

**Commission on the Protection of Children and Clerical Conduct**

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**PRESS STATEMENT****FOR RELEASE**

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The Commission on the Protection of  
Children and Clerical Conduct

(Philadelphia, PA) The Commission on the Protection of Children and Clerical Conduct has completed its work and submitted its final Report to Anthony Cardinal Bevilacqua. The Report is 38 pages long and is organized according to the categories in the Charge submitted to the Commission. It describes existing practices and procedures employed by the Archdiocese relevant to the prevention or handling of matters concerning the sexual abuse of minors by members of the clergy. It discusses the legal, medical and theological standards, and the testimony according to which existing practices and procedures were evaluated. About one hundred paragraphs of the total Report contain specific recommendations for the Archdiocese. Some of these overlap, some urge the Archdiocese to continue or expand existing practices and others contain entirely new material.

Throughout, our Report attempts to reflect the conviction of the Commission that the Archdiocese should conform to the "best practices" employed by secular professionals in the area of the sexual abuse of minors; it should also move beyond them to practices reflecting the specific commitment of the Church to the most vulnerable and wounded. The Archdiocese should also attempt to handle all matters concerning clerical sexual abuse with the maximum amount of transparency possible in the situation.

Members of the Commission hope fervently that its Report contributes to the prevention of the sexual abuse of children, to just and compassionate treatment of existing victims and their families, and to confidence among the clergy about the fairness of the processes to be employed whenever an accusation is made. The Commission commends the Archdiocese for inviting us to evaluate seminary screening and formation and the ongoing formation of priests. The resulting wide-ranging recommendations in this Report are intended to lead to the best possible cooperative effort to prevent clerical sexual abuse of children. Thus, the Commission addressed itself not only to the discrete Archdiocesan processes for receiving and responding to complaints, but also to matters such as: fostering a greater ease of reporting by victims; eliminating confusion among victims about the jurisdictional boundaries between diocesan and religious order clergy; encouraging an atmosphere of safe and effective fraternal correction among the clergy; and enlisting lay expertise and support at nearly every stage of the process.

The Commission is very grateful to all those who regularly and generously responded to our constant requests for information. This includes employees of the Archdiocese and the Seminary, who were entirely responsive to our requests, priests and laity from around the Archdiocese and outside of it as well, law enforcement experts, and victims of clerical sexual abuse who were willing to speak with us.

**Commission Report**

## Introduction

### The Charge

The following Report is issued by the Commission on the Protection of Children and Clerical Conduct [hereinafter "the Commission"] appointed April 4, 2002 by Anthony Cardinal Bevilacqua, Archbishop of Philadelphia. The Members of the Commission are listed in Appendix "A" attached to this Report. This Report contains the findings of the Commission and its proposed recommendations to the Archdiocese of Philadelphia [hereinafter "the Archdiocese"] for the prevention of the sexual abuse of minors by members of the clergy and for the proper handling of allegations of such abuse.

In April 2002, Cardinal Bevilacqua submitted the following tasks to the Commission in its Charge relating to the sexual abuse of minors:

*"The Commission will have the general charge of undertaking a review of current policies and procedures regarding clerical misconduct, and , if deemed appropriate, of recommending revisions and additional policies, procedures or programmatic initiatives for the consideration of the Archbishop.*

The review will include the following:

- 1.current policies and procedures regarding the care for victims;
- 2.current policies and procedures regarding the Archdiocesan response to any allegation of clergy sexual abuse;
- 3.current admission process for candidates for Holy Orders for the Archdiocese of Philadelphia as well as relevant formation programs;
- 4.past and current programs for continuing formation of clergy serving in the Archdiocese of Philadelphia.

Additional policies, procedures and programmatic initiatives which the Commission might consider include the following:

- 1.the recommendation of protocols for clergy regarding conduct with minors;
- 2.the recommendation that there be a standing committee to advise the Archbishop regarding the handling of specific allegations;
- 3.the recommendation of additional programs for the continued intellectual, spiritual and psychological formation of priests in the areas of human sexuality, intimacy and celibacy."

The entire text of the Charge submitted by the Cardinal is attached to this Report as Appendix "B."

### Notes on Jurisdiction

The Commission received its Charge two months prior to the meeting of the United States bishops in Dallas and the publication of the Dallas Charter. It proceeded with the understanding that a final decision regarding nationwide application of the standards of the Dallas Charter would await a response from the Holy See.

While the Commission carefully considered the precise recommendations of Dallas, therefore, it decided to make recommendations with the understanding that all of the provisions of the Dallas Charter may not in the future be applied to the Philadelphia Archdiocese. It later learned that its recommendations would also be subject to the new set of norms (the Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons, hereinafter "New Norms") agreed upon by the Catholic bishops of the United States after consultations with the Holy See. The Commission was also charged with addressing matters additional to, or more specific than, some of those found in the Dallas Charter or the New Norms.

The Commission further understood that, for purposes of providing additional protection of children, the Archdiocese would be fashioning changes in its handling of matters related to clerical sexual abuse, simultaneously with the Commission's ongoing work, and that these changes would also be reviewed and possibly affected by, the Commission's final Report.

It was not the province of this Commission to evaluate allegations concerning specific instances of clerical misconduct arising during the course of its work, or pre-existing allegations in the Archdiocese. Thus, the Commission was not to act as the type of "review board," described in the Dallas Charter, nor as the specific Review Board established October 1, 2002 in the Archdiocese.

This report contains some recommendations that affect other clergy who are employed by the Archdiocese and who are not, therefore, diocesan priests. It does so in response to complaints from victims of clerical sexual abuse that the process of bringing their complaints before the appropriate authorities was made more difficult and more frustrating due to jurisdictional boundaries between diocesan and religious priests not regularly understood by lay persons. The Commission also makes such recommendations because of the expectations of some lay persons that the Archdiocese has authority over all clergy working in its borders, and because of the Archdiocese's actual employment authority over many members of religious orders.

### **The Process**

The Commission met as a full body five times between June and December, 2002. However, members of the Commission were in communication weekly by telephone and the Internet, and subgroups of the Commission met personally or by conference calls on many additional occasions, although all information gathered and recommendations proposed by members were brought before the full body for discussion and decision.

In September, an interim recommendation of the Commission was delivered to Cardinal Bevilacqua recommending that he: "meet with others who have substantiated claims of sexual abuse against a diocesan priest or deacon, or against a priest, deacon or religious who was employed at a diocesan institution when the claimed abuse occurred. As some victims report feeling intimidated by meeting on church property in the presence of numerous members of the clergy, the Commission recommends that these meetings take place in more informal settings agreeable to all the parties." The full text of this recommendation is attached to this Report as Appendix "C."

Members of the Commission were given access to all diocesan personnel, to service providers for the Archdiocese and to all requested materials in the possession of the Archdiocese concerning complaints about clerical abuse of minors, as well as seminary screening, formation and ongoing formation. Individual members and groups of members of the Commission also interviewed archdiocesan and other personnel in leadership positions relevant to the Charge, and numerous priests of the Archdiocese, including priests accused of sexually abusing minors. The Commission also sought out and interviewed 8 victims of clerical sexual abuse, including not only those identified by the Archdiocese's Office for Clergy, but also persons independently

invited by the Commission, members and leadership of the Survivors Network of those Abused by Priests (SNAP), and persons who wrote or called during the course of the Commission's investigation.

Commission members also consulted with experts in fields of psychiatry, psychology, priestly formation, and other relevant areas. "Best practices" standards in law and medicine were consulted, as well as leading relevant documents of the Catholic Church. It should be noted that the Commission did not judge past behavior by standards only recently employed in relevant fields of expertise, but rather consulted these standards in order to make recommendations to the Archdiocese about application of "best practices" in these areas in the future. Additionally, some Commission recommendations are intended to encourage the Archdiocese to proceed in a manner that moves beyond current "best practices," toward standards which more transparently reflect the Catholic Church's historic and theological commitment to justice and to care for the most vulnerable. Consequently, while the Commission was not charged with making recommendations with respect to persons of majority age, the Commission encourages the Archdiocese to apply the recommendations found in this Report in situations involving persons just past their minority, as well as to situations involving minors.

## Section I

### **From Complaint to Final Disposition: Recommendations for the Future Handling of Complaints of Sexual Abuse of Minors by a Priest or Other Clergy Employed by the Archdiocese**

#### **A. General Description of Archdiocesan Processes for Handling Complaints of the Sexual Abuse of Minors by a Priest or Other Clergy Employed by the Archdiocese.**

##### **1. Pre United States Conference of Catholic Bishops Meeting, Dallas Texas, June 2002**

The Archdiocese has long had policies and procedures for the protection of children. Our study began with a review of the policies and protocols as they existed prior to June 2002.

The first step in this process is the reporting of the incident to the Office for Clergy (hereinafter "OC"). The OC would interview the complainant and the priest or other clergy employed by the Archdiocese to determine the credibility of the allegation. The OC would then consult legal counsel to determine whether the allegation met the legal definition of sexual abuse.

If the determination was that there was reason to believe that the allegation might be credible, and whether or not the allegation met the legal definition of sexual abuse, then the OC interviewed the priest and other individuals involved. At the same time, the OC provided care, comfort and other assistance deemed necessary to the victim.

If the priest denied the allegations and there was other credible evidence, the process continued. The priest would continue in his duties if there was no credible evidence of any impropriety. The determination of credibility was generally based on whether or not the priest or other clergy employed by the Archdiocese admitted or confirmed that the incident reported did take place, or agreed to enter into treatment without an admission. In some cases, the determination of credibility was based on the existence of more than one report of similar conduct by the same priest or other clergy employed by the Archdiocese. Even if a priest denied an allegation, he was sent for a psychiatric evaluation.

If the priest admitted the allegations, and the incident met the legal definition of sexual abuse, he was immediately removed from ministry and sent for inpatient psychiatric evaluation.

At the end of the evaluation, cases were disposed of frequently by means of retirement or resignation. Laicization was rare, but the OC did recommend laicization in at least one of the reviewed cases. There were a few cases where the OC assigned priests to duties that did not involve contact with minors. In February 2002, reevaluation of this policy resulted in the removal of priests from active ministry of any kind, if there were credible allegations of sexual abuse against them, even if these had occurred beyond the period of the statute of limitations.

