

2004 Annual Report

Findings and Recommendations

FEBRUARY 2005

Report on the
Implementation of the

Charter for the Protection of Children and Young People

OFFICE OF CHILD AND
YOUTH PROTECTION

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NATIONAL REVIEW
BOARD

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UNITED STATES
CONFERENCE OF
CATHOLIC BISHOPS

The 2004 *Annual Report on the Implementation of the "Charter for the Protection of Children and Young People"* was prepared by the Office of Child and Youth Protection for the National Review Board and the United States Conference of Catholic Bishops (USCCB). It was reviewed by the USCCB President, Bishop William S. Skylstad, and has been authorized for publication by the undersigned.

Msgr. William P. Fay
General Secretary, USCCB

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Preface

Most Reverend William S. Skylstad
President, United States Conference of Catholic Bishops

The last three years have been a humbling experience for the Church. We bishops have had to face the sinful betrayal of trust by those who should have been most trustworthy. We have had to deal with the continuing consequences of these betrayals. We have pledged to hold ourselves accountable, as far as is humanly possible, to see to it that this betrayal never happens again.

We have been able to do this because we have also heard from the Catholic people, even in the midst of their sorrow, disappointment, embarrassment, and sometimes anger, another response. This response is best summed up in what someone said to me at a public forum that I conducted in my diocese: “We’re here because we love our Church.”

Because this love is so precious, I want to make my own the words of the *Charter* with which my predecessor as President of the United States Conference of Catholic Bishops (USCCB), Archbishop Wilton D. Gregory, closed his introduction to the first implementation report: “Let there now be no doubt or confusion on anyone’s part: For us, your bishops, our obligation to protect children and young people and to prevent sexual abuse flows from the mission and example given to us by Jesus Christ himself, in whose name we serve.”

This second annual *Report on the Implementation of the “Charter for the Protection of Children and Young People”* is the result of the commitments made by the Catholic bishops of the United States when we adopted the *Charter* in June 2002. One of these commitments was to be publicly accountable for fulfilling the actions outlined in the *Charter* to help heal those wounded as young people by sexual abuse by clergy and to prevent such abuse in the future.

Under the leadership of Dr. Kathleen McChesney, the director of the Office of Child and Youth Protection, and Ms. Sheila Horan, the deputy director, the first report was developed and issued on January 6, 2004. The report was based on a compliance audit of nearly every diocese of the United States by an independent auditor, the Gavin Group, Inc.

The Gavin Group has now conducted another audit as the basis for this report, and I am happy to second the expression of appreciation which Archbishop Gregory offered last year. This report manifests, once

again, the hard work put into preparing it by Dr. McChesney, Ms. Horan, and Mr. William Gavin and his organization. Even more important, it testifies to their dedication to seeing to it that the *Charter* principles are implemented and that the Church truly is a safe environment for children and young people.

I am grateful as well to the members of the National Review Board, whose task it is to receive and approve the annual report before it is sent to the Conference President. The role of the Board, which has also been involved in the development of the audit process, is crucial in helping the public to assess whether the *Charter* is being implemented.

In reviewing the report myself as USCCB President, I am happy to see the great extent to which the *Charter's* principles have been incorporated into the life of our dioceses. There is undoubtedly progress still to be made, and we can understand this problem more fully as well as find more and even better means to confront it. However, it is also significant to note that much of what dioceses face today is the result of past abusive behavior—often long past—and procedures are in place to deal with and put a stop to new instances of abuse that may be reported.

My brother bishops and I pray that what we have done in the last three years will bring about a restoration of trust. In particular, I hope that all who have suffered abuse by clergy or any representative of the Church will now be willing to share what happened to them so that both they and we may be healed. No one who has not experienced such a trauma can fully appreciate its shattering effects. Yet through knowledge of what others have suffered, we can have greater sensitivity to their pain and be better able to help.



National Review Board for the Protection of Children and Young People

3211 FOURTH STREET NE • WASHINGTON DC 20017-1194

February 15, 2005

Most Reverend William S. Skylstad, President
United States Conference of Catholic Bishops

Your Excellency,

The members of the National Review Board for the Protection of Children and Young People have reviewed the 2004 *Annual Report on the Implementation of the "Charter for the Protection of Children and Young People"* (*Annual Report*) prepared by the Office of Child and Youth Protection. The report objectively measures the compliance of 194 Catholic dioceses and eparchies in the United States relative to implementing the provisions of the *Charter for the Protection of Children and Young People* (*Charter*).

The Board recognizes and is grateful for the professional effort made by Dr. Kathleen McChesney and Ms. Sheila Horan of the Office of Child and Youth Protection, Mr. William A. Gavin and the Gavin Group, Inc., Sr. Mary Bendyna and Dr. Mary Gautier of the Center for Applied Research in the Apostolate, and the members of the Ad Hoc Committee on Sexual Abuse. The Board also acknowledges the concerted efforts of the United States Conference of Catholic Bishops (USCCB) in implementing all of the provisions of the *Charter*, to include the conduct of national compliance audits. The Board wishes to emphasize how important it is for the USCCB to offer fraternal correction to any dioceses not participating in the audit or not remediating Required Actions.

As directed in Article 9 of the *Charter*, the National Review Board is to approve this *Annual Report* and the recommendations that emerge from it. Based on our review, the Board approves this report and the recommendations contained therein. The Board urges the bishops of the United States to maintain a process of external review of their policies, procedures, and practices in order to ensure that the commitments to protect children and young people contained in the *Charter* continue to be fulfilled.

Sincerely,

A handwritten signature in dark ink, reading "Nicholas P. Cafardi". The signature is written in a cursive, flowing style.

NICHOLAS P. CAFARDI
Chair



Office of Child and Youth Protection

3211 FOURTH STREET NE • WASHINGTON DC 20017-1194

Kathleen McChesney February 15, 2005

Executive Director

Most Reverend William S. Skylstad, President
United States Conference of Catholic Bishops

Dean Nicholas J. Cafardi, Chair
National Review Board for the Protection of Children and Young People

Your Excellency and Chair Cafardi,

Beginning in June 2003, I oversaw a compliance audit process directed at ensuring that the bishops and archbishops of the United States were implementing the provisions of the *Charter for the Protection of Children and Young People*. The first audit cycle concluded in November 2003, and the information gathered became the basis for the first *Annual Report on the Implementation of the "Charter."* To provide the requisite information for the *2004 Annual Report*, a second round of audits was approved by the United States Conference of Catholic Bishops (USCCB) in June 2004.

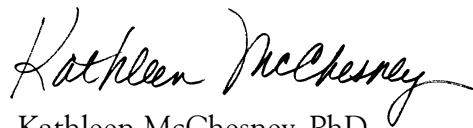
From July 26 through December 17, 2004, compliance audits were conducted of 194 dioceses and eparchies throughout the United States. As in 2003, the compliance audits were conducted by members of the Gavin Group, Inc., of Boston, MA. Details regarding methodology, findings, and recommendations are included in this *2004 Annual Report*. Supplementing this information are the results of a survey conducted by the Center for Applied Research in the Apostolate of all dioceses, eparchies, and men's clerical and mixed religious institutes pertaining to allegations of sexual abuse of minors received in 2004. From these sources you will gain a better understanding of the progress made thus far in reducing the incidence of abuse and some of the challenges that lie ahead.

Institution of accountability measures, such as external compliance audits, is not the only method for providing safe and secure environments for children and young people participating in church and church-sponsored activities. More detailed reviews and analyses of dioceses and eparchies that continue to have significant numbers of allegations reported are strongly recommended. Evaluation of the quality and effectiveness of all programs are necessary to ensure that time, resources, and personnel are appropriately and successfully utilized to achieve their stated purpose. The results of the study *The Nature and Scope of the Problem of Sexual Abuse of Minors by Catholic Clergy in the United States, 1950-2002*, and the National Review Board report *The Crisis in the Catholic Church in the United*

States provide additional direction for the USCCB in determining some of the reasons that these instances of abuse occurred. Careful, professional evaluation of the many causes of abuse will suggest ways in which these acts can be prevented in the future.

While considerable progress has been made in implementing the *Charter*, it is imperative that bishops, priests, religious, and lay people representing the Church continue to recognize that sexual abuse has a permanent impact upon its victims. It is dangerous to assume that compliance with this *Charter* is all that is necessary to prevent abuse, restore confidence in the Church, and to bring healing and hope to those who have been harmed. Much more is required, but nothing is required that is beyond the ability of those who live and uphold the tenets of the Catholic faith.

Sincerely,

A handwritten signature in black ink that reads "Kathleen McChesney". The signature is fluid and cursive, with the first name and last name clearly legible.

Kathleen McChesney, PhD
Executive Director



February 15, 2005

Most Reverend William S. Skylstad, President
United States Conference of Catholic Bishops

Dean Nicholas J. Cafardi, Chair
National Review Board for the Protection of Children and Young People

Your Excellency and Chair Cafardi,

In June 2004 at a meeting in Denver, Colorado, the United States Conference of Catholic Bishops approved the second annual audit of all of the dioceses and eparchies of the Catholic Church in the United States. The purpose of this audit was to determine the compliance of each diocese and eparchy with the *Charter for the Protection of Children and Young People*.

