removed LUCHAVEZ.⁴⁵

BARBARA GONZAGA was identified in her affidavit as a teacher for Cugley Christian Academy, a school located in the Sankey Samaritan Mission compound. An affidavit under her signature stated that

*“When Uncle Tom arrived in the Philippines on 11 December 2013 for his annual visit, he immediately talked to the children and their social workers. He also asked the DSWD to conduct an investigation with him.”*⁴⁶

In a filing in Civil Case No. 14-229, DSWD advised of a letter received December 16, 2012, from SANKEY Social Worker VENACIO JUMAWAN.

*“Mr. Jumawan likewise requested that Sankey be guided in their investigation on the alleged abuse of Sankey’s residents committed by its own President and Executive Director Perfecto Luchavez, Jr.”*⁴⁷

RANDALL was released from prison without being prosecuted. LUCHAVEZ and LUCHAVEZ were charged and released on bond.

While under Philippine law searches and arrests may be made under particular emergency circumstances without a warrant, LUCHAVEZ and LUCHAVEZ argued in motions that the arrests were illegal as they did not meet the criteria for warrantless arrests.⁴⁸

Initial charges against LUCHAVEZ and LUCHAVEZ for human trafficking were dismissed by the prosecutor after a preliminary investigation did not establish probable cause for those violations and the warrantless nature of their arrests was declared invalid.⁴⁹

⁴⁵ Document 13, Page 5.

⁴⁶ Document 21.

⁴⁷ Document 19, Page 4.

⁴⁸ Document 22.

⁴⁹ Document 23, Page 3.

New charges for sex abuse violations, as opposed to human trafficking violations, were filed and repeatedly upheld.

On January 30, 2014, the prosecutor filed new charges against MARK JAYROLD A. LUCHAVEZ, aka JAKE. The charges stated,

“That in the year 2005, in Lucena City, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused with lewd design, and by means of force, threat and intimidation, did, then and there willfully, unlawfully, and feloniously commit a lascivious act against one [REDACTED], a minor, by inserting the penis of the victim into his mouth against the latter’s will and consent to the damage and prejudice of the said victim.”

The charging document listed 12 witnesses and recommended bail at 180,000 pesos.⁵⁰

On the same date, the prosecutor filed additional charges for an offense against another SANKEY ward. The charges stated,

“That in the year 2005, in Lucena City, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused with lewd design, and by means of force, threat and intimidation, did, then and there willfully, unlawfully and feloniously commit an act of sexual assault against one [REDACTED], a minor, by inserting his penis into the mouth of the victim against the latter’s will and consent, to the damage and prejudice of the said victim.”

The charging document listed 12 witnesses and recommended bail of 120,000 pesos.

On January 30, 2014, the prosecutor filed new charges against PERFECTO LUCHAVEZ, JR., aka TOTO, for violating Article III Section 5(b) of R.A. 7610. They stated,

“That sometime in the year 2008, and on dates subsequent thereto, in Lucena City, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused with lewd design, and by means of force, threat and intimidation, did, then and there willfully, unlawfully, and feloniously commit lascivious acts against one [REDACTED], a minor and a child exploited in prostitution and other sexual abuse, by forcibly kissing the victim in several instances against the latter’s will and consent, to the damage and prejudice of the said victim.”

Twelve witnesses were listed with a recommendation of 180,000 pesos bail.⁵¹

The Judge reaffirmed in an order issued November 27, 2014, that probable cause had been established for charges against LUCHAVEZ and LUCHAVEZ.⁵²

A series of procedural arguments and filings ensued until the March 9, 2015, order by Presiding Judge Robert Victor C. Marcon which denied LUCHAVEZ’s motion attempting to invalidate

⁵⁰ Document 24.

⁵¹ Document 25.

