

## Appendix A

### RESPONSE TO PARISHES EXPERIENCING THE PAIN OF SEXUAL MISCONDUCT

When members of the clergy or other parish ministers or volunteers engage in sexual misconduct, many people may be harmed or affected. This is true not only of those directly involved in the misconduct, but also of the members of the parishes where the “minister” currently serves or served in the past. We outline here the key elements of the response that the Diocese takes to help heal this pain. These responses are guided by three key principles.

First, we acknowledge that parishes undergo a complex process of grieving. When people first learn that a respected leader has been accused, there is often a reluctance to believe that the report could be true. This denial is a reflection of our American belief that an accused person is innocent until proven guilty. But the same denial also can create a burden on those who, often after a long struggle, have found the ability to bring forth important information. Denial is usually followed by the other well-known steps in grieving a loss, including depression and significant anger against the accused, the accuser(s), the Diocese and the whole Catholic Church. Only after time passes and the appropriate steps are taken can a congregation truly move on in the accomplishment of its mission.

Second, we also acknowledge that one of the most important elements in healing is that the parish receives information about what happened that is as full and accurate as possible. Information helps dispel the atmosphere of distrust that is fed by rumor, by the sudden departure of a “minister” assigned to or employed by the parish, and the feeling that a “cover-up” is being imposed. Information also assists other victims to come forward, if there are any, and assures that the appropriate steps are taken so that a congregation can truly move ahead.

While committed to disclosure where possible, we also acknowledge that significant limitations on communication may exist. These limitations can include the concern of victims and their families for privacy as well as the need to protect the rights of the accused, especially when lawsuits or criminal action may be threatened. The fact that investigations often yield confusing, contradictory or unsubstantiated conclusions, especially in their early stages, further limits disclosure.

Third and finally, we acknowledge that the healing of a parish is a multidisciplinary challenge. Experience has taught us that neither Diocesan officials nor a pastor alone can respond to all the concerns and problems that arise in the aftermath of an incident or accusation of sexual misconduct in a parish setting. As a result, we may involve others such as teachers, therapists, lawyers and communications experts in a team approach to specific parishes.

## **Response in the Current Parish of the Accused**

When a report of ministry-related sexual conduct is received, Diocesan officials work with trained professionals to assess whether the accused can remain in his or her current position or assignment while the investigation progresses. If the accused remains, restrictions may or may not be imposed on his or her “ministry.” Whether the accused remains or leaves, there are issues of communication to be faced in the parish.

## **When the Accused is Removed**

Credible accusations may result in the removal of the accused from the parish. These steps follow:

- a. If the accused is the pastor, a temporary administrator will be appointed by the Bishop in his place. (The administrator is informed of the accusation and of the follow-up steps.) If the accused is someone other than the pastor, it is the pastor who will decide if someone needs to be appointed to act in the accused person’s capacity on a temporary basis.
- b. Key parish personnel will be informed as soon as possible. Depending on the organization of the particular parish, they may include the lay trustees, the professional staff and the president of the parish council.
- c. The pastor or administrator, after consulting with the Diocesan staff and with the parish leadership, will notify the parishioners about the absence of the accused. This announcement can happen in several ways, including pulpit announcements, bulletin notices or a parish mailing. Because the early stages of an investigation can be complex, the first announcement to the parish sometimes will include little information and may indicate only a temporary absence. It also includes, however, an indication that more information will be provided as it becomes available.
- d. The investigation of the matter will proceed as quickly as possible and follow the Diocesan policy on sexual misconduct. The investigation will first attempt to decide about the reliability of the accusation and its implication for the ministry of the accused. As soon as possible, the parish will receive a more comprehensive report about the reason for the absence of the accused. The parishioners will be told of the resignation, vindication of the accused or of any other result. Along with this announcement, the parish members may be invited to a parish meeting within the following few days.
- e. The meeting is a key step in the process of healing for the parish. It allows for a more complete discussion of the complaint, its investigation and its implications for the parish. The meeting should include the participation of some or all of the following: a Diocesan official (the Bishop or his designee), pastor or temporary administrator, a facilitator, a

therapist, an attorney and a communication expert. Because it is a pastoral gathering of the parish, non-members are generally excluded.