Once again, I selected 56 individuals who had a commitment to impartially audit the dioceses and eparchies and to document their findings. These individuals were again primarily former law enforcement personnel; however, their academic qualifications include degrees in psychology, sociology, accounting, law, foreign language, history, science, and many other disciplines that provided an array of knowledge to assist in the audit process. All auditors attended a training session that served to bring a greater consistency of product to the audit this year.

The auditors' findings were discussed with diocesan and eparchial personnel as well as with the bishops and eparchs. Subsequent to my quality review of the findings, each bishop and eparch was provided with an executive summary of the audit. When remedial actions were required, the bishops and eparchs were also provided with required action documents, which identified the non-compliance issues, what steps were necessary to remedy the issues, and a deadline for completion.

Due to time constraints, workshops for the bishops, eparchs, and their staff to acquaint them with the audit process were not conducted this year. It is my hope that they will be conducted in the future.

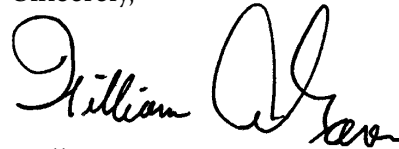
The audit process commenced on July 26, 2004, and was completed by December 17, 2004. All dioceses and eparchies were given the opportunity to select three dates for their audits, and the majority (over 75%) received their first choice. Of the 195 dioceses and eparchies, 194 were audited. The Diocese of Lincoln, Nebraska, did not participate in the audit process. One hundred forty-four dioceses and eparchies (74.2%) were found to be in compliance at the time of

the audit; and of the 50 that received required actions, 43 remedied the non-compliance issues in the required time.

It must be stressed that all of the non-compliance issues do not necessarily mean that children are unsafe, as many issues are administrative in nature. The audit process did not allow for the review of personnel records, and therefore much of the information gathered relied on the sincerity, truthfulness, and integrity of the individuals providing the information. Lastly, all of the necessary actions to ensure the safety of children have not been completed, but future audits will verify progress made in these matters.

I wish to express my sincere appreciation to the United States Conference of Catholic Bishops, the National Review Board, the Office of Child and Youth Protection, and all of the bishops and eparchs for their dedication toward eradicating the problem of child sexual abuse in the Catholic Church. Significant progress has been made, as evidenced by the audit results of 2004. More can be done and must be done. I urge that your demonstrated collective resolve continue in order prevent additional abuse and to enhance the healing process of victims/survivors.

Sincerely,

A handwritten signature in black ink, appearing to read "William A. Gavin". The signature is fluid and cursive, with the first name "William" being more legible than the last name "Gavin".

William A. Gavin



Center for Applied Research in the Apostolate

Georgetown University

February 15, 2005

Most Reverend William S. Skylstad, President
United States Conference of Catholic Bishops
3211 Fourth Street, NE
Washington, DC 20017

*Putting
social science*

research tools

at the service

of the

Church

in the

United States

since 1964.

Dear Bishop Skylstad,

In the fall of 2004, the United States Conference of Catholic Bishops commissioned the Center for Applied Research in the Apostolate (CARA) at Georgetown University to design and conduct an annual survey of all dioceses and eparchies whose bishops are members of the USCCB. The purpose of this survey is to collect information on new allegations of sexual abuse of minors and the clergy against whom these allegations were made. The survey also gathers information on the amount of money dioceses and eparchies have expended as a result of allegations as well as the amount they have paid for child protection efforts. The national level aggregate results from this survey for each calendar year will be reported in the *Annual Report of the Implementation of the "Charter for the Protection of Children and Young People."*

In consultation with the Office of Child and Youth Protection, CARA designed a brief questionnaire that was reviewed by the General Assembly of the USCCB in November 2004. CARA prepared an online version of the survey and hosted it on its website. Bishops and eparchs received information about the process for completing the survey for their diocese or eparchy in December. In collaboration with the Conference of Major Superiors of Men, major superiors of clerical and mixed religious institutes were also invited to complete a similar survey of their congregations or provinces.

Data collection for 2004 took place from mid-December 2004 through January 2005. CARA received responses from 181 dioceses and eparchies and 158 religious institutes, for response rates of 93 percent and 71 percent, respectively. CARA then prepared the national level summary tables and graphs of the findings for 2004, with comparisons between diocesan and religious clergy, that are presented in this Annual Report.

We are grateful for the cooperation of the bishops, eparchs, major superiors, and their representatives in completing the survey.

Sincerely,

Mary E. Bendyna, RSM
Executive Director

CHAPTER ONE

Introduction

Between 1950 and 2002, more than 10,667 boys and girls in the United States were victims of sexual abuse perpetrated by members of the Catholic clergy.¹ More than 4,392 Catholic priests and deacons were their abusers.² Because incidents of sexual abuse are vastly underreported, and because over 50 percent of those victims/survivors waited 20 years or longer to report past abuse, members of the Catholic Church in the United States are only beginning to understand the depth of the crisis that has occurred.

According to a recent study conducted by the John Jay College of Criminal Justice, many victims/survivors of clergy sexual abuse were subjected to multiple acts of abuse over a period of years.³ The majority of victims/survivors who have reported abuse were boys between the ages of 11 and 14 when their abuse began.⁴ For a variety of reasons, only 615 of these incidents were investigated by law enforcement. Of those allegations reported to law enforcement, 384 individuals were criminally charged, resulting in 252 convictions.⁵ The cost to the Catholic Church by the end of 2002 exceeded \$572 million for settlements, therapies, and attorney's fees.⁶ The impact to the Church's credibility as an authority in all moral matters is undetermined.

In January 2002, revelations of pervasive acts of sexual abuse of minors by Catholic priests and deacons in the United States focused light on a problem already known in some dioceses throughout the country. In the late 1980s and early 1990s, two notorious cases, one in Louisiana and one in Texas, had received intensive media interest. The cases had also captured the attention of the United States Conference of Catholic Bishops (USCCB), whose members recommended, and often implemented, programs to provide appropriate responses to allegations of abuse and to prevent such abuse from occurring in the future.

What was unknown in January 2002 was the extent of the problem. How many individuals had been victims of

clergy sexual abuse over time, and what was the nature of that abuse? At that point, the Catholic bishops in the United States recognized the need to know much more about the problem if they were to deal with it effectively and pastorally. By adopting the *Charter for the Protection of Children and Young People (Charter)* in June 2002, the bishops created a "commitment document" that included a mandate to commission two important studies about the abuse. The first study, *The Nature and Scope of the Problem of Sexual Abuse of Minors by Members of the Catholic Clergy in the United States, 1950-2002*, was completed in 2004.⁷ The second study, *The Causes and Context of the Problem of Sexual Abuse of Minors by Members of the Catholic Clergy in the United States*, will begin in 2005.

These studies are part of a series of actions called for in the *Charter*. The *Charter* also describes ways in which Catholic bishops are to provide healing and reconciliation for victims/survivors of sexual abuse and their families. The *Charter* delineates a bishop's responsibilities for response to, and reporting of, allegations of abuse, methods of accountability for actions or inaction, and procedures for protecting the faithful in the future.

Although the *Charter* has been operative for over two years, many misunderstandings exist about its intent. It is important to understand that the *Charter* is a document that primarily focuses forward and does not call for scrutiny of *how* allegations of abuse were handled prior to 2002. Accountability for past management decisions in some dioceses is being addressed through civil litigation and law enforcement investigation in various jurisdictions in the United States.

Many Catholics see the problem of sexual abuse of minors within the Church as twofold. The first aspect is the lifelong, devastating impact to the victims and their families caused by offending clergy who were afflicted with a wide variety of psychosexual problems; and second is the manner in which these men and the reported

cases were dealt with by church leadership. Following the mandates of this *Charter* will not undo the abuse that occurred, but it may provide support and reconciliation for many victims. Bishops have set a standard for themselves within the *Charter* that calls for conscientious and vigilant leadership on all issues regarding sexual abuse within the Church. The *Charter* also includes preventative measures that are key to reducing incidents of abuse within the Church.

The Office of Child and Youth Protection (OCYP) prepared this 2004 *Annual Report on the Implementation of the Charter* based primarily on information gathered through the compliance audit process conducted by the Gavin Group, Inc. Data were also submitted by dioceses, eparchies, and men's clerical and mixed religious institutes to the Center for Applied Research in the Apostolate (CARA) for analysis and inclusion in this report. In addition, the OCYP received input from persons who have been abused, the bishops' Ad Hoc Committee on Sexual Abuse, child abuse prevention specialists, clergy and religious, therapists, social workers, and law enforcement officials.

According to CARA, 1,092 credible allegations of sexual abuse of a minor were newly made in 2004 against 756 diocesan and religious priests or deacons in the United States. This includes nine (9) cases that were solely related to child pornography. The majority of these allegations began or occurred between 1965 and 1974; and most, 80 percent, of the priests and deacons have been previously removed from ministry or are deceased, laicized, or missing. The statistics pertaining to allegations made against diocesan/eparchial priests or deacons and those made against men of religious orders are contained in Chapter Three.