⁵² Document 26, Page 3.

refiling of charges for child abuse and sexual assault. The judge noted that *“the investigating prosecutor dismissed the complaint for trafficking in persons against both accused as it found no probable cause to indict them for trafficking in persons.”*

While the judge found their warrantless arrest invalid and noted the dismissed trafficking charges, the court affirmed the prosecutor’s remedy of filing new charges of child abuse and sexual assault and scheduled their arraignment. The judge’s order noted that *“the investigating prosecutor found probable cause and indicted them for child abuse under R.A. 7610 and sexual assault under Article 266-A, paragraph 2, in relation to Article 266-B of the Revised Penal Code, as amended by R.A. 8353.”*⁵³

According to notices on the record, hearings were rescheduled several times due to hospitalization of the judge, nonappearance of witnesses and requests for extensions.

At a hearing on October 5, 2016, Judge Marcon advised if victims did not appear charges would be dismissed.

An order issued by Presiding Judge Marcon on November 17, 2016, provisionally dismissed the charges against both LUCHAVEZES due to the prosecution failing to present its witnesses at the subsequent hearing.

No records viewed in the course of this review contained any indication that the cases against the LUCHAVEZES failed to move forward for lack of probable cause. Thus, at the conclusion of the criminal case, the record stands, per the definition of probable cause, as having established abuse was more likely to have occurred than not.

Department of Social Welfare and Development Involvement

Prior to the January 13, 2014, raid on SANKEY, which was part of a law enforcement investigation, DSWD conducted its own investigation which identified additional allegations of abuse at SANKEY.

DSWD conducted interviews of SANKEY children on December 18, 2013, which appear to have been precipitated by notification from SANKEY itself. In fact, that is what RANDALL’s attorney asserted in its letter to the agency disputing its process and decisions related to the orphanage’s license.

*“On the contrary, what appears on record is that it was Sankey itself, through its letter dated 13 December 2013 and received by your Office on 14 December 2013, which brought the allegations of abuse against its former director as well as the result of its own investigation to your attention.”*⁵⁴

⁵³ Document 23, Pages 2-3.

⁵⁴ Document 9, Pages 1-2.

DSWD reported that in its December 2013 interviews, wards disclosed incidents involving victimization of eight residents or former wards of SANKEY. Incidents disclosed included forcible kissing, fondling and fellatio. In addition, one of the girls disclosed being asked to massage TOTO for pay on the weekends.⁵⁵

Thus, had NBI's raid not occurred as a result of what RANDALL described as an act of malice by the MAUKS, it eventually should have occurred as a result of SANKEY's own belated report. In fact, had the allegations been reported when RANDALL first received them, he may never have been arrested at all.

Due to the alleged incidents of abuse disclosed by SANKEY wards, which were the subject of the DSWD report dated January 3, 2014, and due to information derived from the law enforcement operation conducted by the NBI-AHTRAD, DSWD convened the DSWD FO IV-A Review Committee (FORC) on February 18, 2014.

The committee's fact-finding team visited SANKEY on March 4, 2014, to interview SANKEY staff, but per DSWD, SANKEY's legal counsel objected.⁵⁶

At the conclusion of its investigation, DSWD issued notice to SANKEY that it had five days to explain why SANKEY's license should not be revoked. The letter from DSWD dated March 28, 2014, addressed to TOM RANDALL as founder stated,

In reference to the filed cases of child abuse committed by Melvin Garcia, Mr. Perfecto "Toto" and Mark Jayrold "Jake" both surnamed Luchavez against the clients of Sankey Samaritan Mission, Inc., this office has conducted the fact finding investigation on the case.