## **2. Post United States Conference of Catholic Bishops Meeting, Dallas Texas, June 2002**

In June 2002, as a result of the Dallas meeting, the Archdiocese implemented a number of interim steps while awaiting the outcome of the recommendations of this Commission. Some of these steps include:

- The appointment of a Review Board
- The establishment of an Office of Victim Assistance
- The affirming of the February 2002 policy change under which the OC removed a priest from ministry if it found the allegations against the priest credible, including those cases in which the priest had been previously on assignments not involving children

A limited number of interim policies, procedures and protocols were established for the Archdiocese. While these new practices are not all encompassing, they do address the immediate safety and well being of the victim.

Currently, when an accusation is reported to the Archdiocese, the OC notifies the civil authorities. If the allegation is made by an adult who was a minor at the time of the incident, the District Attorney in the county where the incident(s) occurred is notified. If the allegation involves a victim who is still under the age of 18 years, the Pennsylvania Child Protective Services authorities will be contacted via ChildLine (the statewide toll free child abuse hotline). If ChildLine takes the case (assigns a case number), the OC places the priest on limited ministerial duties that do not involve contact with minors.

At the time that a report of suspected child abuse is made, the OC will ask the county children and youth agency to which the child abuse investigation has been assigned to notify the OC of the status determination when the investigation has been completed. If there is an unfounded determination, the OC restores the priest. If there is an indicated or founded determination, the OC will begin a concurrent investigation in accordance with Canon Law.

## ***B. Public Education and Reporting***

### **1. Pennsylvania Child Protective Services Law and Reporting Requirements**

In Pennsylvania, allegations of child abuse are required to be reported to the statewide toll free child abuse hotline, ChildLine at 1-800-932-0313, by those persons identified as "required reporters." However, anyone may report allegations to ChildLine or to the county children and youth social services agency.

In Pennsylvania, child abuse is defined as:

- Any recent act or failure to act by a perpetrator which causes nonaccidental serious injury to a child under 18

years of age;

- An act or failure to act by a perpetrator which causes nonaccidental serious mental injury to or sexual abuse or sexual exploitation of a child under 18 years of age;
- Any recent act, failure to act or series of such acts or failures to act by a perpetrator which creates an imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a child under 18 years of age;
- Serious physical neglect by a perpetrator constituting prolonged or repeated lack of supervision or the failure to provide the essentials of life, including adequate medical care, which endangers a child's life or development or impairs a child's functioning.

A perpetrator is defined as a person who has committed child abuse and is the parent of a child, a person responsible for the welfare of a child, an individual residing in the same home as a child or a paramour of a child's parent. A person responsible for the welfare of a child is someone who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care supervision and control. This category does not include employees of public or private schools; it does apply to priests or other clergy employed by the Archdiocese.

In summary, an allegation of child abuse is:

- an act or failure to act that results in physical, sexual or mental abuse, physical neglect, or creates an imminent risk of abuse,
- to a child under 18 years of age,
- by an alleged perpetrator who is the child's parent, a person responsible for the child's welfare, a person residing in the same household as the child or the paramour of the child's parent.

Pennsylvania's Child Protective Services Law requires that persons whose employment or profession brings them into contact with children, make child abuse reports when they have "reason to suspect" that a child they have seen in their professional capacity has been abused. Clergy are included in the statute as required reporters.

**The Commission recommends** that the Archdiocese continue its practice of reporting to local law enforcement authorities when it receives a report of alleged sexual abuse against a child. While a child abuse report cannot be accepted after a child has reached 18 years of age, criminal statutes may still apply to these situations.

## **2.Availability of information about reporting allegations of abuse**

Currently, the Archdiocese provides some education for elementary schools and parishes regarding how to identify and report child abuse. Priests are aware that they must report allegations of child abuse, but some are not certain regarding what procedures to follow if it is reported to them that a child was sexually abused by another priest. The Archdiocese has long had policies regarding reporting of child abuse in its high schools and social services agencies. The Commission believes that the Archdiocese should increase the amount of information, guidance and training provided to parents, children, parish and elementary school personnel. This should include the reporting process, the role of the Archdiocese, the role of public authorities (law

enforcement and child protective services) and the policy and procedures of the Archdiocese regarding allegations of abuse by clergy.

**The Commission recommends:**

a)The Archdiocese should select public education curricula, develop public information materials and distribute them to local parishes, parish schools and Archdiocesan schools to assist children, parents and others in making timely reports. These materials should contain basic information about Pennsylvania child abuse reporting; reporting to law enforcement and information about how the Archdiocese will handle reports of abuse.

b)The Archdiocese should provide training regarding Pennsylvania's reporting requirements, reporting to law enforcement and Archdiocesan reporting policy to Archdiocesan, school and parish personnel to whom reports may be made regarding abuse of children by priests or other clergy employed by the Archdiocese.

c)The Archdiocese should, at regular intervals, publish its internal policy and procedures for reporting and handling of allegations of abuse by clergy. The Archdiocese should also provide copies of its policy and procedures in formats that can be used by parishes and schools in their publications.

**3.Role of Diocesan Personnel**

In the past, the OC has handled all aspects of reports of allegations of abuse by priests and other clergy employed by the Archdiocese. Some victims found that discussing their allegations with a priest added to the trauma of making the report. Other victims reported a very supportive, sensitive and compassionate response from the OC, both at the time of the initial report and during any subsequent treatment. Some priests found that discussing the allegations with individuals who had been their seminary classmates and peers for many years seemed a less than objective process. OC staff have handled some very traumatic issues and have made every effort to do so with sensitivity and compassion. However, the lack of training for OC staff in handling these situations reduced their effectiveness in some situations.

**The Commission recommends:**

a)The Archdiocese should provide training for all personnel who may have a role in dealing with individuals, families, priests or other clergy employed by the Archdiocese in connection with the receipt of allegations of sexual abuse.

b)The Archdiocese should identify lay individuals with appropriate professional credentials (psychiatry, psychology or social work) to receive and review allegations of abuse by clergy. In addition to appropriate professional credentials, these individuals should have training and experience in dealing with victims of sexual abuse and in perceiving serious mental health issues that would necessitate immediate mental health intervention.

c)The Archdiocese should identify individuals to interview the priest or other clergy employed by the Archdiocese about whom the allegations have been made. These individuals should have training in the management of issues surrounding sexual abuse, particularly as it relates to those alleged to have committed sexual abuse. The individual should have no personal or prior relationship with the priest or other clergy employed by the Archdiocese about whom the allegation has been made.

d)The Archdiocese should identify all those individuals within the Archdiocese who are charged with making

reports to appropriate public authorities. Consequences should be established for willful failure to report.

e)The Archdiocese should assure that appropriately qualified individuals are available to assist victims in obtaining treatment.

#### **4. Information Collected**

The Archdiocese's Victim Assistance Coordinators currently receive allegations of abuse. In the past, allegations were received by the OC, and information was collected from the person making the report, but the same information was not collected in all cases.

#### **The Commission recommends:**

a)The Archdiocese should develop a standard reporting intake form to collect standard information regarding all allegations of abuse, whether they are received orally or in writing. The Archdiocese should also develop a standard record format that includes all aspects of the investigation, any follow up treatment for victim(s) and priests; and the outcome of any civil or criminal investigation.

b)The Archdiocese should assure that both the victim and the alleged perpetrator receive, in writing, a description of the Archdiocesan process, including the Archdiocesan referral to civil authorities, and a statement of rights for both the complainant and the alleged perpetrator.

#### **5. Receiving Reports: Treatment of Victims**

The manner in which these allegations are received and handled is critically important. The decision to make a report of allegations of abuse by a priest or other clergy employed by the Archdiocese is often a very difficult decision for the victim. In addition to the recommendations made in section 2 above, therefore

#### **The Commission recommends:**

a)The Archdiocese should assign a specific individual to assist the victim through the reporting and investigative process and to serve as the ongoing contact for the victim with the Archdiocese. This person is not responsible for the Archdiocesan investigation but provides assistance to the victim during and after the investigation. The victim assistance role should include facilitating communication between the victim and the Archdiocese, assisting the victim in accessing treatment services (including payment for treatment), keeping the victim apprised of the procedural status of the investigation and promoting the speedy processing of services provided by the Archdiocese to the victim.

b)The Archdiocese should assure that the victim assistance staff also have responsibility for contacting other religious orders or dioceses in the event that the accused priest or other clergy employed by the Archdiocese is no longer serving in the Archdiocese of Philadelphia or is otherwise no longer under the jurisdiction of the Archbishop.

c)The Archdiocese should establish relationships and reporting protocols with other dioceses and religious orders for the receipt of reports regarding allegations concerning clergy under their jurisdiction.

#### **6. Interface with Public Authorities**

The Archdiocese currently has a policy that requires reporting of allegations to ChildLine, the statewide child



abuse hotline, if the victim is under 18 years of age, and to local law enforcement if the victim is over 18 years of age but was a minor when the abuse occurred. If the allegation is under investigation by child protective services or police, the Archdiocese must cooperate fully with the investigators which will include holding off on any internal investigation if the civil authorities conclude this would interfere with the civil investigation.

When an allegation of abuse has been made and an investigation has been initiated, the Archdiocese has an obligation to assure that children to whom the person alleged to have committed the act or acts has access, are protected during the investigation. Depending on the nature of the allegation, the safety plan may include removal of the priest from his current assignment and from any assignment or location where he may have unrestricted contact with children while the investigation is being conducted, removal of the priest from a situation in which he has authority over any laity or the addition of extra supervision of the priest in order to eliminate the opportunity for any unsupervised contact with children. While the priest is removed from contact with children or authority over laity, the Archdiocese should identify areas of restricted ministry to which priests could be assigned for the duration of the investigation.