This report also reflects what is known about bishops' compliance with the *Charter* as a result of the 2004 compliance audits. Of the 194 dioceses and eparchies audited, 144, or 74.2 percent, were in compliance with all articles of the *Charter* at the time of their audits. However, 50 dioceses and eparchies were found not compliant with one or more articles. By December 31, 2004, 43 of the 50 dioceses and eparchies had sufficiently completed audit-directed tasks to become

compliant with all articles of the *Charter*. As of this report, seven (7) dioceses and eparchies, or 3.6 percent, remain non-compliant with one or more articles of the *Charter*. The Diocese of Lincoln did not participate in the 2004 audit process. For purposes of this report, the Diocese of Lincoln is considered to be non-compliant, at minimum, with Article 8, which calls for dioceses and eparchies to participate in an audit process. Executive Summaries of each audit conducted are posted on the USCCB website (www.usccb.org).

It should be noted that compliance audits do not measure the complete implementation of some of the provisions of the *Charter*, such as "safe environment training," nor the quality of response or effectiveness of the *Charter* in preventing abuse. This type of evaluation can, and should, occur after the *Charter* programs have been in place for several years. In addition, a diocese's or eparchy's compliance with the *Charter* may improve or diminish over time. For these reasons, continued external oversight and evaluation is essential.

Chapter Two describes the data collection survey and compliance audit process, and Chapter Three contains the results of the survey and audits. Chapter Four contains new recommendations from OCYP and the National Review Board (NRB) pertaining to the response of the USCCB to this crisis. Recommendations previously made to the USCCB by OCYP and NRB are described in Appendices A and B. It is hoped that these recommendations, in conjunction with faithful adherence to the principles of the *Charter*, will contribute to the safety of children and young people in Catholic Church settings in the future.

Notes

- 1 John Jay College of Criminal Justice, *The Nature and Scope of the Problem of Sexual Abuse of Minors by Catholic Priests and Deacons in the United States, 1950-2002* (Washington, DC: United States Conference of Catholic Bishops [USCCB], 2004), 69.
- 2 Ibid., 4.
- 3 Ibid., 74.
- 4 Ibid., 69, 70.
- 5 Ibid., 60, 61.
- 6 Ibid., 105.
- 7 Ibid.

CHAPTER TWO

Data Collection Survey and Compliance Audit Process

“To assist in the consistent application of these principles and to provide a vehicle of accountability and assistance to dioceses/eparchies in this matter, we authorize the establishment of an Office of Child and Youth Protection . . . The tasks of this Office will include (1) assisting individual dioceses/eparchies in the implementation of “safe environment” programs, (2) assisting provinces and regions in the development of appropriate mechanisms to audit adherence to policies, and (3) producing an annual public report on the progress made in implementing the standards in this *Charter*.”

—Article 8, *Charter for the Protection of Children and Young People*

“Within the confines of respect for the privacy and the reputation of the individuals involved, dioceses/eparchies will deal as openly as possible with members of the community.”

—Article 7, *Charter for the Protection of Children and Young People*

MANDATE

The Office of Child and Youth Protection (OCYP) met the requirement of Article 8 of the *Charter* by developing and implementing an audit mechanism in 2003 that examined adherence to the policies contained in the *Charter* by dioceses and eparchies in the United States. Based upon the recommendation of the bishops’ Ad Hoc Committee on Sexual Abuse and by the National Review Board for the Protection of Children and Young People, the members of the United States Conference of Catholic Bishops (USCCB) approved the same mechanism for use in 2004.

To provide a more complete picture of the progress made in reducing the incidence of sexual abuse of minors by some Catholic clergy, the member bishops also agreed to provide data on an annual basis to the OCYP. The data reflect the number of new allegations of sexual abuse of minors (past or present) received, non-confidential information about persons making the allegations and their alleged perpetrators, the costs associated with these allegations, and the costs of abuse prevention programs. The national aggregate data, in conjunction with the findings of the compliance audits, form the basis for this report and are fully described in Chapter Three.

DATA COLLECTION SURVEY

The Center for Applied Research in the Apostolate (CARA) of Georgetown University was selected to collect the data from the 195 Catholic dioceses and eparchies in the United States. The primary collection method involves a secure web-based survey, completed by diocesan or eparchial personnel. The alternate collection method was a handwritten submission of the same survey. The survey covers allegations, actions, and obligations that occurred between January 1 and December 31, 2004. The data also reflect the extent of new allegations of abuse and provide a basis of comparison with previously gathered statistics.

One hundred eighty-one (181) dioceses and eparchies submitted their information by January 31, 2005. The 93 percent response rate for this unprecedented survey evinces the bishops’ cooperation with the efforts of OCYP and the National Review Board to provide as much current information as possible to the faithful regarding the incidence of sexual abuse of minors by Catholic clergy.

In addition, members of the Conference of Major Superiors of Men, representing the men's clerical and mixed religious institutes in the United States, volunteered to participate in the survey. Mixed institutes include both priests and religious brothers; only priests were included in this survey. One hundred fifty-eight (158) communities, representing 71 percent of all clerical and mixed communities of men religious in the United States, submitted responses. The results and analyses of submissions received from dioceses, eparchies, and men's clerical and mixed religious institutes are included in Chapter Three of this report.

Data Collection Survey Limitations

As with any data collection survey, certain limitations exist. Though the majority of the members of the USCCB voted to conduct the survey, participation remains voluntary.¹ Verification of the data through external record review was not feasible; therefore, there is strong reliance on the conscientious efforts of the actual responders. Data gathered through public sources and from the compliance audit process described below reflect a similar number of new sexual abuse allegations reported in 2004.

Lack of experience in using this survey instrument and the limited time provided for completion could have led to error. Some respondents may have misunderstood the survey questions, although CARA researchers were available throughout the collection period for assistance. In some instances, information was simply not available to respond to a particular question, particularly if all that is known about an allegation is what is contained in a litigation document, or if the incident occurred many years in the past. The complexity of church structure, the knowledge of the ecclesial status of priests, and the existence and quality of reporting and record-keeping systems may also make it difficult to respond with total accuracy to a particular question.

COMPLIANCE AUDIT PROCESS

As in 2003, the compliance audit process for 2004 was conducted by the Gavin Group, Inc., of Boston, Massachusetts. Teams of men and women experienced in management, investigations, and compliance visited each Catholic diocese and eparchy in the United

States, with the exception of the Diocese of Lincoln, Nebraska. These auditors conducted numerous interviews of diocesan and eparchial personnel, review board members, law enforcement officials, and parish priests.

Auditors conducted interviews with 135 victims/survivors. The percentage of those belonging to national support groups is not known, as the victims were not asked. Forty-eight (48) accused clergy were interviewed. All victims and accused clergy interviewed were volunteers, randomly and confidentially selected by the audit team. Verification of parish implementation of *Charter* requirements was conducted through random interviews of 874 priests and deacons.

The audit teams also reviewed the results of the previous compliance audit as well as communications received from persons who had been abused and from the general public. Particular attention was paid to allegations received during the audit period to confirm that *Charter* procedures were being followed.

The audit teams evaluated the efforts being made by each diocese and eparchy to implement Articles 1-7 and 12-17 of the *Charter* and prepared an Executive Summary of their findings for each diocese and eparchy. In those cases where a diocese or eparchy could not provide evidence of implementation of some or all of the provisions the *Charter*, a "Required Action" was issued. A Required Action directs the diocese or eparchy to complete certain tasks in order to demonstrate implementation of the *Charter*. All tasks were to be completed by December 31, 2004, for a diocese or eparchy to be identified as compliant with the *Charter* in 2004.² Dioceses and eparchies that had made efforts beyond what was required in the *Charter* were given the opportunity to submit a description of their "additional actions to protect children." Some of these initiatives are described in Chapter Three and are posted on the USCCB website (www.usccb.org/ocyp).

Following approval by the body of bishops to continue to participate in the audit process in 2004, the audits were piloted in the Dioceses of Rapid City, South Dakota; Gary, Indiana; and Duluth, Minnesota, and in the Archdioceses of St. Paul-Minneapolis, Minnesota, and Cincinnati, Ohio. Each audit period covered one year, measured from the completion of the 2003 audit

of the diocese or eparchy until the beginning of its 2004 audit. The audits began on July 26, 2004; 194 were completed on December 17, 2004. Two dioceses—the Diocese of Burlington, Vermont, and the Diocese of Fresno, California—and one eparchy, the Eparchy of El Cajon (Chaldean), received a second audit. Only one bishop, that of the Diocese of Lincoln, Nebraska, did not participate in the audit process.

Compliance Audit Limitations

The source of the information for the compliance audits most often came from diocesan or eparchial personnel. However, based on the experience of the prior compliance audit and the verification methods used by the auditors, the information provided by dioceses and eparchies is believed to be the result of a good faith effort to be as accurate as possible.