- f. Following this meeting, a parish team will be formed to assess the immediate results of the meeting and other issues of healing that may arise in the parish. The team includes the pastor or temporary administrator, some or all of the professional staff, the trustees and the parish council president. An outside expert may meet with the team. The team sets its own mode of operating. It should meet with the Bishop or his designee at least quarterly for the first year following the parish meeting.
- g. In consultation with the Bishop or his designee, the team arranges for whatever healing measures are needed in the parish. These may include further general meetings, a small group process of reflection, a reconciliation service and a request for communication from the accused.

#### **When the Accused Remains in Assignment**

- a. Key parish personnel (as above) are informed of the accusation, of the process of assessment and of the restrictions that are in place. They are asked to report inappropriate behavior or violations of ministerial restrictions to a designated person.
- b. If there is reason to believe that the accusation will become public knowledge while an initial assessment is being performed, then steps *e*, *f* and *g*, as above, will be implemented immediately. The accused will be offered the opportunity to resign rather than remain in the position through the assessment but will not be required to do so.
- c. If the assessment suggests that the accused constitutes a risk for further misconduct, then the accused will be required to resign. Then steps *d* through *f*, as above, will be implemented as fully as possible. As discussed above, however, only limited discussion may be possible, even if the accused resigns.
- d. If the assessment suggests that no current risk of misconduct exists, a Diocesan official will convene a meeting including the accused and the key parish personnel to whom disclosure was made earlier. They will assess the continued viability of the individual's ministry in the parish. Careful consideration should be given to disclosing fully the matter to the whole parish, as in steps *d* and *e*, above. This is not required in all cases but can help avoid a subsequent sense of betrayal should the matter become public knowledge.

#### **Response in Former Parishes of the Accused**

Two reasons may cause the Diocese to inform members of former parishes of a “minister” that he or she has been accused of sexual misconduct. The first and more pressing reason is so persons who may have been victims of misconduct in those other settings will know that they may come forward for assistance. The second is to encourage healing of the hurt and

betrayal that can result from knowledge of the accusations. Diocesan officials will assess the applicability of each of these reasons to each former parish. Generally speaking, the current pastor of the parish will be consulted in making this determination. If disclosure is called for, then the following steps will be taken.

- a. Key parish personnel will be informed of the accusation, the follow-up steps that are planned, and the potential impact of the news on their own parish. They will work with a Diocesan official to plan together for the best way to inform the parish as a whole, or at least subgroups in the parish that may be affected by the news.
- b. The pastor, after consulting with Diocesan officials and the parish leadership, will notify the parish of the accusation against their former “minister.” The announcement of disclosure also indicates that some process for immediate follow-up has been put in place. This is generally a parish meeting, but other options may be used.
- c. Key parish personnel will form a team to assess the ongoing impact of the disclosure in the parish. The team should meet at least once with the Bishop or his designee about three to six weeks after the initial disclosure. More meetings can be scheduled if needed.

## Appendix B

### MINISTRY TO MINORS

#### Directives for Conduct and Behavior for Ministry to Minors

Because of its extensive ministries to children, the Church perhaps has more involvement with minors than many other organizations. Children have no choice but to be dependent upon adults, particularly those adults in positions of trust and leadership. It is vitally important, therefore, that prudence be exercised by all adults in both ministerial and social relationships with children. In the case of at-risk children who are extremely vulnerable, adults should be particularly cautious and sensitive. It is expected that those who deal with at-risk youth consult regularly with their supervisors.

Following is a set of directives that will be observed by all clergy, religious and lay employees and volunteers of the Diocese of Davenport in dealing with minors. These directives are not meant to be exhaustive but rather to serve as some general principals. At the same time, these directives are not intended to prevent you from performing your ministry but rather to assist you in employing good sense in dealing with minors. If you find it necessary to depart from these directives, you should be aware of your departure and be able to justify your actions. There are times when one-on-one involvement with minors is unavoidable. In these cases you should use extreme discretion in your relationships with children.