**The Commission recommends** that when an allegation is made:

a)The Archdiocese should immediately report all allegations of sexual abuse by priests or other clergy employed by the Archdiocese to the appropriate public authority, either ChildLine or law enforcement or both.

b)The Archdiocese should cooperate fully in the investigation of allegations conducted by public authorities and should not interfere with any such investigation.

c)The Archdiocese should immediately implement a plan, in consultation with investigating authorities, to ensure the safety of the victim and any other children with whom the accused may come in contact, including placing the clergy on administrative leave from his usual assignment for the duration of the investigation.

d)The Archdiocese should request information from the public authorities regarding the results of the investigation in order to make informed decisions regarding the priest or other clergy employed by the Archdiocese.

e)The Archdiocese should clearly identify those Archdiocesan personnel charged with assuring that a safety plan is implemented during the investigation and that any recommendations resulting from the investigation by public authorities are reviewed and implemented as they pertain to the Archdiocese.

## **7.Interface with Archdiocesan Attorneys**

A victim felt that he and his family were further victimized by the legal strategies employed in the past by the Archdiocese or its insurance carriers. Though it was noted that even during the process of litigation, the Archdiocese continued to offer counseling services to the victim. The Commission believes that the Archdiocese must recognize that the actions of its legal or insurance representatives are sometimes seen by victims as the acts of the Archdiocese itself and, therefore, should make every effort to avoid litigation strategies that may further victimize the individual and that person's family.

**The Commission recommends:**

a)The Archdiocese should carefully weigh the impact of its legal strategy on the victim and the victim's family.

- b)The Archdiocese should not abdicate its role and responsibility in these cases to any other entity.
- c)The Archdiocese should not enter into confidentiality agreements as part of any litigation or settlement related to allegations of abuse by priests or other clergy employed by the Archdiocese.

### **8.Communications Policy**

The sudden removal of a parish priest is a matter of concern for members of that parish. In recent situations, the Archdiocese has notified parishes and provided counseling assistance when clergy have been removed as a result of allegations of abuse. In situations where a priest is removed during an investigation, the rights of the priest must be considered as well as the need of the members of the parish to be informed of the reason for the priest's absence.

#### **The Commission recommends:**

- a)The Archdiocese should develop a standard policy regarding the nature and extent of information provided to parishes and school communities when allegations of abuse have been made and are under investigation, particularly where the priest or other clergy employed by the Archdiocese has been removed from his current assignment.
- b)The Archdiocese should provide parishes with a standard statement for use in these situations that acknowledges that there has been an allegation of impropriety and states the Archdiocesan policy and procedures for investigation of allegations of impropriety.
- c)The Archdiocese should seek input from and consider the needs of the victim and the victim's family as it provides guidance to local parish personnel when allegations have been made and are under investigation. In all cases in which the priest or other clergy employed by the Archdiocese has been removed from a current assignment, the statement should state plainly and prominently that removal during the pendency of the investigation is the standard policy of the Archdiocese in all such cases and does not reflect any final determination as to the merits of the allegations made.
- d)The Archdiocese should develop a process and a standard statement for use in informing parishes and school communities when allegations of abuse have been substantiated. The victim and the victim's family should be consulted prior to any public statement regarding the outcome of the investigation. This process should include counseling for members of the parish or school as well as the ability to handle any new allegations that may be made.
- e)The Archdiocese should develop a procedure for notifying parishes or other ministries where a priest has served in the past, when allegations of abuse by the priest have been substantiated. Such a procedure is necessary because sexual abuse perpetrators may have multiple victims. Every effort should be made to create a climate in which victims and their families are willing to come forward.
- f)The Archdiocese should develop policies and procedures to assist the priest or other clergy employed by the Archdiocese in restoring any loss of his reputation when the allegations have been determined to be without foundation. This should include a statement regarding the outcome of the investigation and the restoration of priestly faculties to the priest.

### **9.The Archbishop's Role**

As the shepherd of the Archdiocese, the Archbishop plays a critically important role in the eyes of both victims and clergy. As the shepherd of parishes and Catholic laity, the Archbishop's role includes reaching out to victims, their families and members of the faith community to provide support and compassion. As the spiritual father of the community of priests, the Archbishop's role includes: assuring that priests and other clergy employed by the Archdiocese are held accountable for actions that violate both the Church's moral laws as well as civil law; that treatment is available to those who have committed acts of abuse; and that when allegations have been determined to be without foundation, visible and appropriate actions are taken to restore any loss of reputation of the priest or other clergy employed by the Archdiocese in both the religious community and in the secular community.

**The Commission recommends:**

a)The Archbishop should offer to meet personally with victims and their families in a place that is mutually agreeable.

b)The Archbishop should take personal responsibility for the full implementation of the Archdiocese's policies and procedures regarding the protection of children.

c)The Archbishop should assure that:

- all clergy and employees are informed of the policies of the Archdiocese regarding child abuse and adequately trained in these policies.

- both victims and priests and other clergy employed by the Archdiocese receive appropriate treatment from qualified providers with extensive experience in the specific treatment of sex offenders. If a victim chooses to obtain such treatment independently, the Archdiocese should respect and support that decision.

- priests and other clergy employed by the Archdiocese have their legal rights respected and protected.

d)The Archbishop should assure that seminarians are adequately prepared for, and understand their responsibilities for the protection of children

e)The Archbishop should assure that a "code of conduct" is established for priests, other clergy employed by the Archdiocese, and seminarians within the Archdiocese that clearly describes behaviors that while not illegal, are prohibited so that diocesan behavioral expectations regarding interaction between clergy and children are clear and unambiguous. The Archdiocese should also provide education for Archdiocesan school and parish personnel, in order to assist them in understanding and implementing this code.

f)The Archbishop should assure that there is no transfer into or out of this Archdiocese of any priest or other clergy employed by the Archdiocese if that individual has any confirmed abuse allegation or is the subject of any ongoing investigation. If a transfer is contemplated for a priest against whom allegations were made but not confirmed, the record of allegations should be made available to the diocese considering receiving the priest. This is not a statement that persons against whom allegations are made no longer enjoy a presumption of innocence. However, this should be done as a precaution considering that, in some cases, the conduct forming the basis of such allegations is part of a nascent offender's evolution toward eventual acting out. Records of this type should be maintained for ten years and then kept in outline form for perpetuity.

***Investigation***

## **1.Coordination of Public Authorities and Archdiocese**

While the Archdiocese has indicated that it will report all allegations to public authorities, it also has a responsibility to investigate all allegations of abuse reported to it. In cases where a civil authority (county child protective services or law enforcement or both) is conducting an investigation, the Archdiocese should not interfere with the civil investigation and should refrain from taking any action that would be perceived as interference.

In the past, the OC has interviewed both the victim and the priest when allegations were made. Additional inquiries were made to attempt to ascertain the veracity of the allegations. In those cases in which the allegations were denied, the OC staff sought corroboration from others as much as possible, attempted to confirm dates and places by extrinsic means and collected such additional evidence as they could on a voluntary basis. Those conducting the reviews of allegations had no training in investigative techniques, collection of evidence, investigation of sexual abuse, expected behaviors of persons accused of sexual abuse, or therapeutic intervention with either victims or perpetrators in these situations.

### **The Commission recommends:**

a)The Archdiocese should place a priest under supervised observation or take other action to protect minors in accord with Church law, up to and including removal from active ministry that involves access to children when an allegation has been made and reported to public authorities. The Archdiocese must make every effort with respect to the priest that he is not alone with children. The supervisor should be apprised of the nature of the allegations against the priest under his supervision and have the ability to communicate with Archdiocesan authorities about any relevant concerns regarding the priest.

b)The Archdiocese should conduct its own investigation pursuant to the New Norms while not interfering with the public authorities' investigation. While all investigations should be initiated promptly, the Archdiocese should initiate its own investigation immediately when it is known that no public authority will investigate the allegations due to the length of time that has transpired between the alleged incident(s) and the date of the report.

c)The Archdiocese should contract with a qualified outside secular source for its investigations, including investigations of allegations about high ranking officials of the Archdiocese. The investigative entity should have the ability to coordinate its investigation with qualified mental health professionals with experience in sexual abuse investigation and treatment as well as with qualified investigative staff with experience in conducting these types of investigations.

d)The Archdiocese should provide mental health evaluation and treatment from qualified mental health provider(s) with extensive experience in treatment of sexual offenders for the priest when treatment is indicated. These providers should be selected on the basis of a "request for proposal" and this process should be repeated every 5 years.

e)The Archdiocese should assure that both victims and the priest are provided with interim reports regarding the procedural status of the investigation until a final disposition has been achieved. Information to be included should be, but not necessarily limited to, the status of the priest, the current location of the priest, the specific allegations made against the priest, and the anticipated duration of the investigation. The interim report should not address the substantive allegations since the investigation is not yet complete.

## **2. Rights of the victim during the investigation.**

The Archdiocese should make clear its desire to encourage individuals who have experienced sexual abuse by clergy to make reports to the Archdiocese as well as to the appropriate public authority. As part of this effort, the Archdiocese must make every effort to assure its laity that all persons making reports will be treated with respect. The Archdiocese must assure the laity that allegations made will be investigated by the appropriate public authorities and by persons commissioned by the Archdiocese who are highly qualified, objective, and not under the control of the Archdiocese. In order to further the healing process, the Archdiocese must provide for the mental health needs of the victim and the victim's family during and after the investigation.

### **The Commission recommends:**

- a) The Archdiocese should assist the victim in obtaining medically necessary mental health counseling and treatment from qualified individuals with experience in treating victims of sexual abuse. If the victim chooses to seek such counseling and treatment independently, the Archdiocese should respect and support that decision. The Archdiocese should ensure that when a referral to counseling is made, the victim has a choice of professionals. There should be a written acknowledgment that the victim is free to select one of those offered or none at all and that the Office for Victim Assistance is not responsible for the victim's decision to select a particular counselor or none at all.
- b) The Archdiocese should establish a process of utilization review by a third party to assure that treatment is of high quality and is provided for an appropriate amount of time.
- c) The Archdiocese should assign a victim assistance coordinator to each victim to assist the victim throughout the process until the victim is no longer in need of services or treatment from the Archdiocese.

## **3. Priest's rights during investigation**

At all times during the investigation, the Archdiocese must seek to assure the protection of children. At the same time, the Archdiocese must be attentive to the due process rights of priests, and their concerns regarding their standing with their parishioners and peers if the investigation determines the allegations are without foundation.