The quality and consistency of record-keeping systems throughout the country were at times problematic. Basic program management was often dispersed among parishes, leaving some of the dioceses and eparchies without the ability to confirm that actions required by the *Charter* had been taken.

Notwithstanding the strength of the *Charter* to deal with all of the aspects of the sexual abuse crisis, some articles lack clarity. There are no documented threshold standards; therefore, the standards used by the auditors were those commonly expected in public schools, other youth-serving organizations, or within the Catholic Church as an institution of care and healing.

The 2003 audit instrument was redeveloped for 2004, and additional training was provided to the auditors. In the 2003 audit process, where efforts were being made to implement specific programs, the diocese or eparchy was found to be compliant with the *Charter* requirements. The 2004 compliance audit process relied much more on the submission of detailed information in order to include numbers of individuals who were participating in various *Charter* programs. Although this resulted in a more burdensome process for some diocesan and eparchial personnel, it created a more easily understood standard of compliance.³

In order to minimize the possibility that auditors might reach different conclusions about a similar set of facts, the national auditor reviewed all materials and findings. Where warranted, the national auditor, in consultation with OCYP, added or removed a Required Action to ensure greater consistency throughout the country.



It is important to note that many people have had false expectations about the audit process and the data collection survey. Some believed, or hoped, that the audits would constitute a reinvestigation of all reported cases of abuse, provide an opportunity to review confidential personnel files, or identify questionable management decisions made about individual offenders in the past. The compliance audit process as mandated in the *Charter* does not call for such actions, nor do the auditors have the canonical or civil legal authority to conduct such work. Similarly, the data collection survey does not identify particular offenders or the results of specific allegations.

Despite the limited scope of the audit and the survey, the information gathered from nearly every diocese, eparchy, and men's clerical and mixed religious institute was sufficient to support the findings described in the next chapter.

Notes

- 1 On June 15, 2004, the members of the United States Conference of Catholic Bishops agreed, by a vote of 207 to 14, to participate in this compliance audit process.
- 2 In the 2003 compliance audit process, dioceses and eparchies that had not demonstrated implementation of the provisions of the *Charter* at the time of their audit were issued "Instructions" that, if satisfactorily addressed, resulted in a final finding of compliance.
- 3 This also resulted in some dioceses' and eparchies' being found compliant with specific articles of the *Charter* in 2003 yet being found non-compliant, or receiving Required Actions, in 2004.

CHAPTER THREE

Findings

“This public report shall include the names of those dioceses/eparchies which, in the judgment of this Office, are not in compliance with the provisions and expectations of this *Charter*.”

—Article 8, *Charter for the Protection of Children and Young People*

The compliance audits conducted in 2004 revealed that most dioceses and eparchies in the United States had made substantial progress in implementing the programs delineated in the *Charter*. Compliance with the provisions of the *Charter*, while extremely important, represents a baseline of action that is to be taken by dioceses and eparchies in dealing with and preventing sexual abuse. The quality of *Charter*-directed actions taken by dioceses and eparchies has yet to be measured. No one should be misled into thinking that compliance with the *Charter* will prevent future cases of abuse from occurring, or that the laity, especially victims/survivors, are confident that the efforts made to comport with the *Charter* are all that is necessary to re-establish trust in church leadership. The compliance audit process also does not ensure that all offenders or potential offenders have been appropriately removed from ministry.

A more valid measure of the impact of *Charter*-related actions on reducing the incidence of abuse is to track the number of reports received during a specific time-frame correlated with when the alleged abuse occurred or began. While many more allegations of sexual abuse have been received since 2002 than were received in previous years, the years in which the newly reported cases occurred are consistent with the findings of the “nature and scope” study, which indicated that most of these events occurred in the 1970s and 1980s.¹

The information gathered about the allegations received in 2004 and about compliance with the *Charter* reflects an enormous amount of activity and resources expended to address the problem of sexual

abuse of minors within the Church. It also confirms that many men and women are still reporting incidents of past abuse. There are a variety of reasons for waiting many years to report abuse. For some victims/survivors, reporting was unthinkable until their parents and/or the offender had died. Others gathered the strength to report as they learned that they were not the only victims of a particular perpetrator, and some found support through legal processes. There are also those who will always choose to keep their abuse and its impact a private matter.

2004 ANNUAL SURVEY OF ALLEGATIONS AND COSTS

As noted in Chapter Two, in November 2004, the members of the USCCB approved a data collection procedure whereby all dioceses and eparchies would annually report information regarding allegations of sexual abuse of minors received, including the number of alleged victims and perpetrators and the costs associated with sexual abuse cases. The Conference of Major Superiors of Men of the United States volunteered to participate in the annual surveys.²

While these data do not include information that identifies an offender or a victim, their importance in understanding and evaluating the depth of the problem of sexual abuse within the Church cannot be overstated. The statistics provided over time will more clearly illustrate whether the Church has been successful in reducing the incidence of abuse.

The response rate for this first annual survey was excellent. Of the 195 dioceses and eparchies, 181, or 93 percent, participated. In addition, 158 of the 223 member communities of the Conference of Major Superiors of Men, or 71 percent, participated in this survey.

The national, aggregate statistics collected for 2004 for reporting dioceses, eparchies, and men’s clerical and

mixed religious institutes are provided below. The data reflect only the information that was submitted and should not be considered a complete accounting of allegations received or costs incurred.

Dioceses and Eparchies

Number of Credible Allegations Received by Dioceses/Eparchies in 2004

Between January 1 and December 31, 2004, church authorities received at least 898 new credible allegations of sexual abuse of a minor by a diocesan or eparchial priest or deacon. The allegations were made by 889 individuals against 622 priests and deacons. Of this number, 876 allegations were made by adult men and women who are alleging abuse as minors in previous years. Of the total, 22 allegations, or 2 percent, were made by boys and girls who were under the age of 18 in 2004. Of the 898 total allegations, nine (9) cases, or 1 percent, solely involved child pornography. Most of the allegations came to the attention of the diocese or eparchy from the victim (53 percent) or through an attorney (33 percent).

Table 1 depicts the number of alleged victims, allegations, and offenders reported in 2004.

TABLE 1. Number of victims, allegations, and offenders reported in dioceses/eparchies in 2004.

Victims	889
Allegations	898
Offenders	622

Figure 1 illustrates the way in which allegations were reported to church authorities in 2004. (See Appendix A for all figures referenced in this report.)

Figure 2 reflects the percentage of allegations of abuse that were cases involving solely child pornography.

Victims, Offenses, and Offenders of Diocesan/Eparchial Allegations in 2004

Of the 889 victims, 691, or 78 percent, were male; and 198, or 22 percent, were female. Most victims, 56 percent, were between the ages of 10 and 14 when the

alleged abuse began.³ The majority of allegations of abuse occurred between 1970 and 1974. These data are illustrated in Figures 3, 4, and 5.

Of the 622 diocesan/eparchial priests and deacons against whom allegations were made in 2004, most had been ordained for the diocese in which the abuse was alleged to have occurred. Fifty percent of those priests and deacons had been the subject of allegations prior to January 1, 2004. Most alleged offenders, 71 percent, were deceased, had already been removed from ministry, or had been previously laicized. A few alleged offenders had left their ministerial assignments many years before, and their current residences are unknown. Sixty-one (61) priests or deacons who had been accused of abuse prior to January 1, 2004, were removed or retired from ministry during 2004 based on allegations of abuse. In addition, 50 were returned to ministry in 2004 based on the resolution of an allegation made during or before 2004. Notwithstanding the year in which the abuse was reported, 256 diocesan priests and deacons remain temporarily removed from ministry pending investigation of allegations; and 35 remain in active ministry pending a preliminary investigation of an allegation.⁴

Figures 6, 7, and 8 depict the ecclesial status of priests and deacons at the time of the alleged offense (Figure 6), the percentage of priests and deacons accused of abuse in 2004 who were the subject of prior allegations (Figure 7), and the current ecclesial status of the accused priests and deacons (Figure 8).

Of the 898 allegations reported in 2004, 57, or 6 percent, were determined to be false by December 31, 2004. In addition, 59 allegations received prior to January 1, 2004, were determined to be false between January 1 and December 31, 2004. Figure 9 depicts the percentage of allegations received in 2004 that were determined to be false in 2004.

Costs to Dioceses and Eparchies in 2004

Total costs expended or otherwise obligated (i.e., a fine or settlement issued but not yet paid) in 2004 as the result of allegations of sexual abuse of a minor amounted to approximately \$139,582,157 for all dioceses and eparchies responding. This includes sums expended in 2004 for allegations reported in previous years.

Of that \$139,582,157, \$93,364,172 was for settlements to victims, and \$6,613,283 was for payments for therapy for victims, if separate from settlements. Therapy for offenders amounted to \$1,413,093, and payments for attorney fees were \$32,706,325.

The approximate percentage of the payments expended that was covered by insurance is 32 percent. In addition, approximately \$19,785,325 was spent for child protection efforts, such as training programs and background checks.