Based on the Fact Finding Report, abuse of clients was committed as shown in these circumstances:

1. [REDACTED] was forcibly kissed on the lips by Perfecto "Toto" Luchavez in 2010;
2. [REDACTED] was forcibly kissed on the lips by Perfecto "Toto" Luchavez in August 2012;
3. [REDACTED] "Jake Luchavez performed fellatio with him and ejaculated the penis of when he was 11 years old in 2005;
4. Melvin Garcia, former staff of Sankey Samaritan Mission performed fellatio with mayonnaise when [REDACTED] was 11 years old in 2002;
5. [REDACTED] was raped twice by Mark Jayrold Luchavez when he was 11 years old and also performed fellatio and ejaculation with him when he was 13 years old in 2005;
6. [REDACTED] was asked by Perfecto "Toto" Luchavez to massage him every Friday and Saturday and being paid amounting to Php 100.00 to 150.00 per hour.
7. [REDACTED] was brought by a certain Heather to Sankey Samaritan Mission from his family in Bicol. Thereafter, he was not able to see or talk to his family;
8. On July 7, 2008, when [REDACTED] was 11 years old and [REDACTED] was 10 years old, they were allegedly kidnapped while walking in the street of Lucena City. They were brought to Sankey Samaritan Mission where they were kept in the gym for almost a week.

⁵⁵ Document 19, Page 5.

⁵⁶ Document 19, Page 7.

Fortunately, they were able to escape by passing through a hole. They filed cases against Perfecto "Toto" Luchavez for kidnapping and serious illegal detention in relation to 7610 at RTCLucena City. However, the complainants withdrew the cases as accordingly, they were threatened by Mr. Luchavez. Hence, cases were dismissed.

In view thereof, please explain within five (5) days upon receipt of this letter why your license should not be revoked.

Please be informed that the Field Office Review Committee will proceed accordingly with or without your explanation.⁵⁷

The letter did not include every incident of abuse that had been disclosed in the interviews in December. It included a new allegation that was discovered through a visit to the local police station, undertaken as an alternative means to collect information after SANKEY refused to comply with interview requests.⁵⁸

SANKEY referred DSWD to a civil case SANKEY had filed when its license had been suspended. Citing SANKEY's lack of requested response to the revocation letter, DSWD thereafter revoked SANKEY's license on April 7, 2014.

The revocation of licensure was the culmination of more than a year of DSWD's addressing unresolved concerns of SANKEY's noncompliance with regulations. Among others, concerns included failure to deinstitutionalize, conflict of interest in oversight and governance, and inadequate case plans and record keeping for clients.⁵⁹

Christ Community Chapel Related Actions and Response

Statements and Representations:

RANDALL became a CCC staff member two and a half months before his arrest in the Philippines and days before he received the phone call from MAUK advising of abuse concerns.

During a January 19, 2014, church service, COFFEY told the CCC congregation about RANDALL's arrest, their relationship, interactions and COFFEY's actions on RANDALL's behalf.

"TOM RANDALL is like a brother to me," COFFEY said. "I know how he lives. I know how he prays. I know how he thinks, and I know how he loves."

⁵⁷ Document 27, Pages 3-4.

⁵⁸ Document 19, Page 17.

⁵⁹ Document 19, Pages 2-3.

COFFEY said that RANDALL served for 17 years as a missionary in the Philippines, came home because of health issues, then spent 13 years as chaplain of the PGA tour, retiring to Hudson as CCC's newest staff member.

COFFEY talked about times he, his son and others had participated in missions opportunities with RANDALL and the fruit those times of ministry bore.

COFFEY said he was with RANDALL and could see the pain on his face when RANDALL saw the news of the typhoon coming and that typically, the RANDALLS visited the Philippines for a month each year but decided to go for two months this time to provide typhoon relief, to do a basketball trip with a halftime show that shares the gospel and connects people with bible studies and to spend time with who he calls "his kids" at the orphanage.