### **The Commission recommends:**

- a) The Archdiocese should provide the priest with written notice of his due process rights at the initiation of the investigation, including his right to legal and canonical counsel.
- b) The Archdiocese should provide the priest with appropriate referrals to civil and canon lawyers, as needed.

## **4. Role of the Archbishop during investigation.**

### **The Commission recommends:**

- a) The Archbishop should not participate in the investigation other than to assure that the Archdiocese's policies and protocols are followed.

## **5. Communications policy during investigation**

While the investigation is underway, this is a quiet time. **The Commission recommends:**

a) The Archdiocese should refrain from making any substantive comments about the investigation to the public, or to parishes or school communities during the investigation.

## **6. Final Disposition**

### **Public Authority Disposition**

There are two types of public authority dispositions: child protective services and law enforcement. In a child protective services investigation, a disposition will be made within 30-60 days. The finding may be "unfounded", "indicated" or "founded." Indicated and founded reports are both referred to as "substantiated".

An unfounded report can mean any of the following:

- Upon investigation, the incident did not meet the criteria to be considered "child abuse", *e.g.*: the child was over 18 years old when the incident occurred; the incident was determined to have occurred outside Pennsylvania; it was found that the alleged perpetrator did not meet the definition of "person responsible for the child's welfare";
- The investigation could not establish with substantial evidence that the incident occurred; or
- The evidence collected during the investigation established that the incident occurred, but the incident does not meet the legal definition of sexual abuse.

An "indicated" report means that substantial evidence was found that the incident occurred based on any of the following:

- available medical evidence;
- child protective services investigation; or
- admission of the acts of abuse by the perpetrator.

A "founded" report is a report about which there has been a judicial adjudication based on a finding that a child who is a subject of the report has been abused.

"Substantial evidence" is defined in the Child Protective Services Law as evidence which outweighs inconsistent evidence and which a reasonable person would accept as adequate to support a conclusion.

In a law enforcement investigation, the time frame for completion of the investigation is longer.

### **Archdiocesan Disposition**

At the conclusion of the public authority investigation(s), the Archdiocese must review the results and determine an appropriate course of action with regard to the priest or other clergy employed by the

Archdiocese. If law enforcement officials have arrested the individual, the criminal justice system's procedures will move forward first.

The Archdiocese must still review the results of the public authority investigation(s) and determine the action to be taken by the Church with regard to the priest or other clergy employed by the Archdiocese. In situations where no public authority has conducted an investigation, due, for example to the age of the allegations, the Archdiocese must both assure that a thorough and objective investigation has been completed by a qualified outside investigative entity (see C.1. Investigation) and determine the action to be taken by the Church with regard to the priest or other clergy employed by the Archdiocese. This determination should focus on the protection of children and be consistent with the New Norms.

**The Commission recommends:**

a) The Archbishop should seek to remove a priest from all priestly ministry or to dismiss the priest from the clerical state if civil or canonical authorities find the priest guilty of sexual abuse of a minor.

b) The Archdiocese and its Review Board should read and review the results of all civil and Archdiocesan investigations when considering the future of the priest or other clergy employed by the Archdiocese who is the subject of an investigation.

c) The Archbishop should seek Review Board consideration of all allegations that have been made since February 2002 as well as any allegation previously determined "not credible" where the priest remains in the Archdiocese and currently has access to children.

d) The Archbishop, in consultation with the Review Board, will make his own final determination regarding the future ministry of an accused priest even in cases where the civil or canonical authorities conclude that a priest is not guilty of the sexual abuse of minors, or that the statute of limitations for bringing an action has expired.

After reviewing the information gathered by the civil authorities and the information gathered in the course of the Archdiocesan investigation, the Review Board should make a recommendation to the Archbishop regarding the future assignment of a priest, including the extent to which a priest or other clergy employed by the Archdiocese should be permitted to have unsupervised contact with children, for purposes of assuring the future safety of children in the Archdiocese. If after reviewing such information, there is reason to believe that children may be at risk, Review Board recommendations should include at least the following range of options: removal from any situation where the individual would have contact with children, removal from any position of authority over the laity, removal of the right to exercise priestly faculties, dismissal from the clerical state, or a request that the priest ask for voluntary laicization.

e) The Archdiocese should seek the advice of the Review Board in all cases in which it appears that the canonical statute of limitations has expired on an allegation of the sexual abuse of a minor, for purposes of determining in accordance with the New Norms, whether to petition the Congregation for the Doctrine of the Faith to allow a "derogation" from the canonical statute of limitations to pursue an action against a priest. The Archdiocese should favor pursuing such "derogations" in all cases in which there are substantiated though older allegations of the sexual abuse of a minor by a priest.

f) The Archdiocese should make available to the Review Board all policies and protocols concerning the handling of allegations of the sexual abuse of minors. The Review Board should periodically make recommendations to update and improve existing policies and procedures.

g)The Archdiocese should establish a record confidentiality and retention policy.

## **7.Audit and Compliance Assurance**

### **The Commission recommends:**

a)The Archdiocese should seek recommendations from Review Board members regarding the quality of mental health evaluations and services provided to both priests and victims.

b)The Review Board should seek an outside audit of compliance of the Archdiocese with its own policies and protocols on an annual basis.

c)The Archdiocese should support communication between its Review Board and other Boards established around the country in other dioceses for the purpose of seeking and disseminating best practices with regard to these policies and protocols.

d)The Archdiocese should submit any proposed code of conduct to its Review Board for advice and recommendations before transmitting such code to Archdiocesan parishes and schools.

e)The Archdiocese should assure that the Review Board members have the skills and abilities along with the professional qualifications and training to fulfill their duties.

## **Section II**

### **Seminary Screening**

*Prefatory Note:* The Commission commends the Archdiocese for its willingness to look beyond the immediately important matter of the intake and disposition of complaints regarding sexual abuse, to the wider context of seminary screening and formation and ongoing formation of priests that might be relevant to the prevention of sexual abuse of minors by clergy.

#### ***A.Introduction***

The principal information that exists about sex offenders' personality is acquired from convicted sex offenders. Roughly 30% of all sexual offenses that occur are reported to the criminal justice system (Bureau of Justice Statistics, 1997). The vast majority of research performed with sexual offenders is done with incarcerated offenders. This means that the sample of sex offenders that are providing information to the scientific community about the nature of sex offender characteristics is very small and may have no relationship to sex offenders as a class. Studies of offenders who make themselves available or are made available to scientific scrutiny suggest that there may be no such thing as a profile of a potential sexual offender that has any predictive validity. Based upon studies of incarcerated sex offenders, there is some support for the theory that such offenders have higher levels of sociopathy than non-offenders, less sexual maturity than non-offenders, excessive self-absorption, and more distorted views of themselves and others. But there is no way to determine if these characterizations of incarcerated sex offenders have any relationship to the vast majority of offenders who have never been in prison. Thus it must be stressed that it is not possible with the science currently available to accurately screen out candidates for the seminary who will be likely to sexually offend children.



***B. Overview of current process from first contact through admission or rejection***

1. First Contact: Individuals interested in the priestly vocation seek information on the Internet, call or write the Vocation Office at the seminary seeking information, or obtain information from personal contacts at the seminary.
2. Individuals interested in attending the seminary contact the Vocation Office by telephone and make appointments for an interview prior to being allowed to submit paperwork for admission to the seminary.
3. After an interview process with the Vocation Director, it is determined whether a prospective candidate will be invited to complete the application process for the seminary.
4. Candidates who are permitted to do so, complete the application paperwork and provide supporting materials for their application.
5. Candidates are scheduled with one of two psychologists retained by the Archdiocese for a psychological evaluation.
6. Application materials, including the psychological evaluation, are organized into packets for review by admissions board members.
7. Application packets are distributed to admissions board members for review.
8. Application packets are sorted by admissions board members into likely and unlikely candidates.
9. If an admissions board member has a concern about a particular candidate, the candidate will be asked to meet with a subcommittee of the admissions board.
10. The admissions board meets as a board and determines who will be offered a position at the seminary.
11. Candidates are sent letters of acceptance or denial.

***C. Evaluation of Existing Screening Process*****1. Statement of Goals of Screening:**

Currently, there is no clearly articulated goal for the screening process as it pertains to the psychological evaluation of potential candidates to the seminary. Some screeners are performing a state-of-the-art evaluation well suited for the question at hand, others are utilizing untested methodologies that are not employed by the mainstream of psychological assessment. It is important for the Archdiocese to construct a statement of the purpose of psychological screening of candidates to the seminary so that whoever is retained to accomplish screening in the future has an understandable and unambiguous referral question with which to approach the evaluation.

**The Commission recommends** that the Archdiocese consider the following referral question, and seek to perform evaluations that adhere to a reasonable degree to the following outline:

*Does the person applying to the seminary have the qualities necessary to be formed as a parish priest?*

Constructs that can be assessed with current scientifically validated instruments and trained structural interview techniques are:

- Is the candidate sufficiently intelligent?
- Does the candidate have leadership abilities and a history of leading others?
- Is the candidate sexually mature for his individual developmental level?
- Is the candidate able to benefit from feedback?
- Is the candidate able to provide good feedback to others?
- Does the candidate have the capacity to make and maintain significant interpersonal relationships?
- Is a candidate able to manage normal adult impulses in a socially viable fashion?

**The Commission recommends** that all candidates be interviewed by the Admissions Board.

**The Commission recommends** that to make an assessment such as that defined above it is necessary for a clinician undertaking this task to make use of structured clinical interview techniques while interviewing people who know the candidates, including but not limited to family, friends, mentors, faculty advisors and priests who know the candidate. Saint Charles Borromeo Seminary accepts relatively young candidates who have just graduated from high school and also candidates who have lived and worked in the secular world for many years. Because of this broad base of acceptance, assessments should be made with respect to each candidate's developmental stage of life. Each category mentioned above should be evaluated with respect to the prospective candidate's stage of life, and also with respect to each candidate's potential to develop more fully as an adult male serving the church.