Figures 10, 11, 12, and 13 illustrate the monies expended by dioceses and eparchies in 2004 to address allegations of sexual abuse and to prevent such abuse from occurring in the future.

Men's Clerical and Mixed Religious Institutes

Number of Credible Allegations Received by Men's Clerical and Mixed Religious Institutes in 2004

Between January 1 and December 31, 2004, 194 new credible allegations of sexual abuse of a minor committed by a religious order priest or deacon were reported to church authorities. The allegations were made by 194 individuals against 134 priests and deacons. None of the total allegations involved solely child pornography. Most of the allegations came to the attention of the religious community through an attorney (39 percent) or the victim (41 percent).

Table 2 depicts the number of alleged victims, allegations, and offenders reported for men's clerical and mixed religious institutes in 2004.

TABLE 2. Number of victims, allegations, and offenders in men's clerical and mixed religious institutes.

Victims	194
Allegations	194
Offenders	134

Figure 14, in Appendix A, illustrates the way in which allegations were reported to church authorities in 2004.

Finally, Figure 15 reflects the percentage of allegations of abuse that were solely cases involving child pornography.

Victims, Offenses, and Offenders of Men's Clerical and Mixed Religious Institutes in 2004

Of the 194 victims, 151, or 78 percent, were male, and 43, or 22 percent, were female. Most victims, 53 percent, were between the ages of 10 and 14 when the alleged abuse began. The majority of allegations of abuse occurred between 1965 and 1969. These data are illustrated in Figures 16, 17, and 18.

Of the 134 priests and deacons against whom allegations were made, most were religious priests of the community serving in the United States at the time the abuse was alleged to have occurred. Less than half, 43 percent, of those priests and deacons had been the subject of previous allegations prior to January 1, 2004. Most alleged offenders, 82 percent, were deceased, had already been removed from ministry, or had been previously laicized. Twenty-nine (29) religious priests or deacons who were accused of abuse prior to January 1, 2004, were removed or retired from ministry based on the resolution of the allegation in 2004. Notwithstanding the year in which the abuse was reported, 27 religious priests and deacons remain temporarily removed from ministry pending investigation of allegations; and seven (7) remain in active ministry pending a preliminary investigation of an allegation.

The status of accused priests or deacons at the time of the alleged offense and their current statuses are reflected in Figures 19 and 20, respectively.

Figure 21 indicates the percentage of priests and deacons against whom previous allegations had been made and who were accused of abuse in 2004.

Of the 194 allegations reported in 2004, nine (9), or 5 percent, were determined to be false by December 31, 2004. In addition, eight (8) allegations received prior to January 1, 2004, were determined to be false between January 1 and December 31, 2004. Figure 22 depicts the percentage of allegations of sexual abuse received in 2004 that were determined to be false in 2004.

Costs to Men's Clerical and Mixed Religious Institutes in 2004

Total costs expended or otherwise obligated (i.e., a fine or a settlement issued but not yet paid) in 2004 by men's clerical and mixed religious institutes as the result of allegations of sexual abuse of a minor amounted to approximately \$18,220,654. This includes sums expended in 2004 for allegations reported in previous years.

Of the \$18,220,654, \$12,877,637 was for settlements to victims, and \$793,053 was for payments for therapy for victims, if separate from settlements. Therapy for offenders amounted to \$456,237, and payments for attorney fees were \$3,544,847.

The approximate percentage of the payments covered by insurance is 12 percent. In addition, approximately \$418,084 was spent for child protection efforts, such as training programs and background checks.

Figures 23, 24, 25, and 26 illustrate the monies expended by men's clerical and mixed religious institutes in 2004 to address allegations of sexual abuse of minors and for sexual abuse prevention activity.

Total Responses of Dioceses, Eparchies, and Men's Clerical and Mixed Religious Institutes

Members of men's clerical or mixed religious institutes represent approximately one third, or 14,000, of all priests in the United States. The other two thirds comprise 29,000 diocesan priests. Permanent deacons add another 14,000 men to the clergy population of dioceses and eparchies. These percentages have remained constant since 1995. Due to the differing population sizes of the two groups and the response rates of 93 percent of dioceses and eparchies and 71 percent of men's clerical and mixed religious institutes to this survey, statistical comparisons between the two groups were not made. However, Figures 27, 28, and 29, which depict the combined *total number* of allegations, victims, offenders, and costs for both groups, are useful in describing the breadth of the problem.

As illustrated in Figures 27, 28, and 29, the total number of allegations of sexual abuse made against religious, diocesan, and eparchial Catholic priests or dea-

cons in the United States in 2004 was 1,092. Dioceses, eparchies, and men's clerical and mixed religious institutes expended approximately \$157,802,811 in 2004 in response to allegations and for prevention efforts.

Comparisons to the Results of the "Nature and Scope" Study

As this is the first annual data submission of this nature by dioceses, eparchies, and men's religious institutes, no identically sourced data exists from which to make empirical comparisons or observe trends. However, the data from the "nature and scope" study are similar enough to make two observations.⁵

First, the percentages of male victims reporting allegations of sexual abuse far exceeded the percentages of female victims in both the diocesan/eparchial survey and the men's religious survey. In the "nature and scope" study, 81 percent of the victims were male.⁶ In 2004, 78 percent of the victims reporting to dioceses and eparchies were male, and 78 percent of the victims reporting to men's clerical and mixed religious institutes were male.

Second, in 2004, over half of the alleged victims/survivors of abuse committed by both diocesan/eparchial and religious order priests reported that their abuse began or occurred when they were between the ages of 10 and 14. This finding is similar to those allegations reported prior to 2003, wherein 59.1 percent of the victims were between the ages of 10 and 14 at the time the abuse began.⁷

COMPLIANCE WITH THE CHARTER—AUDIT RESULTS

At the time of their 2004 audits, 144 dioceses and eparchies, or 74.2 percent, were found to be compliant with all articles of the *Charter*. The 50 dioceses and eparchies audited that were not compliant with an article or articles of the *Charter* at the time of their audits were instructed to complete certain tasks, "Required Actions," so as to achieve compliance.

By December 31, 2004, 187, or 96.3 percent, of all dioceses and eparchies audited were compliant with all

articles of the *Charter*. It is important to note that compliance with all articles of the *Charter* does not necessarily mean that all programs mandated by the *Charter* had been *fully* implemented. Dioceses and eparchies could be considered compliant if *Charter* programs have been developed or selected and scheduled for implementation.

Figures 30 and 31 reflect the percentage of dioceses and eparchies compliant with all articles of the *Charter* at the time of their compliance audit (Figure 30), and the percentage of dioceses and eparchies compliant with all articles of the *Charter* as of December 31, 2004 (Figure 31).

Seven (7) dioceses and eparchies, or 3.6 percent, did not complete all of their Required Actions by December 31, 2004, and are considered non-compliant with a specific article or articles of the *Charter*. No judgment is made as to the safety of children or others in those dioceses and eparchies that are non-compliant with, or have not completed implementation of, a particular *Charter* program. The seven dioceses and eparchies and the respective article(s) with which they are not in compliance are as follows:

- | | |
|--|-----------------|
| 1. Apostolic Exarchate for Armenian Catholics | 1, 2, 7, 12, 13 |
| 2. Diocese of Burlington | 12 |
| 3. Eparchy of St. Thomas the Apostle, El Cajon | 12, 13 |
| 4. Diocese of Fresno | 12, 13 |
| 5. Eparchy of Newton, Melkite-Greek Catholic | 12 |
| 6. Diocese of Wheeling-Charleston | 12, 13 |
| 7. Diocese of Youngstown | 12, 13 |

The Diocese of Lincoln, Nebraska, is not included in this list as the bishop did not participate in the audit process. This non-participation is indicative of non-compliance with Article 8 of the *Charter*; however, no Required Action notice was issued, as no compliance audit was conducted.

Forty-three (43), or 86 percent, of the 50 dioceses and eparchies that received Required Actions at the time of their audit have completed the directed tasks and are now considered compliant with all articles of the *Char-*

ter. Those dioceses and eparchies and the relevant article(s) are as follows.