"Before he went he got a communication from somebody in the Philippines who was very concerned about some rumors that were coming out of the orphanage, and they were rumors about misconduct. And the rumor itself that got to Tom because he and I sat and talked about it was that the worker who was in charge of the orphanage, a man named TOTO LUCHAVEZ had kissed one of the 15-year-old girls. And when that surfaced, the person who contacted Tom was really upset about it. And Tom said I understand how you're upset. I'll handle it as soon as I get there. I gotta investigate before I take any... so just wait for me to get there...I'll be there in three weeks. This guy promised that he would wait and then felt like he couldn't and then he went on a rescue operation to try to rescue these girls. And it caused kind of a cultural explosion. By the time Tom and Karen got there, the DSWD, which is the Filipino version of child services and the NBI which is the Filipino version of the FBI was involved, which is okay because it's a government-sanctioned orphanage, and they have to abide by those rules, and they were contacted by all this trouble. Tom went through three days of interviews with the child services where they interviewed every child and every adult worker in the orphanage. And he would call me multiple times during those days. They were 17-hour days for him. Each time he would call he'd just be exhausted. Just say went through another day. He finally called me and said they've completed their investigation, and we've been cleared of any kind of misconduct. The two girls who made that accusation have recanted and said they made it up because they were mad about being disciplined and a privilege being removed."

In fact, according to the record, neither DSWD nor NBI were overtly involved when the RANDALLS arrived, and rather than clearing SANKEY, the DSWD interviews had resulted in new disclosures, along with the girls who were said to have recanted actually restating their prior disclosures.

COFFEY told the congregation that then the raid happened. He explained, *"In the Filipino government, the way they work with that kind of accusation is they take action first and then they start to ask questions and try to figure out later. So Tom, Toto and Jake are in prison right now while they sort it out to see if there's any truth to the allegations."*

In fact, law enforcement had asked questions. The U.S. Department of Homeland Security had asked enough questions and gathered enough information that they forwarded a letter advising of

potential human trafficking to the NBI. The NBI thereafter asked questions of a young man who recounted, not a rumor, but his own first-person account of abuse he said happened to him years earlier at SANKEY. And the NBI asked questions of someone to whom the two girls had made direct disclosures.

COFFEY read text messages he said he had exchanged with RANDALL, during his imprisonment. They described an unhealthy environment and declining health. They also described people making decisions for Christ as a result of RANDALL's ministering from his cell and described growing favor with the guards and other prisoners. As COFFEY tried to get RANDALL out of prison to medical services, COFFEY said RANDALL asked to stay one more night to lead someone on the cusp to Christ.

COFFEY expressed a belief that RANDALL would either be released or die in prison.

He described a call from RANDALL at one point where RANDALL said, "*Joe I gotta get out of here. I'm not going to survive this.*" COFFEY said "*Then the phone goes dead.*"

COFFEY said RANDALL had toxic poisoning from Manila and that the lack of air conditioning in the cell meant the air was unfiltered and more toxic to his system.

That RANDALL suffered from severe health issues as a result of the polluted Philippine air was confirmed by RUTH MAUK who said that's why the RANDALLS had to leave the Philippines. His health issues were also documented by a clinical abstract from the Medical Director of Mustard Seed Ministries, which advocated for RANDALL's hospitalization, during the time he was in prison.⁶⁰

COFFEY told the CCC congregation that he was reaching out to politicians, that he'd asked RANDALL for names of influential people who could vouch for his character and that he'd told RANDALL someone had started a "Free Tom Randall" Facebook page.

COFFEY described people who had been served by RANDALL now seeking to serve.

In 2014, COFFEY provided updates that charges against the LUCHAVEZES had been dropped. On Twitter, COFFEY tweeted, "*News frm philippines.all charges dropped against toto and jake.raid deemed completely unjustified by judge #timeandtruth.*"

In fact, as noted under the *Law Enforcement* section, the judge did deem the warrantless arrests to be outside the scope of the warrant exception and initial charges were dismissed. However, new charges were filed on January 30, 2014, and the case continued to move through the court system for more than another two years.⁶¹

After previously basing their statements and positions on information from RANDALL, RANDALL's wife or RANDALL's attorney, CCC ultimately decided to look more closely at

⁶⁰ Document 28.