**The Commission recommends** that instruments used to perform the psychological evaluation that is part of the assessment of candidates should meet certain criteria. The assessments need to be used by the mainstream of personality assessors in the field of psychology and psychiatry. Experimental measures should be avoided because of their questionable utility and ethical concerns. Instruments employed in psychological evaluations should have been validated through years of peer review, have validity coefficients in excess of 80%, and have a demonstrated utility in the assessment of personality. Instruments used should also have published manuals for their use with clear directions or a well documented, standardized and accepted methodology.

## **2.Initial screening process:**

Currently at St. Charles Borromeo Seminary, initial inquiries made by those seeking admission to the priesthood are recorded at the seminary by the Vocation Director. This administrator then decides if an applicant qualifies for the level of analysis given serious candidates. A final list of viable candidates is then assembled and distributed to the admissions board.

**The Commission recommends** that this method be altered because it deprives the review process of objectivity and the Archdiocese of the significant input that might be afforded by including the "consumers" of the intake effort, who are primarily the seminary faculty and the rector, and ultimately the faithful of the Archdiocese.

The archdiocesan seminary should employ a method of screening applicants that is objective and permits reviewers to consider enough information to make a judgment about the suitability of applicants. To accomplish this, a wider range of persons might be involved in judging applicants for admission to the seminary. This method could better bring the different voices in the church community to the attention of the admissions board members and seminary candidates.

### **3. Quality of Experts:**

Competence in the psychological and characterological screening of humans is paramount. Competence provides the greatest protection not only for the Archdiocese but also for candidates to the seminary.

**The Commission recommends** that clinicians chosen to perform screening evaluations for seminary candidates to Saint Charles Borromeo Seminary continue to be licensed psychologists or psychiatrists. Licenses should be from the Commonwealth of Pennsylvania and should be current and unencumbered. In addition, licensed clinicians performing screening for the Archdiocese should demonstrate competency and expertise in evaluations that are used in the selection of candidates to academic and religious fields. In addition, screeners should have demonstrated expertise in the assessment of sexual maturity and personality.

**The Commission recommends** that screeners for the Archdiocese should be selected by individuals designated by the Archdiocese who possess experience and competence in the area of screening individuals with respect to issues of concern to the Archdiocese. Screeners should have their work audited periodically by objective evaluators who are licensed and competent to determine if the work being performed on behalf of the Archdiocese is current with the usual and customary practice of the field with which they are affiliated.

**The Commission recommends** that the Archdiocese consider the outsourcing of prospective psychologists and psychiatrists after reviewing bid proposals of prospective screeners. This method of soliciting screening vendors would insure the highest quality service to the Archdiocese and allows for oversight of the screening process through regular audits to determine contract compliance on the part of selected vendors.

### **4. Excess Reliance on Psychological History:**

The Archdiocese's mission to protect children is too important to be limited by a screening methodology that only takes into account a scientific approach to the evaluation of priest candidates. **The Commission recommends therefore** that the attention given in this Report to psychological characteristics of applicants not replace or diminish Archdiocesan attention to the spiritual qualities of candidates as evaluated by a designee of the Archdiocese.

### **5. Background Check:**

Abusers of minors move frequently in an effort to limit their contact with local criminal justice authorities. Often during investigations of criminal sexual behavior one will find a trail of brief and incomplete investigations left behind by such abusers. Seeking this information in other states will provide the Archdiocese with the best information available about in individual's criminal history.

**The Commission recommends** therefore that candidates should be required to sign release of information forms and undergo thorough background checks with:

a) Commonwealth of Pennsylvania sources of criminal data; and

b)Federal sources of criminal data

#### **6.Role of Homosexuality in Screening with Respect to the Protection of Children:**

There is no scientific basis to suspect that homosexual men are more likely than heterosexual men to commit acts of pedophilia or ephebophilia. The capacity for sexual chastity for priest candidates appears to be a more important consideration than sexual orientation.

### **Section III**

#### **Seminary Formation**

##### ***A.Basis for Assessment of Current Seminary Formation Program***

To assess the current status of seminary formation, Commission members interviewed the seminary rector several times, members of the seminary formation team, spiritual directors, pastors who supervise seminarians during their pastoral experiences in the parishes, recently and long ordained priests, and seminarians. Current formation programs were judged against the standards for seminary formation articulated in Church documents.

##### ***B.Role of the Archbishop***

According to the apostolic exhortation *Pastores Dabo Vobis/I Will Give You Shepherds (PDV)*, the bishop is the first representative of Christ in priestly formation. He is encouraged to visit frequently with his seminarians and priests in a manner that communicates that he is their shepherd and father and, at the same time, considers and treats them as brothers and friends (*PDV*, 65).

Interviews with seminarians by members of the commission confirm that seminarians understand the bishop's role, in particular his responsibility for oversight of the content and process of seminary formation. Seminarians particularly value opportunities for informal visits with the Archbishop, which they see as fostering a stronger fraternal relationship.

A strong fraternal relationship between the Archbishop and his seminarians, which is closely linked with a sense of communion and pastoral purpose according to *PDV*, appears also to play a role in the prevention of sexual abuse. A sense of isolation or a lack of connectedness with each other and the bishop is a risk factor for impropriety, sexual or otherwise.

Many seminarians interviewed expressed concern regarding the fairness to be afforded an accused priest, and the effects of the current scandal and policies upon their priestly ministry. Others expressed concern that current policies might discourage honesty and even deter those who need help from voluntarily seeking that help.

#### **The Commission recommends:**

a)Continued informal visits with seminarians to provide opportunities to allow the Archbishop to know and encourage each seminarian on a more personal level.

##### ***C. Those Responsible for Formation***

Church documents state that those responsible for the formation of seminarians should have special preparation that is professional, pedagogical, spiritual, human and theological. They

must be priests of exemplary life who have human and spiritual maturity, pastoral experience, professional competence, stability in their own vocation, a capacity to work with others, serious preparation in those human sciences (psychology especially) which relate to their office, and knowledge of group dynamics. The Church further teaches that it is worthwhile to involve, in ways that are prudent and adapted to the different cultural contexts, the cooperation of lay faithful, both men and women, in the work of training future priests (*PDV* 66).

During our interviews, seminarians and recently ordained priests for the most part expressed respect and admiration for the priests involved in seminary formation, especially the current seminary rector. Commission members concur that those involved in the formation of seminarians are exemplary priests who display a spirit of communion with their bishop. Their pastoral experience ranges widely from 10 to 30 years. Not all formation or spiritual directors received specific training or certification but training sessions for all are offered periodically by the Seminary.

Regarding seminary instruction relevant to the Charge to this Commission, it appears that human formation conferences are conducted eight times each semester and cover, among other things, numerous topics related to sex, relationships, and boundaries. The conferences consist of a formal presentation by a priest moderator who is a member of the seminary formation team followed by discussion between the seminarians and the moderator and among the seminarians themselves. Individual priest moderators occasionally invite guest speakers from outside the seminary community to participate in formation conferences. While seminarians and recently ordained priests were generally satisfied with the content of formation conferences, they noted that the effectiveness of the formation conferences, especially those dealing with sexuality and other sensitive issues, often depends on the comfort level and expertise of the person facilitating the conference. It was reported that some facilitators were able to engage the group and encourage each participant to ask critical questions, while others, visibly uncomfortable with the topic, glossed over the material presented and did not engage the group in meaningful dialogue. Many seminarians expressed a desire for opportunities to have frank conversations with a variety of persons, including professionals, lay people and other clergy, who have expertise in the areas of psychosexual development, healthy relationships and effective communications.

#### **The Commission recommends:**

- a) Formal preparation and/or certification of formation directors and spiritual directors, with particular emphasis on preparation in the area of psychosexual development
- b) The appointment of some professors and formation directors with recent parish experience who can share their experiences and provide guidance regarding situations that may place one at risk for sexual impropriety with children or the appearance of such impropriety (e.g. isolation, loneliness, stress, being alone with children, etc.).

#### ***D. Content and Process: Human, Spiritual, Intellectual and Pastoral Formation***

Human, spiritual, intellectual, and pastoral formation are dynamically related. All four areas of formation complement each other to cultivate a series of human qualities that allow the seminarian to grow as a person of integrity capable of demonstrating balance in judgment and behavior. Successful formation in all four areas is viewed by seminary faculty and experienced priests as essential to the prevention of sexual abuse by priests.

Human formation is the basis of all priestly formation. Of special importance is the capacity to relate to others. Affective maturity, which is the result of an education in true and responsible love, is a significant and decisive factor in the formation of candidates for the priesthood (*PDV*, 43). Based on the Commission's review of files and interviews with accused priests, absence of affective maturity appears to be correlated with sexual abuse.

Spiritual formation is the core which unifies and gives life to the priest *being* a priest and *acting as* a priest. Those who are to take the likeness of Christ the priest by sacred ordination should form the habit of drawing close to Him in every detail of their lives. (*PDV* 44).

The seminarian should have a sufficient degree of psychological and sexual maturity as well as an assiduous and authentic prayer life. The seminarian needs to know the Christian and truly human nature and purpose of sexuality in marriage and in celibacy. He should put himself under the direction of a spiritual father who should help him to reach a mature and free decision. The commitment to celibacy should be presented clearly without any ambiguities and in a positive fashion. It is necessary also to instruct the lay faithful regarding the evangelical, spiritual and pastoral reasons proper to priestly celibacy so that they will help priests with their friendship, understanding and cooperation (*PDV* 49).

Intellectual formation in theology and formation in the spiritual life of prayer meet and strengthen each other. The human person is called to believe, to live, and to communicate to others the Christian faith and outlook, hence the study of dogmatic and moral theology, of spiritual theology, of canon law and of pastoral theology (*PDV* 53, 54).

Human, spiritual and intellectual formation are all directed to a specific pastoral end. The seminary must seek to truly initiate the candidate into the sensitivity of being a shepherd. When it comes to choosing places for pastoral experiences, the parish should be given particular importance, since this is where seminarians will find themselves faced with the kind of problems they will meet in their future ministry. (*PDV* 58).