- | | |
|---|----------|
| 1. Diocese of Alexandria | 12 |
| 2. Archdiocese of Anchorage | 12 |
| 3. Diocese of Arlington | 13 |
| 4. Diocese of Birmingham | 2, 6, 13 |
| 5. Diocese of Boise | 13 |
| 6. Eparchy of Brooklyn, St. Maron | 12, 13 |
| 7. Diocese of Charleston | 12, 13 |
| 8. Archdiocese of Chicago | 12, 13 |
| 9. Eparchy of St. Nicholas, Chicago | 12, 13 |
| 10. Archdiocese of Cincinnati | 13 |
| 11. Diocese of Crookston | 12, 13 |
| 12. Diocese of Duluth | 12, 13 |
| 13. Diocese of Gallup | 13 |
| 14. Diocese of Greensburg | 2, 12 |
| 15. Diocese of Helena | 12 |
| 16. Diocese of Kalamazoo | 13 |
| 17. Diocese of Kansas City—St. Joseph | 12 |
| 18. Diocese of Lake Charles | 2 (#2) |
| 19. Archdiocese of Los Angeles | 13 |
| 20. Diocese of Manchester | 12 |
| 21. Archdiocese of New Orleans | 12, 13 |
| 22. Archdiocese of New York | 12, 13 |
| 23. Archdiocese of Newark | 13 |
| 24. Archdiocese of Omaha | 12 |
| 25. Eparchy of Passaic | 7, 12 |
| 26. Diocese of Paterson | 13 (#2) |
| 27. Diocese of Peoria | 12, 13 |
| 28. Eparchy of Pittsburgh, Byzantine | 12, 13 |
| 29. Archdiocese of Portland, Oregon | 12 |
| 30. Diocese of Portland, Maine | 12 |
| 31. Diocese of Providence | 13 |
| 32. Diocese of San Diego | 12, 13 |
| 33. Archdiocese of San Francisco | 13 |
| 34. Diocese of San Jose | 12, 13 |
| 35. Archdiocese of Santa Fe | 12 |
| 36. Diocese of Santa Rosa | 12 |
| 37. Diocese of Spokane | 12, 13 |
| 38. Diocese of Springfield, Massachusetts | 12 |
| 39. Diocese of St. Augustine | 12, 13 |
| 40. Archdiocese of St. Paul—Minneapolis | 12 |
| 41. Diocese of Syracuse | 5 |
| 42. Diocese of Tulsa | 12 |
| 43. Diocese of Venice | 12 |

Note that the following dioceses and eparchies, which were identified in the first list as being non-compliant with an article, or articles, of the *Charter*, addressed some, but not all, of the Required Action notices they received during the audit process. Those completed Required Actions are identified by article in the following list:

- | | |
|--|----------------------|
| 1. Apostolic Exarchate for Armenian Catholics | 15 |
| 2. Diocese of Burlington | 5 (#2), 13 |
| 3. Eparchy of Newton, Melkite-Greek Catholic | 2, 13 |
| 4. Eparchy of St. Thomas the Apostle, El Cajon | 1, 2, 4, 5, 6, 7, 15 |

Comparison of 2003 and 2004 Audit Results

At the conclusion of the 2003 compliance audit process, 19 dioceses and eparchies had been found non-compliant with a specific article or articles of the *Charter*. At the conclusion of the 2004 compliance audit process, seven (7) dioceses and eparchies were found non-compliant with a specific article or articles of the *Charter*. (See Figure 32.) Of the 19 dioceses and eparchies that were non-compliant in 2003, only the Diocese of Newton, Melkite-Greek Catholic, was also found non-compliant with an article of the *Charter* at the conclusion of the 2004 audit cycle. In both years, the eparchy was found to be non-compliant with Article 12.

Compliance by Article

A total of 91 Required Action notices were issued to 50 dioceses and eparchies in the 2004 compliance audit process. Most Required Actions were issued for non-compliance with Article 12 (safe environment programs) (n=37) and Article 13 (background evaluations) (n=33). No Required Actions were issued for Articles 3 (confidentiality agreements), 14 (transfer of clergy), 16 (cooperative research), and 17 (formation programs).

Figure 33 depicts the number of Required Actions issued by article.

Figure 34 depicts the number of dioceses and eparchies in compliance with the *Charter*, by article, as of December 31, 2004.

Article 1. Healing, Outreach, and Reconciliation

The outreach and openness of the Church towards victims/survivors has improved over time. However, for some individuals who report abuse, difficulties in receiving a truly pastoral response still exist. All audited dioceses and eparchies are providing outreach in varying degrees and include a specific offer by the bishop to meet with the victim/survivor and family members. In a number of instances, however, either diocesan counsel or the victim's/survivor's attorney has recommended against making or accepting this offer until after litigation is completed.

Periodic public announcements are made in various languages encouraging victims to come forward. Diocesan newspapers and websites and parish bulletins are often used for this purpose. National outreach material in English and Spanish was made available to all dioceses and eparchies from OCYP.

During the audit period, 3,277 victims/survivors and some family members received outreach services regardless of when the abuse was reported. Counseling and spiritual assistance are offered by all dioceses and eparchies. Support groups are sponsored by some dioceses or are provided in cooperation with publicly run mental health facilities. In a few dioceses and eparchies, specific attempts have been made to locate persons who reported their abuse in years past and to offer them additional assistance.

A number of issues remain regarding payment for therapy for persons who have been abused and, in some instances, for their family members. For example, is there a usual length of treatment for a person who has been abused? Is a diocese or eparchy responsible for continued payments for a victim's therapy after a civil suit has been completed? If the diocese or eparchy is paying for therapy, is it entitled to know that the victim is making progress? How does a diocese or eparchy ensure that a victim is receiving qualified care? At what point are spiritual healing and reconciliation best offered?

Because these issues are multiple and complex, each case must be dealt with individually, taking into consideration the privacy of the victim/survivor and the responsibility of the diocese or eparchy to ensure that payments are made to bonafide therapists. A few dioc-

ses and eparchies utilize local abuse-response agencies to assist victims, and some have independent therapeutic professionals review long-term care plans.

Article 1 also calls for outreach to be made available to any person who has been the victim of sexual abuse as a minor by “anyone acting in the name of the Church.” For purposes of the compliance audit for this article, those “acting in the name of the Church” were considered to be priests and deacons. No data exist quantifying the number of persons who have been abused by Catholic Church employees, volunteers, or educators, although most diocesan and eparchial sexual abuse policies provide that any victim of abuse by such a person would receive the same level of support as would be provided to victims of priests or deacons.

Outreach to faith communities directly affected by allegations of abuse has occurred in cases involving priests or deacons who are, or who were recently, in ministry at that particular location. Such outreach has included healing masses, listening sessions, and pastoral letters. Where an accused priest or deacon is deceased or was removed from ministry or laicized many years ago, this outreach is not routinely offered. The *Charter* is not clear on what type of outreach to individuals or to faith communities is to be offered in cases where the alleged abuse occurred long ago.

Similarly, bishops are to offer outreach to priests, deacons, and parish personnel who may be impacted by allegations of sexual abuse made against a co-worker. A variety of methods are used for this type of outreach, ranging from personal letters and visits to prayer services.

As victims/survivors struggle with the decision to come forward about abuse, some wonder if they are the only victim of a particular perpetrator. One archdiocese has established a confidential system that enables victims to learn whether their abuser has been accused by another. A few dioceses have published names of offending priests and deacons. That type of openness has been well received by victims/survivors and their families. However, such actions must be done with careful consideration of the facts as known and of the laws of the particular state or commonwealth.

Two Required Actions were issued for Article 1.

Article 2. Response and Reporting

As of December 31, 2004, all audited dioceses and eparchies have mechanisms in place for reporting acts of sexual abuse of minors. Methods for reporting are commonly published on diocesan websites and in diocesan newspapers. Posters, parish bulletins, and pamphlets are also used.

Each audited diocese and eparchy has a victim assistance coordinator (VAC). While all are capable of providing outreach and assistance to victims, some have come to their positions with prior experience working with victims of crime or trauma. The function of the victim assistance coordinator is to coordinate the immediate pastoral care of persons who have been abused. Victim assistance coordinators should not function as therapists, investigators, or voting review board members. Eighty-five (85) percent of the VACs are lay persons and women religious, and 11 percent are clergy. Four (4) percent of the dioceses and eparchies have both a clergy member *and* a lay person as VACs. OCYP recently conducted a symposium for all VACs to provide them with additional training specific to the unique issues involving sexual abuse of minors by clergy.

Figure 35 depicts the percentage of dioceses and eparchies with victim assistance coordinators who are lay persons, clergy, or both.

All dioceses and most eparchies have review boards, comprising primarily lay persons not in the employ of the Church. Eparchies that do not have their own review board have made arrangements to utilize the review board of the local diocese. The review boards serve the bishop as confidential, consultative bodies. Review boards also examine diocesan and eparchial policies relative to the sexual abuse of minors. Investigations of allegations are conducted by law enforcement personnel if the case is current, or by private investigators or diocesan/eparchial management if the alleged abuse occurred in the past. In some dioceses and eparchies, the boards have reviewed all cases reported prior to 2002 and provided recommendations to the bishop on additional ways to address these cases.

Review boards have an average of eight members. Members represent a variety of professions, faiths, and experiences. Some boards include parents, victims/

survivors, and friends or relatives of victims/survivors. In a few dioceses, the diocesan attorney is a regular or ex officio member of the board. Generally, victim assistance coordinators work with the boards but are not voting members.

Each review board functions in a manner that the bishop believes will be most useful to him and according to local policy. Bishops meet with the board in some dioceses and eparchies; in others the boards meet alone. In a few dioceses and eparchies the boards meet alone for some sessions and at certain times meet with the bishop. Despite the differing review board policies and practices, board members indicate that it is helpful to share their experiences with members of other review boards. OCYP recently facilitated a workshop for review board members from the arch/dioceses in Texas for this purpose.

Seven (7) Required Actions were issued for Article 2.