⁶¹ Document 25; Document 24.

other sources of information, having been contacted by concerned community members and parishioners. They sought a qualified, experienced team to conduct an investigation. Writer recommended securing a former law enforcement officer to lead the effort who met the following criteria:

- 1) Extensive experience interviewing child victims.
- 2) Extensive experience interrogating child abuse subjects.
- 3) Familiarity with judicial systems and criminal proceedings.
- 4) Experience drafting affidavits presented for a judge's consideration.
- 5) Familiarity with evangelical worldview and biblical ministry.

These criteria were recommended to ensure an investigator understood the information that could be derived from the way in which allegations and other statements emerged and to ensure accurate interpretation of the judicial record.

Writer advised STACEY DINARDO of believing a team could come together soon and had a particular retired former investigator in mind to lead an investigation. Having been provided with information that securing an investigator unconnected to CCC was on the brink of fruition, DINARDO responded to inquiries by indicating the investigator was unconnected to CCC. She was accused by some of being untruthful when that fell through, and writer, a member of CCC, eventually took on this review, rather than a full investigation. However, DINARDO's statement about an investigative team not having close CCC connections reflected what she reasonably would have believed to be true at the time based on writer's representations.

CCC leaders advised of conversations and interactions with members and attendees that felt hostile as accusations of lies and coverup were received.

Statements from CCC left the impression that there was no basis for RANDALL's arrest, that the raid was unjustified, that charges were unfounded and that the victims had recanted. This was partial truth taken off track. All of it originated from one common denominator: RANDALL.

Contact with Government Officials

Concerns voiced to the church have included questions about undue influence on the criminal justice system by lobbying for RANDALL's release through politicians.

As he noted from the pulpit, COFFEY communicated with Ohio Senator Portman's office. Reviewed email messages focused on concerns for RANDALL's health and navigating processes to enable sharing of information among government agencies.

On January 15, 2014, COFFEY wrote,

I have been texting with Tom and his health is really deteriorating. He has toxic poisoning from living in Manila for 20 years and that is starting to surface with ulcers and trouble breathing. He

*has high blood pressure and his medication was stolen two nights ago. He is dehydrated and cramping. Urinary infection. If we can get him some medical attention soon that would be great. I'm not sure how long he can last.*⁶²

Portman's office responded,

We are running into some issues with the Philippine government wanted to see if you could offer any insight as we prepare next steps.

To your knowledge, has there been any communication between Tom and the US Embassy? Are you aware as to whether Mrs. Randall been in contact with any US officials in Manilla?

*If Tom has been visited by someone from the U.S. Embassy, can you confirm whether he signed the privacy waiver that will authorize State to share info about his case? If not, he needs to sign this waiver as soon as the Embassy official visits, and he needs to authorize State to share his info with anyone whose help he wants (i.e. not simply his family). State said they can't share details on his case with us until this happens.*⁶³

Senator Portman wrote,

Pastor Joe,

I know you have talked with Megan and my team, but I wanted to share my personal concern with you and your congregation over Tom Randall's situation in the Philippines. We are continuing to work all diplomatic channels to investigate this situation. Obviously, we are further concerned by Tom's declining health. When we spoke with the Ambassador in Washington, he pledged to look into Tom's case, and we will press this further with his staff and our Embassy in Manila.

Of course we don't know all of the facts, and are so far operating upon what has been presented to us. We are doing everything we can to learn more about this case.

As events change, please keep in touch with Megan and our team. Tom and his family are certainly in our thoughts and prayers. Thank you for all that your congregation has done for the people of Hudson and Northeast Ohio.

All best,

*Rob*⁶⁴

While no undue or inappropriate influence is indicated in the communications that were made available for review, they do show that COFFEY had a misunderstanding of the facts of the case. However, Portman pledged to look into the facts, not to advocate for RANDALL's freedom regardless of them.

⁶² Document 29.

⁶³ Document 29.

⁶⁴ Document 30.