The current Human Formation Manual of the Seminary (Feb. 2002) and the manual for the Spirituality Year (2002-2003) give evidence that much has been done in recent years to foster the formation goals articulated in *PDV*. The focus for each year is clearly stated as is the role of the formation director. Conference topics include human development, authentic humility, self-knowledge, friendship, human intimacy, sex and sexuality, the celibate life, healthy relationships with lay men and women and other priests, freedom, boundaries, obedience, holiness, communication, stress, self-care, conflict resolution, and community living. Members of the seminary's formation team affirmed that the development and updating of the formation program is an ongoing process.

The content of formation conferences, the spiritual disciplines promoted, the study of Church doctrine regarding sexuality and celibacy, and pastoral experiences which provide opportunities for healthy human relationships with a diversity of people, all serve to promote an understanding of healthy psychosexual development and formation in priestly identity. Topics which might strengthen the content of the formation program include the psychosexual development of children, more emphasis on relational skills and fraternal correction, clear guidelines regarding boundaries and reporting sexual misconduct, and opportunities to discuss sexuality with those who have made different choices regarding chaste sexuality (e.g. married couples).

Priests who have been ordained five years or less offered valuable insights regarding the transition from seminary living to parish living. The abrupt change from a highly structured and disciplined environment of

community living to an environment where one is expected to structure and discipline one's own life with little guidance, coupled with high expectations of parishioners, left many priests feeling unprepared and vulnerable. Those who did not have strong support systems of family and close friends and those whose pastors were not able to provide desired mentorship felt particularly at risk for making inappropriate decisions. The OC, in collaboration with the seminary rector, makes every effort to place newly ordained priests with model pastors. Still, many expressed concerns that newly ordained priests who lack sufficient maturity and support systems are at risk for impropriety, sexual and otherwise, during the first few years of priestly ministry.

Concerns regarding the internal forum (matters discussed with confessors and spiritual directors which must remain confidential) and external forum (matters discussed with formation directors, faculty, and in other public situations which are used to evaluate a seminarian's fitness for priesthood) were also raised by seminarians. Seminarians and recently ordained priests who have had positive experiences with spiritual directors expressed gratitude for guidance received regarding celibate chastity, interior disciplines, and human development in general. However, some seminarians and spiritual directors affirmed that issues regarding sexuality and celibate chastity are not necessarily addressed during spiritual direction unless the seminarian raises the subject. Some seminarians also expressed that since issues discussed in the external forum could be brought up during their yearly evaluations, they were less open and honest than they would like to be, fearing possible consequences.

The following recommendations regarding seminary formation are separated into those that more directly relate to the prevention of sexual abuse of children (TIER 1) and those that may not directly relate to the prevention of sexual abuse of children but nonetheless influence the seminarian's growth, maturity, and formation in priestly identity and indirectly help prevent abuses of authority and sexual misconduct (TIER 2).

#### **The Commission's *Tier 1 Recommendations:***

a) Spiritual directors should be encouraged to proactively address issues regarding sexuality and celibacy in the internal forum.

b) The Seminary formation team should promote formation conferences led by qualified priests, professionals and lay people that address relational, communication and social skills, with special emphasis on fraternal correction, healthy intimate relationships with priests and lay people, boundaries with children, chaste married sexuality, etc.

c) The Seminary rector, faculty and formation team should promote an atmosphere of transparency regarding expectations and fraternal correction.

d) The Seminary curriculum should include courses on the psychosexual development of children and adolescents and promote integration of this knowledge with formation conferences on self-knowledge, boundaries, mature relationships with men and women, celibacy, the theology of the body, etc.

e) The Seminary formation team should establish clear guidelines for the types of parish experiences the seminarian needs, in particular experiences that expose the seminarian to family life and healthy marriages.

#### **The Commission's *Tier 2 Recommendations:***

a) The Seminary formation team should promote clarity regarding Christian manhood, priestly identity and appropriate understanding of "higher calling."

- b)The Seminary formation team should develop clear guidelines for assessment of the seminarian's ongoing development and necessary supports that promote developmental growth and maturity.
- c)The Seminary formation team should explore ways to provide support for seminarians who do not have strong family support.
- d)The rector, seminary faculty and Seminary formation team should continue to promote an emphasis on a life of simplicity in formation conferences as well as seminary life.
- e)The Seminary formation team should continue to promote a balanced lifestyle and personal responsibility for achieving such balance.
- f)The Seminary formation team should provide closer monitoring of the types of experiences and supervision seminarians are being exposed to during pastoral assignments.
- g)The Seminary formation team should continue to invite newly ordained priests to give the formation team feedback on the experiences of their first year of priesthood.
- h)The Seminary formation team should evaluate discipline guidelines and the manner in which they do/do not promote developmental growth and mature decision-making.

## **Section IV**

### **Ongoing Formation**

#### ***A.Introduction***

Priests of the Archdiocese are uniformly grateful for the Archdiocesan attention to ongoing formation. It is clear from interviews with priests, bishops and experts in the area of ongoing formation, that the content, methods and style of formal and informal ongoing formation have the potential to play an important role in promoting a mature integration of priestly celibate identity. Ongoing formation may also assist priests to help themselves and one another avoid the sexual abuse of minors; specifically, ongoing formation may help to deepen an understanding and integration of celibacy and increase the practice and acceptance of fraternal guidance and correction.

Ongoing formation is directed to many goals beyond strengthening priests against violating sexual boundaries. It has been most generally defined by the National Conference of Catholic Bishops as the "continuing integration of priestly identity and function or service for the sake of the mission and communion with Christ and the Church." (*The Basic Plan for the Ongoing Formation of Priests*, 11). It is not the intention of this Report to recapitulate the Church's entire teachings on the matter of ongoing formation, but rather, given our Charge, this Report considers the ongoing formation of clergy in the Archdiocese of Philadelphia from the perspective of its contribution to the goal of preventing the sexual abuse of minors.

#### ***B.Role of Bishop and Leaders in Ongoing Formation***

The Apostolic Exhortation, *Pastores Dabo Vobis/I Will Give You Shepherds (PDV)* assigns the bishop the fundamental role of setting the direction and content of ongoing formation, and of assuring the selection of qualified leadership in the office for continuing formation for the Archdiocese. The bishop is also charged



with the important task of "being present" to his priests throughout the process of their continuing formation. (PDV 79) The bishop's work in this area sets a tone for ongoing formation which contribute to priests' understanding of the priority to be given ongoing formation, and to the level of trust and openness experienced in the course of this formation, including openness to fraternal guidance and correction when necessary.

### ***C. The Work of the Office of Continuing Formation***

The Office of Continuing Formation for priests of the Archdiocese has been in place since 1996. Prior to that time and since 1973, ongoing formation was handled by the Office for Clergy in the Chancery whose primary work was an annual workshop made available to all priests of the Archdiocese. In response to the requests of many priests in the early 1990s, the Office of Continuing Formation was created and instituted a larger number and variety of annual programs that continue to today. This office also attends to the teachings of PDV as well as the *Basic Plan for the Ongoing Formation of Priests* (National Conference of Catholic Bishops, "NCCB") which recognize that different types of ongoing formation are needed in order to speak to clergy at differing times and transitions during their lives, to assist them continually to discern and respond to God's call.

Each year the Office of Continuing Formation offers:

- An annual workshop for all priests of the diocese lasting several days and offered at 3 or 4 different locations and times (approximately 80% attendance);
- An annual day of sanctification (approximately 80% attendance);
- Days of recollection and pastoral workshops for those ordained within the past year, as well as additional continuing formation gatherings in the first 5 years after ordination (approximately 90% attendance);
- A workshop lasting approximately 4 days for new or experienced pastors;
- One or more workshops annually for priests in urban ministry and priests ministering in African-American communities;
- Seminars for priests over 55 years of age.

Priests ordained less than 5 years and new pastors are "expected to attend" the programs organized for them. For all others, attendance is "strongly encouraged" but not mandatory on the grounds that adults with very demanding work ought not to be the object of stronger pressure. Some programs attract considerable participation and others very little.

The formats of the various programs range from lectures to small group discussions. There is opportunity for an address by the Archbishop and the sharing of meals and recreation.

Over the past 5 years, a two day program was devoted to the subject of "Celibate Sexuality and Professional Boundaries in Priestly Ministry." It covered patterns of psycho-sexual development, means of coping with sexuality and resources available to the priest, fraternal intervention and assistance to priests experiencing difficulties or priests returning to ministry, and ways of developing healthy personal and professional relationships in the context of celibacy.

This past Spring, in response to recent events, a program of small group discussion with a group leader was offered 3 times and at various locations for priests wishing to discuss any and all aspects of sexual abuse,

celibacy and any other relevant matter. While priests who did attend praised the program, attendance was sparse.

Formation also occurs informally, for example, in the course of voluntary gatherings of priests, sometimes for friendship and recreation and sometimes as prayers groups.

Some priests may also benefit from an ongoing relationship with a spiritual director. It is not required that priests pursue regular spiritual direction, although it is highly encouraged.

#### ***D.Signs and Risks Concerning Sexual Boundaries Relevant to Ongoing Formation***

In the course of interviews with numerous priests and with victims of clerical sexual abuse, it was reported that there are certain signs and risk factors which appear to be associated with priests' violation of sexual boundaries, and which could delay a priest receiving timely and effective aid toward the prevention of such abuse. It should be stressed that what follows is not an empirically tested list, but rather the distillation of credible and wide-ranging interviews.

In the section following this one, this list will be consulted in order to recommend further and more specific ongoing formation programs and processes toward the prevention of the sexual abuse of minors.

**1.Sexual Maturity** - Priests who attended seminary prior to the 1970s report a significant dearth of information and guidance regarding sexual maturity, growth and development in a celibate lifestyle, and the continuing integration of celibacy with their priestly vocation. They more often reported understanding celibacy as an inescapable "price" of ordination versus a more integrated part of their priestly identity. The effects of this lack of information and guidance appear to be exacerbated in a culture such as ours where there is less and less support for and understanding of the meaning of celibacy.

Priests who attended seminary and ongoing formation since the 1970s do not report the same dearth of information and guidance on the subject of celibacy and sexual maturity, yet continue to express a desire for more, and more personalized, attention to the subject of growth in celibate sexual maturity, particularly to the subject of attaining strong, loving friendships which are not sexual in the midst of an overtly sexualized culture providing less and less support for the celibate commitment.