Article 3. Confidentiality Agreements

During the audit period, a small number of dioceses and eparchies entered into confidentiality agreements at the request of the victim/survivor. Some dioceses have maintained confidentiality about the financial arrangements of settlement agreements but have not precluded victims/survivors from disclosing this information if they so choose.

No Required Actions were issued for Article 3.

Article 4. Reporting and Cooperation

All allegations received during the audit period regarding sexual abuse of minor boys and girls have been reported to authorities in the dioceses and eparchies audited, regardless of the prevailing reporting mandates of the respective state or commonwealth. Agreements with law enforcement entities about future reporting with regard to persons making allegations who are no longer minors exist in 143 dioceses and eparchies. These agreements have been documented in 97 dioceses and eparchies.

Figure 36 depicts the percentage of dioceses and eparchies that have entered written reporting agreements with local prosecutors.

All audited dioceses and eparchies advise everyone who reports an allegation of sexual abuse of their right to report the abuse to law enforcement. In many places the victim is notified of his or her right to report to law enforcement in writing, and some diocesan websites contain this information.

One (1) Required Action was issued for Article 4.

Article 5. Preliminary Investigation and Actions

Although all dioceses and eparchies already had or have adopted policies setting forth the manner in which allegations will be investigated, there is no single interpretation of this article or *Essential Norms* 6 through 10.⁸

With regard to state or commonwealth employment laws and privacy statutes, as well as the universal law of the Church, the auditors examined allegations received during the audit period, based on information provided by the diocese or eparchy. The auditors found that, for the majority of credible allegations, the alleged offender had already been removed from ministry or was deceased, laicized, or retired. In a few cases, the alleged offender's location was unknown. In those instances wherein an accusation was made against a priest or deacon currently in ministry, the alleged offender was temporarily removed from ministry once it was determined that the allegation seemed credible. In addition, neither the *Charter* nor the *Essential Norms* require investigations to be conducted in a certain way or completed within a set period of time. Many victims/survivors, accused clergy, review board members, and the laity remain confused about the exact procedures that are to be followed.

The auditors also found that 339 cases had been referred to the Congregation for the Doctrine of Faith,⁹ 43 priests had been permanently dismissed from the clerical state (laicized) during the audit period, and 66 priests and two deacons were directed to lead a life of prayer and penance.

Table 3 describes actions taken during the audit period pursuant to Article 5.

TABLE 3. Actions taken against accused clergy during the audit period.

	Priests	Deacons
Dismissed from the Clerical State (Laicized)	43	0
Directed to Lead a Life of Prayer and Penance	66	2

Four Required Actions were issued for Article 5.

Article 6. Standards of Conduct

All dioceses and eparchies audited have clear, publicized standards of ministerial behavior and of appropriate boundaries for clergy and other church personnel who have regular contact with children and young people. Specific codes of conduct are required by Article 12 of the *Charter*. Some dioceses have published their standards or codes of conduct on their websites.

Two (2) Required Actions were issued for Article 6.

Article 7. Communications Policy

All dioceses and eparchies audited have a communications policy that addresses the requirement for openness and transparency. The lack of specificity in this Article resulted in a range of actions, all of which were considered to be compliant with the *Charter*. Some dioceses published detailed annual public reports about the allegations of sexual abuse received, the status of investigations pertaining to the allegations, and the costs incurred. These reports are very effective in conveying the bishop's concern for the problem of sexual abuse and the actions taken to address it. Over 90 percent of the dioceses and eparchies publicly released the information they gathered for the "nature and scope" study.

Article 7 also addresses outreach and support to parish communities affected by sexual abuse of minors. Compliance in this area was evaluated in conjunction with Article 2.

Three (3) Required Actions were issued for Article 7.

Article 8. Office of Child and Youth Protection

The Office of Child and Youth Protection's mandates are described in Article 8 of the *Charter*. The *Charter* includes the directives to develop audit mechanisms and to prepare an annual report identifying those dioceses that are not compliant with the provisions of the *Charter*. One diocese, the Diocese of Lincoln, Nebraska, did not participate in the audit process and is considered to be non-compliant with Article 8. Because the diocese was not audited, OCYP is unable to determine if the Diocese of Lincoln is compliant with any of the other articles of the *Charter*—i.e., providing outreach and support to persons who have been abused, removing offenders from ministry, or initiating actions that may help to prevent future abuse.

Article 9. National Review Board for the Protection of Children and Young People

During 2004, the National Review Board completed two major tasks. The first was to commission a study on the "nature and scope" of the crisis of sexual abuse by Catholic clergy in the United States, which was completed in February 2004. Entitled *The Nature and Scope of the Problem of Sexual Abuse of Minors by Catholic Priests and Deacons in the United States, 1950-2002*, the study was conducted by the John Jay College of Criminal Justice.¹⁰

The Board also prepared a report entitled *A Report on the Crisis in the Catholic Church in the United States (National Review Board Report)*.¹¹ The Report includes numerous recommendations pertaining to the problem of sexual abuse within the Church. These recommendations are described in Appendix B of this annual report. The National Review Board Report also sets forth several hypotheses for a future study. That study, *The Causes and Context of the Problem of Sexual Abuse of Minors by Catholic Priests and Deacons in the United States*, will be commissioned by the National Review Board in 2005.

Article 10. Ad Hoc Committee on Sexual Abuse

The Ad Hoc Committee on Sexual Abuse initiates actions on behalf of the USCCB to address the problem of sexual abuse of minors. The Committee's regional representatives, in conjunction with the National Review Board, provide recommendations to the USCCB relative to *Charter* audit mechanisms and effectiveness measures. Both groups are collaborating on the review of the *Charter* in 2005. Members of the ad hoc committee also participate with bishops' conferences of other English-speaking countries in sharing model practices and procedures for the prevention of abuse within church settings.¹²

Article 11. Notification to the Holy See

In Article 11, the USCCB is directed to notify the Holy See of the elements of the *Charter*. Notification was completed in 2002. Offices of the USCCB and the Holy See maintain ongoing contact regarding the implementation of the *Charter* and the *Essential Norms*.

Article 12. Safe Environment Programs

Safe environment programs were included in the *Charter* to provide additional layers of protection for children and young people against persons who might abuse them. Dioceses and eparchies are directed to provide training to children, youth, parents, ministers, educators, and others (e.g., volunteers) about ways to make and maintain a "safe environment." Each bishop is responsible for evaluating the content of the programs selected for his diocese or eparchy, notwithstanding the lack of detail in the *Charter* as to how that is to be accomplished. As a result, a variety of diocesan/eparchial training programs exist that range from the very limited, such as mailed brochures, to the more thorough, such as the adoption of well-researched and tested abuse prevention programs used in public schools and other youth-serving organizations.

The extensive efforts put forth by educators and other diocesan, eparchial, and parish personnel resulted in safe environment training of more than 1,424,773 adults and 3,139,441 children and young people since June 2002. If training programs had been *selected* and *scheduled* but not fully implemented, a diocese or eparchy was found to be compliant with Article 12.

Some Required Actions were issued to dioceses and eparchies that had implemented training programs but that were unable to determine how many individuals in each category had not yet been trained.

Training for Clergy—There are 34,514 diocesan priests and 13,663 deacons subject to the training requirements of the *Charter*. Of these, 28,936 priests, or 83.8 percent, and 11,243 deacons, or 82.3 percent, have received safe environment training since the *Charter* was adopted. While the total number of priests and deacons trained, 40,179, is a significant number, 5,578 diocesan priests and 2,420 deacons, in 79 dioceses and eparchies, have not yet received the training.

Training for Children and Youth—Approximately 6,092,215 children and young people attend Catholic schools or religious education classes in the United States. As a result of the *Charter* mandates, 3,139,441, or 51.5 percent, of these children and young people have received "safe environment" training. In many states, personal safety education is required in public and/or private schools. Where this was the case, dioceses and eparchies were found to be compliant with Article 12. In some of these locations, dioceses and eparchies supplemented the legally mandated training with additional programs for children and young people or information for families. In a few dioceses, some schools are "Catholic" but do not function as part of the diocesan/eparchial school system. Therefore, the auditors were unable to determine if these schools provide safe environment training to children and young people, although some of these schools may have been mandated to do so by their respective state or commonwealth.

Most of the personal safety training focused on children's programs, although a number of dioceses have fully implemented programs at all grade levels. Some parents have "opted out" of the training provided for their children in order to teach this material themselves. Providing *only* information for parent-led instruction without follow-up procedures was not acceptable for compliance with this Article.

Training for Educators—Of 203,393 Catholic school educators subject to the provisions of the *Charter*, 197,776, or 97.2 percent, have received safe environment training through a diocesan/eparchial program or

through a required program of the state or commonwealth in which they teach. In some cases this number includes volunteer religious education instructors.

Training for Employees—Of 203,343 Catholic Church employees subject to the provisions of the *Charter*, 167,749, or 82.5 percent, have received safe environment training. In some cases this number includes educators.