The above communications are consistent with expected actions by a church should one of their own be imprisoned while doing ministry overseas. An employer should be expected to work through representatives and diplomatic channels to ensure what are considered basic civil rights in the United States, particularly for someone with health issues.

Financial Aspects

As noted above under *Background of Entities and Personnel*, CCC became the fiscal agent for WORLD HARVEST MINISTRIES which provided financial support to SANKEY.

COFFEY advised that he suggested to RANDALL that CCC become WORLD HARVEST's fiscal agent so that CCC could handle the accounting for RANDALL's ministry since RANDALL did not have administrative support. COFFEY advised he had no idea at the time that WORLD HARVEST had significant assets.

Per [REDACTED], RANDALL expended funds using a CCC credit card and through wire transfers. COFFEY advised that RANDALL's expenditures never were particularly significant, especially in relation to the WORLD HARVEST funds that he had brought to CCC. Because he was continuing to operate his own ministry, with CCC providing administrative support, he was not subjected to the same scrutiny for expenditures as other staff.

Regardless, [REDACTED] advised that he would not process a transaction for RANDALL without the approval of an authorized staff member.

[REDACTED] advised reviewer that, after an update from CCC leadership in early 2019, he realized PERFECTO LUCHAVEZ, to whom funds were being wired at RANDALL's request, was the same person as the accused perpetrator TOTO. [REDACTED] advised that he alerted senior CCC leadership who immediately instructed that transfers to LUCHAVEZ cease.

Global Outreach Pastor PAUL WIDES advised the funds were among transfers he approved to be sent at RANDALL's request to support former SANKEY wards and that RANDALL had continued to request funds to support SANKEY and other ministry efforts in the Philippines and elsewhere.

WIDES indicated he did not have updated information about LUCHAVEZ at the time he approved the requests and that RANDALL had told him that it could be challenging to find someone who would pick up a wire transfer due to concerns for kidnapping.

In addition, CCC transferred funds to attorneys in the Philippines to pay legal expenses for RANDALL, LUCHAVEZ and LUCHAVEZ. CCC also transferred funds to pay the bond for both of the LUCHAVEZES.

DINARDO advised that CCC understood Michigan law, where WORLD HARVEST was incorporated, to require payment for employees' legal defense. She advised that in the confusion

of the unexpected arrests, CCC only later recognized that RANDALL and the LUCHAVEZES were employed by separate entities.

Due to time constraints, a detailed inspection of every WORLD HARVEST-related transaction was not included in this review, although a sampling of transactions were viewed. Wire transfers included attorney fees, payment of bond, and wires picked up by LUCHAVEZ. Dollar amounts expended appeared to fall far short of the WORLD HARVEST funds transferred to the church. ██████████ and COFFEY also advised WORLD HARVEST funds were greater than RANDALL's expenditures.

Reliance on RANDALL Statements

Inconsistencies between the established record and RANDALL's statements became apparent during the review. Having relied on versions of events relayed by RANDALL, CCC leadership found themselves communicating false information as fact.

Ultimately, it was a member of CCC leadership to whom RANDALL acknowledged being deceptive.

Per DINARDO, she contacted the purported author of an email RANDALL had provided to support a narrative he had been telling. The purported author denied writing the email. Upon being questioned by DINARDO about the veracity of his statements, RANDALL acknowledged he had written the statement, justifying that it was the codification of statements made to him verbally.

DINARDO advised she brought the matter to the attention of JOE COFFEY and that COFFEY immediately recused himself, directing DINARDO to Founding Pastor JIM COLLEDGE.

Elder Chair JIM GAUL advised,

*“On June 3, 2019 the Elders of Christ Community Chapel requested the resignation of Tom Randall as a result of a clear violation of pastoral ethics. Tom Randall consequently tendered his resignation as a member of the pastoral staff of Christ Community Chapel as of the June 3rd date.”*⁶⁵

Conclusions

Review of provided records revealed significant inconsistencies with the versions of events described by RANDALL to both reviewer and CCC staff. Statements made by CCC leadership simply regurgitated what RANDALL had said and were inconsistent with the established record.