**2.External Pressures** - While priests following ordination certainly expressed some relief from the close supervision and evaluation of their seminary years, they also reported a sense of loss of regular camaraderie, mentoring, and spiritual direction which might continue to offer support and strength in the face of the tremendous responsibilities and pressures of their work.

Although there exists a variety of opinions regarding whether the practical pressures of priests' demanding lifestyles could contribute to violations of sexual boundaries, when those pressures were identified, they included:

- Assignments promoting isolated living, whether because of an absence of solidarity with a pastor, other priests, or the immediate community, or possibly a substantial "underemployment" of talents;
- The large number and variety of tasks – including sacramental, administrative, and pastoral work – with fewer priests to accomplish them. The often emotionally draining nature of some tasks; here it was noted how priestly ministry brings priests into constant contact with families' emotional highs and lows.

- A perceived dearth of training for managerial competence and ways of enlisting further lay assistance, particularly with administrative tasks.

- A mixture of high expectations by the laity, combined recently with increased suspicions of priests' male or female friendships. These circumstances make it increasingly difficult for priests to maintain healthy friendships and outlets.

**3.Feedback** - Several priests identified a desire for more "feedback" and a greater sense of personal connection with Church leadership – the Archbishop and others – particularly respecting the quality of their work. It was suggested that in an environment where both fraternal praise and correction were regularly given, greater priestly solidarity and satisfaction could result, and guidance and correction would be more readily accepted.

**4.Code of Conduct** - In the absence of a code of conduct for interactions with minors, some priests opined that priests might more easily place themselves in problematic situations. Others reported that such a code could provide a benchmark against which priests might offer more specific guidance and correction to one another, than is presently the case. A code of conduct was also envisioned as a source of protection against false accusations.

**5.Warning signs** - Victims' testimony identified alcohol abuse by priests and a lavishing of attention and expense on minors as warning signs for the sexual abuse of minors.

**6.Due process** - Priests expressed concerns that priests exhibiting a variety of difficulties would not be treated fairly in the current environment. Numerous priests suggested that these concerns might contribute to priests' declining to come forward to receive help or to offer fraternal correction to one another.

### ***E.Assessment and Recommendations***

Considering the above information, and other information arising out of interviews with priests, victims, and other laypersons, the **Commission makes the following recommendations** for improvements in the area of Ongoing Formation directed to the prevention of clerical sexual abuse of minors. They are organized into the areas of its content and its processes.

#### **1.Processes in Ongoing Formation**

a)*Attendance Policy* - **The Commission recommends** that more ongoing formation programs be offered on a mandatory basis on topics particularly relevant to the sexual abuse of minors, human sexual maturity and integration of celibacy. In the words of the *Directory for the Life and Ministry of Priests* making things "generally available" usually does not lead to reaching an entire intended audience with important information and direction. Attendance at ongoing formation programs is good to very good; still 10-20% of priests are absent. Further efforts should be taken to reach each priest and throughout his career, particularly priests who regularly or frequently stay away from ongoing formation programs. From the standpoint of building priestly fraternity as well as taking in important messages, greater efforts are needed. *PDV* (74) suggests that such efforts are also necessary to fight the loneliness that might lead to mental depression. Greater regularity of participation in ongoing formation can also build up the capacity for receiving fraternal correction and assistance and offering fraternal praise.

**The Commission recommends** that the spiritual direction component of ongoing formation also be made

mandatory, and not just in the early years or during transition periods. Experts in ongoing formation suggest that attention to deepening one's friendship with Jesus Christ may offer the greatest protection against violating boundaries, sexual and otherwise. Many priests generally report the same experience.

b)*Evaluations* - **The Commission recommends** that the Archdiocese institute more thorough measuring of the effectiveness of its ongoing formation programs, particularly in areas concerning priestly observance of sexual boundaries and skills in fraternal correction. Brief, voluntary reporting mechanisms ought to be replaced with more formal ones.

c)*Format*- **The Commission recommends** that a greater number of ongoing formation programs incorporate group dialogue among priests and experts in relevant areas. There was praise for last Spring's program offered by the Office of Continuing Formation on the subjects of celibacy and sexual abuse, hosted by a psychological expert. The dialogue format apparently provided for greater integration of the subject matter and greater mutual trust and satisfaction among the participants. Attendance was not mandatory, however, and relatively few priests benefitted.

d)*Counseling* - **The Commission recommends** that the Archdiocese improve the quality and consistency of counselors to whom some priests are directed as part of their ongoing formation.

## **2.Content of Ongoing Formation:**

Recommendations in the area of the content of formal ongoing formation include the following:

a)*Personal Attention* - **The Commission recommends** that there take place more frequent personal contact, encouragement and open dialogue between priests and the Archbishop, his delegates and advisors and the auxiliary bishops. Such personal attention can help detect and prevent serious problems that could lead to the abuse of minors, while it may also strengthen and reinvigorate the priestly vocation generally.

b)*Celibacy* - **The Commission recommends** that the Office of Continuing Formation devote more attention to the subject of strengthening and integrating the understanding of and commitment to priestly celibacy, with content sensitive to the changing needs and circumstances of priests over the course of their lives and careers.

There is a sense among priests that, especially in cases in which sexual maturity was not achieved during seminary formation, a priest's development in this area is too much a matter of happenstance, or good fortune in the selection of a spiritual director or friend, versus a matter of sustained and personal attention by the Church. The urgency of such instruction and dialogue is increased by reason of a diminishing understanding of and support for celibacy in the surrounding culture, a trend noted both in Church documents and in popular accounts.

Closely related to this recommendation is the further recommendation that the Office of Continuing Formation expand the practice of enlisting the help of older priests as regular mentors for younger priests in these matters. Experienced priests will be able effectively to witness to the possibility for overcoming the inevitable struggles over sexual boundaries (PDV 70-72). The success of any such effort, of course, depends heavily on the accomplishment of an atmosphere of trust and fraternal correction, discussed in subsection c. immediately below.

c)*Fraternal evaluation, correction and praise* - **The Commission recommends** that programs in ongoing formation include assistance in the art of true fraternal correction in a spirit of affectionate help, which help would be directed especially to those brother priests most in need. (*Directory for the Life and Ministry of*

*Priests*, 27). In interviews with priests, it was proposed that improvements in such areas could lead to the discernment and prevention of behavior associated with the sexual abuse of minors.

Regarding fraternal evaluation, **the Commission recommends** systematic, periodic performance evaluations of priests by groups and individuals appointed by the Archdiocese. The documentation and interaction resulting from a formal evaluation can offer a professional, systematic and transparent way to confront problems and offer assistance, as well as to identify gifts and bring them to bear on the well-being of brother priests and the Catholic community at large.

d) *Code of Conduct* - **The Commission recommends** that programs of ongoing formation should also include specific instruction in practical ways of prudence to maintain celibacy in the face of threats and temptations (*Directory for the Life and Ministry of Priests* 58-59). Such instruction would include a study of an official code of conduct of behavior with minors, as well as instruction in the psychosexual development of human beings throughout their life cycle.

e) *Due process and transparency* - **The Commission recommends** that ongoing formation programs provide priests full information about the archdiocesan process for responding to complaints of sexual abuse. This should include specific information about the due process accorded accused priests, the resources available to them, and the outcomes of disputes. It would also include information about how unfounded or unsubstantiated allegations are handled and the archdiocesan contribution toward rehabilitating damaged reputations, if this has occurred. Priests express the concern that in a new atmosphere of suspicion and tougher penalties, priests might be more reluctant to reveal a weakness and to seek help. Such avoidance can place children at risk. **The Commission further recommends** that the Archbishop and the auxiliary bishops themselves should play visible roles in providing such information and assurances.

f) *Alcohol* - **The Commission recommends** that continuing attention be paid during ongoing formation to the role of alcohol in the sexual abuse of some minors.

It appears that much progress has been made toward bringing the alcohol abuse problems of some priests more into the open and providing effective and compassionate treatment without permanently stigmatizing the involved priests.

g) *Training for leadership in the healing of abuse* - **The Commission recommends** that Ongoing Formation programs should move toward helping Catholic clergy become leaders in understanding the nature of sexual abuse, its devastating consequences, and how it might be healed. This might contribute significantly to the avoidance of sexual abuse in the future and stand as a gesture of reconciliation by the Church to the wider community.

h) *Informal Priest Support* - **The Commission recommends** that ongoing formation should include substantial assistance to clergy in establishing their own ongoing, informal formation, by means of priest support groups, prayer groups or study groups. Given that ongoing formation is never a matter of a few hours or programs, these groups provide a crucial link in the chain of fraternal solidarity and trust, which can assist in the prevention of abuse, including the timely offer of help to brother priests.

i) *The Role of the Laity* - **The Commission recommends** that ongoing formation programs devote substantial attention to the contribution that the laity might make in assisting priests toward the prevention of the sexual abuse of minors. *PDV(78)* invites lay assistance in the ongoing formation of Priests: "The entire People of God... can and should offer precious assistance to the ongoing formation of its priests."

The types of lay assistance priests might be instructed and encouraged to solicit are many:

- from family and friends:
- ongoing support and opportunities for dialogue and assistance with particular difficulties.
- from parishioners and others in priests' communities:
- offers of friendship and assistance with tasks particularly within lay competence. This will also help priests find the time for spiritual direction, ongoing formation, and prayer, as well as time for healthy friendships and development;
- greater efforts to understand and support the full meaning of priestly celibacy, including understanding of the practical and spiritual struggles of a celibate;
- greater attention, in the spirit of friendship and respect, to difficulties a priest may be having that may indicate a risk for violations of sexual boundaries with minors, as well as a willingness to enlist the help of another priest or the Archdiocese if necessary.