#### **Definition:**

**Minor:** Anyone who has not yet reached his or her eighteenth birthday.

All clergy, religious, lay employees and volunteers of the Diocese will observe these directives for dealing with minors:

1. Avoid physical contact when alone with a minor. In other situations where physical contact is necessary and proper, such as in certain moments in the celebration of the sacraments, use sound discretion and moderation. If a minor initiates physical contact out of affection, an appropriate response is proper if not prolonged.
2. Do not be alone with a minor in a residence, sleeping facilities, a locker room, restroom, a dressing facility or other closed rooms that are inappropriate to a ministry relationship.
3. Seek responsible adults to be present at events involving minors, such as games and athletic activities.

4. Youth group trips must have enough adult chaperones to provide adequate supervision based upon the type of activity.
5. Do not take an overnight trip alone with a minor or minors.
6. Inappropriate language or conversation topics should not be used. When minors initiate such conversations or use such language in order to seek help or because they lack appropriate vocabulary, you should remain prudent and sensitive in your presence.
7. Do not provide alcohol to anyone under the age of 21. (Wine appropriately used in the celebration of the Eucharist is an exception to this directive.)
8. Do not invite unaccompanied children into your house or automobile.
9. Always maintain a professional posture in dealing with minors, avoiding emotional attachment and being aware of the powerful attraction of adults in positions of authority and trust. If you recognize personal or physical attraction developing, refer the minor to another qualified adult, particularly in counseling situations.
10. If one-on-one pastoral care of a youth should require frequent or regular appointments, parents should be notified that these appointments are occurring. If the subject matter precludes such notification, the minister should consult his or her supervisor.
11. When practical, two adult supervisors should be present for any church activity outside of the classroom situation for class or religious education. Whenever two adults are not present, the adult should refrain from being alone with a minor unless necessary for the nature of the ministry. In those instances a window should be in any closed door or the door should be left ajar.
12. Volunteers should be invited to work with minors only after known to some degree within the parish or Diocese. For those volunteers new to the area, a six-month time period to get to know that person would be helpful.

All of us have an obligation to protect children, particularly when they are in the care of the Church. If you observe another adult violating these directives, you should challenge that adult in a forthright manner. If you have reason to believe (even if based on rumor) that child abuse has occurred, you must report the matter to your supervisor and follow the Diocesan Policy on Sexual Misconduct, including making reports to the proper authorities.

**BACKGROUND QUESTIONNAIRE  
CONCERNING SEXUAL MISCONDUCT**

1. Have you ever been convicted of a crime of sexual abuse, physical abuse, sexual harassment or exploitation?

Yes       No

2. Has any civil or criminal complaint ever been made against you relating to sexual abuse, physical abuse, sexual harassment or exploitation?

Yes       No

3. Have you ever terminated your employment or had your employment terminated for reasons relating to allegations of civil or criminal complaints of sexual abuse, physical abuse, sexual harassment or exploitation against you?

Yes       No

4. Have you ever been charged, arrested or convicted for any crimes or misdemeanors related to pornography or public indecency?

Yes       No

5. Did you ever enter into an agreement with any past employer not to divulge the true reason for termination of employment?

Yes       No

6. Have you ever been subject to ecclesiastical discipline?

Yes       No

Mindful of the importance of protecting children and other vulnerable persons, the undersigned acknowledges a truthful response to the questions above and hereby consents to a background check to be done as determined by the Diocese of Davenport or one of its affiliates.

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Name (Printed)

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Signature

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Date

**2001-2002  
ACKNOWLEDGMENT OF RECEIPT**

I hereby acknowledge that I received a copy of the Policy on Sexual Misconduct of the Diocese of Davenport and that I have read the Policy, understand its meaning, and agree to conduct myself in accordance with the Policy.

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Name (Printed)

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Signature

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Date