RANDALL represented as so genuine that reviewer temporarily believed RANDALL represented church leadership the first time he communicated to reviewer that she should not

⁶⁵ Document 32.

spend any more time on this matter. That conduct, which resulted in this report being hindered and delayed, reflects the obstruction of which RANDALL was originally accused.

As he admitted to DINARDO, RANDALL falsified information in the course of the review. That too is reflective of his original charges.

It is unknown to what extent statements made by RANDALL originated fully with him and to what extent they relied upon information fed to him by PERFECTO "TOTO" LUCHAVEZ. Regardless, the record established the narrative he told was not credible, and it was not LUCHAVEZ who misrepresented RANDALL's own actions and decisions.

Misrepresentations appear to have begun before RANDALL was ever arrested, considering the accounts that COFFEY shared in his sermons.

More than it harmed the church, the conduct harmed victims who perhaps wanted nothing more than to be believed.

The record clearly established and affirmed probable cause that abuse happened at SANKEY and that it was perpetrated, along with others, by TOTO and JAKE, whom RANDALL defended to his own detriment.

For too long, church leadership's belief in RANDALL was almost blind, save for the fruit they saw when they accompanied him on ministry and missions opportunities.

As a result, RANDALL's spending and directives went essentially unchecked. Because he brought a reputation and significant assets to CCC, he essentially spent funds freely.

What has been different at CCC than in other places is that it did not take a mass-media expose to prompt self-scrutiny by the church. A small minority of voices persisting in asking questions, and church leadership whose allegiance to Christ, the One who is Truth, was higher than their allegiance to their own reputations, resulted in the church taking a closer look. And when this reviewer relayed that it looked like the Truth was different than the narrative originally told, COFFEY said to "keep going." DINARDO said to pursue Truth wherever it led. Elders said "thank you" in the face of bad news. Leader after leader showed transparency, exhibited humility and told this reviewer to have courage in speaking hard things to them.

This report does not contain a recounting of every fact reviewed. It contains highlights which aim to provide CCC with enough information on which to assess past decisions and adjust course moving forward. Primarily, records were provided by the law firm who represented RANDALL. An attorney's obligation is to protect his or her client. It is plausible that not every piece was provided. And, certainly, as is always the case, what is on the record is only part of the picture.

As general matters of principle, and there are always exceptions:

- 1) Most sexual abuse victims do not disclose. That means there are usually more victims, or survivors, than stories or testimonies told.
- 2) When victims do disclose, they rarely express the full extent of abuse they sustained.
- 3) False disclosures happen but are extremely rare, particularly in multiples.
- 4) Lack of conviction does not mean abuse did not happen. Most instances never see a courtroom at all.

As standard protocol, when an allegation of sexual abuse occurs, it should immediately be reported to law enforcement. The merit of an allegation should never be investigated or weighed internally first. In the SANKEY matter, adult after adult became aware of allegations without reporting abuse suspicions. Waiting for the arrival of TOM RANDALL, SANKEY's founder and financial benefactor, who had no specialized training as a child forensic interviewer or law enforcement officer, was the wrong course. Waiting allows potential abuse to continue and evidence to disappear. Questioning by untrained individuals inhibits the ability to prosecute by undermining the credibility of victim statements or causing them to recant truthful disclosures.

If concerns occur in an international environment where there is uncertainty about the legitimacy of law enforcement, the U.S. Embassy should be consulted and a preestablished, well-crafted response plan should be followed that does not rest on decision-making, or information relayed, by only one individual.

In addition, fear of prosecution for false accusations cannot be allowed to inhibit reporting of concerns, regardless of how beloved the accused may be. If accusations are without merit, an investigation will find that.

Recommendations have been submitted to the elders, and they are under consideration.

By: Suzanne Lewis-Johnson