This Report is Respectfully Submitted

January 15, 2003

by

The Commission on the Protection of Children and Clerical Conduct

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## APPENDIX "A"

### *Archdiocese of Philadelphia*

#### ***Commission Members: Biographical Information***

##### **Ms. Helen Alvare, J.D., M.A. (Chair), law professor, The Catholic University of America**

Ms. Helen Alvare teaches family, property and legislation law at The Catholic University of America. She joined the faculty in 2000. Ms. Alvare served as a Policy Director for the United States Conference of Catholic Bishops Pro-Life Office from 1990 to 2000. She worked as a staff attorney in the Office of the General Counsel of the United States Conference of Catholic Bishops from 1987 to 1990. Ms. Alvare was a litigation associate with the law firm of Stradley, Ronon, Stevens and Young in Philadelphia from 1984 to 1987.

##### **Judge Arlin Marvin Adams, retired federal judge**

Judge Adams served as a judge on the United States Court of Appeals for the Third Circuit from 1969 until his retirement in 1987. From 1963 to 1966, he served as Secretary for Public Welfare in Pennsylvania. Judge Adams taught at the University of Pennsylvania from 1952 to 1956 and at the American Institute of Banking from 1949 to 1952. Currently, Judge Adams serves as Counsel, Schnader, Harrison, Segal & Lewis LLP.

##### **Ms. Ana Maria Catanzaro, R.N., M.S.N., M.A., assistant professor, Special Project for Nursing Programs, LaSalle University (effective, September 2002)**

Ms. Ana Maria Catanzaro has taught nursing at LaSalle University in Philadelphia since 1997. From 1993 to 2002 she has also taught nursing at Holy Family College in Philadelphia. Ms. Catanzaro is currently pursuing a Ph.D. in the School of Religious Studies at The Catholic University of America in Washington, D.C. with an anticipated completion of her dissertation on the *Spiritual Development of the Nursing Student in a Context of Religious Diversity* in 2003. From 1989 to 1999, Ms. Catanzaro served as a School Nurse in the Philadelphia School District.

**Mr. Michael J. Emmi, retired CEO, Systems & Computer Technology Corporation**

Mr. Michael J. Emmi recently retired as President/CEO and Chairman of Systems & Computer Technology Corporation in Malvern, PA. Mr. Emmi joined SCT in 1985 as CEO, a company which provides leading technology and business solutions for higher education, utilities and manufacturing. Mr. Emmi is currently Chairman and CEO of IPR International.

**Dr. Angelo P. Giardino, M.D., Ph.D., pediatrician, St. Christopher's Hospital for Children**

Dr. Angelo Giardino joined the staff of Saint Christopher's Hospital for Children in Philadelphia in 2002 and serves as the Associate Physician-in-Chief and Vice-President for Clinical Affairs. He was part of the medical staff at The Children's Hospital of Philadelphia from 1993 to 2002 where he held various posts, including Medical Director of the Community Education Department. Dr. Giardino also served in many capacities at the Children's Seashore House between the years 1994 to 1999, one of which was Medical Director, Abuse Referral Center for Children with Special Needs.

**Dr. David W. Ingle, Psy.D., M.A., employed by Forensic Health Services, Incorporated as the Clinical Director of the Massachusetts Treatment Center (MTC) in Bridgewater, Massachusetts**

In David's capacity he oversees the treatment and assessment of all sex offenders in the Commonwealth of Massachusetts who are serving state sentences in correctional facilities and who have been determined in a court of law to be sexually dangerous persons and are in civil commitment. He oversees the treatment of male sex offenders at MTC-Bridgewater, North Central Correctional Institute -Gardner and Massachusetts Correctional Institute -Norfolk. He also oversees treatment at Massachusetts Correctional Institute - Framingham that houses the Commonwealth of Massachusetts' female sex offender population. He is formerly the Director of Adult Programs at the Joseph J. Peters Institute in Philadelphia, Pennsylvania.

**Dr. Philip Jenkins, Ph.D., distinguished Professor of History and Religious Studies, The Pennsylvania State University**

Dr. Philip Jenkins is Distinguished Professor of History and Religious Studies at The Pennsylvania State University in State College, Pennsylvania. Since 1979, Professor Jenkins has published 15 books, including Pedophiles and Priests: Anatomy of a Contemporary Crisis (1996)

**Ms. Joan Reeves, M.S.W., M.P.A., field Consultation Manager, Child Welfare League of America**

Ms. Joan Reeves was recently appointed Field Consultation Manager of the Mid-Atlantic Region of the Child Welfare League of America, National Center for Field Consultation. From 2000 to 2002, she served as Senior Consultant for the Child Welfare League of America, National Center for Field Consultation. From 1993 to 2000, Ms. Reeves was the Commissioner of the Department of Human Services of the City of Philadelphia. In this position, she lead a social services department that employed 1,800 staff members. Ms. Reeves was also the founding Chairperson of the Mayor's Children and Families Cabinet in the City of Philadelphia from 1993 to 1999.

**Ms. Anne Leigh Shenberger, L.S.W., M.S.S., director, Southeast Region Office of Children, Youth and Families**

Ms. Shenberger is the Director of the Southeast Region Office of Children, Youth and Families of the

Pennsylvania Department of Public Welfare. She has been director since 1987 but worked with the Department of Public Welfare overall since 1975. From 1981-1987, Ms. Shenberger was Children, Youth and Families Program Supervisor for the Southeast Region of the Office of Children, Youth and Families. From 1975 to 1981, Ms. Shenberger was a Program Specialist with the Department of Public Welfare.

**Commissioner John F. Timoney, former Commissioner, Philadelphia Police Department**

Commissioner John Timoney led the Philadelphia Police Department as Commissioner from 1998 to 2001. He commanded a police force of approximately 7,000 officers and over 900 civilian employees. Commissioner Timoney came to Philadelphia from the New York Police Department, which he joined in 1969, rising to the rank of First Deputy Commissioner in 1995. Mr. Timoney is currently CEO of Beau Deitl and Associates, a New York City based international security firm.

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APPENDIX "B"

**The Commission on the Protection of Children and Clerical Conduct**

**Archdiocese of Philadelphia  
April 2002**

The Archdiocese of Philadelphia always has had a fundamental commitment to the protection of our children, to the education of our clergy and to the strengthening of our policies and procedures regarding the appropriate conduct of our clergy. In an ongoing effort to enhance this commitment, Cardinal Bevilacqua has established a commission to review matters related to incidents of clerical sexual misconduct to be called **The Commission on the Protection of Children and Clerical Conduct**.

**Operating Assumptions**

A. The Archdiocese of Philadelphia is committed to responding with promptness, sensitivity and compassion to the specific incidents of abuse of minors by clergy which are reported to us, to assisting victims of such abuse in the healing process, and to doing all that is possible to prevent such incidents in the future. Every effort is made to deal with those involved in incidents of clerical misconduct with the utmost sensitivity and compassion.

B. The Archdiocese has, in fact, addressed issues of clerical misconduct in a pro-active manner. Policies and procedures are in place and have been followed in response to allegations. All existing policies, procedures and practices are in full conformity with both civil and canon law and with the best medical/scientific knowledge available about such problems.

C. Programs as well as appropriate policies and procedures which address these issues are in place for the formation of candidates for Holy Orders, though additional initiatives may be warranted in light of recent concerns.

D. Current policies and procedures should be reviewed and further developed, especially with regard to the care provided to victims and the conduct of clergy of the Archdiocese of Philadelphia.

E. Expert lectures and the opportunity for discussions as part of the continuing formation of clergy are offered in order to address these issues. Nonetheless, additional workshops or other opportunities for all clergy to address these issues in a more comprehensive manner should be considered in the future.



**Goal of the Commission**

To provide the Archbishop with recommendations which enable him to do his utmost to:

1. protect children by eradicating as much as possible any sexual abuse of them by clergy,
2. strengthen Catholic solidarity and outreach for victims and their families,
3. form and support the clergy in their ministry to all people,  
and
4. strengthen the confidence and trust of the Catholic faithful and the community at large.

**Tasks of the Commission**

The Commission will have the general charge of undertaking a review of current policies and procedures regarding clerical misconduct and, if deemed appropriate, of recommending revisions and additional policies, procedures or programmatic initiatives for the consideration of the Archbishop.

The review will include the following:

1. current policies and procedures regarding the care for victims;
2. current policies and procedures regarding the Archdiocesan response to any allegation of clergy sexual abuse;
3. current admission process for candidates for Holy Orders for the Archdiocese of Philadelphia as well as relevant formation programs;
4. past and current programs for continuing formation of clergy serving in the Archdiocese of Philadelphia.

Additional policies, procedures and programmatic initiatives which the Commission might consider include the following:

1. the recommendation of protocols for clergy regarding conduct with minors;
2. the recommendation that there be a standing committee to advise the Archbishop regarding the handling of specific allegations;
3. the recommendation of additional programs for the continued intellectual, spiritual and psychological formation of priests in the areas of human sexuality, intimacy and celibacy.

**Commission Composition**

1. The Commission will be composed of 7 - 9 qualified lay persons.
2. Commission members will have requisite expertise in areas such as behavioral health care, law, social services and human resource management.

3. The Commission will have the benefit of consultation from individuals with expertise in various related areas including: Canon Law, Civil Law, Behavioral Sciences and Communications as well as staff support provided through the Office of the Vicar for Administration.

### **Time Frame**

After all members have been appointed, the Commission will have six months to complete its work and submit recommendations to the Archbishop.

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## **APPENDIX "C"**

### ***The Commission on the Protection of Children and Clerical Conduct***

Interim Recommendation to His Eminence, Cardinal Anthony Bevilacqua

September 16, 2002

The Commission on the Protection of Children and Clerical Conduct recommends to His Eminence Anthony Cardinal Bevilacqua that he meet personally with a victim (name withheld) and family as a gesture of healing and hope ...

The Commission further recommends that in the coming weeks and months, Anthony Cardinal Bevilacqua meet with others who have substantiated claims of sexual abuse against archdiocesan priests or deacons, or against a priest, deacon or religious who was employed at a archdiocesan institution when the claimed abuse occurred. As victims report feeling intimidated by meeting on church property in the presence of numerous members of the clergy, the Commission recommends that these meetings take place in more informal settings agreeable to all the parties. Such meetings should occur after it is established that Cardinal Bevilacqua is not prohibited from so proceeding by an ongoing legal dispute involving the archdiocese and such persons.