Training for Volunteers—Of 1,015,536 Catholic Church volunteers subject to the provisions of the *Charter*, 742,168, or 73.1 percent, have received safe environment training. In some cases this number includes volunteer education instructors. Training for volunteers does not always include “Catholic” youth-serving organizations or ministries that are not subject to the local bishop’s oversight.

Training for Parents—Dioceses and eparchies generally do not maintain detailed records regarding the number of parents who have been afforded safe environment training. At least 276,901 parents have received the safe environment training. However, this number is actually much higher because many parents receive the training as part of their volunteer duties.

Figures 37, 38, and 39 depict the numbers and percentages of individuals in various categories who have received safe environment training.

Article 12 also calls for the establishment of codes of conduct for clergy, which were included in Article 6 for purposes of this compliance audit.

Thirty-seven (37) Required Actions were issued for Article 12.

Article 13. Background Evaluations

The *Charter* requires that dioceses and eparchies evaluate the backgrounds of personnel who have regular contact with minors. Evaluations must specifically use the resources of law enforcement or other community agencies, if permissible. For the purposes of this audit, the *Charter* applies to clergy, educators, employees, and volunteers. To date, the dioceses and eparchies have instituted background checks of 1,172,840, or 82.5 percent,

of the 1,420,346 men and women required to have them. Fifty-eight (58) dioceses and eparchies, or 29.8 percent, had completed background evaluations for all required personnel at the time of their audits.

For many dioceses and eparchies, conducting background evaluations presents numerous challenges. Background evaluations are generally the responsibility of human resources personnel, who are quickly overwhelmed by the volume. Costs in terms of time, money, and personnel resources often cannot be foreseen.

Most dioceses and eparchies utilize a private vendor, a state law enforcement agency, or a child welfare organization to conduct these evaluations. Sex-offender registries and, where allowed, criminal history databases are routinely checked. A few dioceses have purchased or borrowed equipment that allows them to obtain fingerprints of personnel and to submit the results electronically to a law enforcement agency for a more accurate result.

Most individuals subject to this *Charter* provision are complying with the requirement. Contrary to their bishops’ policy, a few priests in four dioceses have refused to undergo background evaluations. These refusals do not result in a finding of non-compliance with the *Charter*. Until background evaluations are completed, however, none of these individuals should be assigned to positions where they work regularly or privately with children and young people.

Background Evaluations for Clergy—There are 34,874 diocesan priests and 13,559 deacons subject to the background evaluation requirement of the *Charter*. Of these, 32,073 priests, or 92 percent, and 14,158 deacons, or 104 percent, have received background evaluations since the *Charter* was adopted.

Background Evaluations for Educators—Of 185,924 Catholic school educators subject to the provisions of the *Charter*, 179,656, or 96.6 percent, have received background evaluations. In some cases this number includes volunteer religious education instructors.

Background Evaluations for Employees—Of 207,817 Catholic Church employees subject to the provisions of the *Charter*, 177,612, or 85.5 percent, have received

background evaluations. In some cases this number includes educators.

Background Evaluations for Volunteers—Of 978,172 Catholic Church volunteers subject to the provisions of the *Charter*, 769,348, or 78.7 percent, have received background evaluations. In some cases this number includes volunteer education instructors. Background evaluations for volunteers does not always include “Catholic” youth-serving organizations or ministries that are not subject to the local bishop’s oversight.

Figures 40, 41, and 42 depict the number of individuals required to have background evaluations pursuant to the *Charter* and the total number and percentages of those individuals who have undergone background evaluations.

Background screening and evaluation of candidates for ordination occurs in the 112 seminaries of the dioceses and eparchies audited. Screening and evaluation procedures vary somewhat, but most include extensive psychological testing in addition to criminal history checks.

Thirty-three (33) Required Actions were issued for Article 13.

Article 14. Transfer of Clergy

Prior to the adoption of the *Charter*, some priests with a history of allegations of sexual abuse were transferred for ministerial assignments between dioceses, eparchies, and/or religious provinces. The audit confirmed that no priests or deacons who committed an act of sexual abuse of minors were transferred for a ministerial assignment during the audit period. Some priests from foreign dioceses with allegations of sexual abuse in their past have returned to their homes. The audit process was unable to determine if these priests have been returned to ministry, but their bishops have been advised of the men’s histories.

Seventeen (17) priests who committed, or have been suspected of, an act of sexual abuse of a minor transferred (moved) their residence from one diocese to another during the audit period. In each instance, the bishop of the diocese of origin notified in writing the bishop of the diocese in which the man took up residence. These priests are not allowed to minister in

the diocese where they now live or to present themselves as clergy.

No Required Actions were issued for Article 14.

Article 15. Coordination Between the USCCB and the Conference of Major Superiors of Men

Article 15 requires that members of the Ad Hoc Committee on Sexual Abuse meet with the officers of the Conference of Major Superiors of Men to determine how the *Charter* is to be conveyed and established by the communities of religious men in the United States. Several meetings have been held. The Conference of Major Superiors of Men (CMSM) has adopted a program of training and accreditation that comports with the basic principles of the *Charter*. CMSM also voluntarily participated in the “nature and scope” study and the 2004 survey of allegations and costs.

Article 15 also requires that bishops periodically meet with the major superiors of clerical institutes, or their delegates, to coordinate their roles concerning the issue of allegations made against a cleric member of a religious institute who ministers in the respective diocese or eparchy. All bishops in the audited dioceses and eparchies with members of religious institutes ministering in their diocese or eparchy have coordinated their roles with the appropriate major superior and/or his delegate.

Two (2) Required Actions were issued for Article 15.

Article 16. Cooperative Research

The *Charter* states the willingness of bishops to cooperate with other churches, ecclesial communities and religious bodies, institutions of learning, and other interested organizations in conducting research in the area of sexual abuse of minors. Though dioceses and eparchies are encouraged to seek out opportunities to participate in research, only a few dioceses were involved in these studies during the audit period.

Of all dioceses and eparchies, 97 percent participated in the “nature and scope” study conducted by the John Jay College of Criminal Justice. OCYP shared the results of the study at an international law enforcement/academic conference in June 2004.

No Required Actions were issued for Article 16.

Article 17. Formation Programs

In Article 17, the members of the USCCB pledge cooperation with an Apostolic Visitation of the Holy See to seminaries and houses of formation in the United States. This visit is planned for 2005 and will be coordinated with the USCCB Office of Vocations and Formation.

Article 17 also calls for dioceses and eparchies to develop systematic ongoing formation programs in keeping with the USCCB document *Basic Plan for the Ongoing Formation of Priests* (2001) (*Basic Plan*). Auditors reviewed the formation plans and programs of each diocese and eparchy. While all audited dioceses and eparchies had programs in keeping with the *Basic Plan*, a wide range of structure and content existed in individual plans, a number of which actually expanded upon the *Basic Plan*.

Four factors appear to impact the ongoing formation plans:

1. *Time.* Available time to participate in formal programs is limited. Many priests and deacons are overwhelmed by their many responsibilities and serve in several parishes in addition to having other assignments. Finding time to participate in formation programs is challenging, particularly when the number of clergy is diminishing.
2. *Funding.* As church resources continue to be limited and the expenses associated with conducting formal programs continue to grow, funding shortfalls occur.
3. *Geography.* In some dioceses and eparchies, gathering priests and deacons together is especially difficult because of the travel required.
4. *Personnel.* Clergy or lay personnel who are well suited for leading structured formation programs are not always available to assist in this important part of clergy life.

A few plans minimally consisted of annual meetings for priests augmented by self-selected training. The

more common formation plans were multifaceted. For example, one diocese established a lifelong formation program that begins with the first years of priesthood and is complemented by a mentoring program. The diocese provides additional formation for the priests to assist them in developing professionally and personally through follow-up programs entitled "Priests in Transition," "Priests as Pastors," "Priests and Midlife," and "Priests Growing in Wisdom and Grace."

Formation for deacons also varies and includes some exemplary programs. One diaconate formation program focuses on spiritual, theological, pastoral, and family development. This program pairs candidates with deacons who provide mentoring relationships both before and after ordination. Preparation for the diaconate also includes required attendance at an annual retreat for candidates and their spouses. Participation in quarterly weekend seminars, conferences, workshops, and a parish internship are also mandatory.

No Required Actions were issued for Article 17.

Additional Actions to Protect Children

Many dioceses and eparchies reported "additional actions to protect children" that were verified by the auditors. These are actions that the bishop believes exceed or enhance the requirements of the *Charter*. For example, a growing number of dioceses and eparchies require all employees and volunteers—regardless of their access to children in church settings—to undergo background evaluations and to take "safe environment" training. Some dioceses and eparchies have expanded their sexual abuse policies to include harassment, bullying, and other types of harmful behavior. Others have included "vulnerable adults" as special persons to protect.

Many dioceses and eparchies have created videotapes and utilized television, radio, newspapers, and websites to communicate their policies and activities with regard to implementing the provisions of the *Charter*. Prevention and response materials have been prepared in at least nine languages and in Braille, and one diocese provides sign language assistance during presentations on sexual abuse. Healing masses, private dinners with victims/survivors and their families, and fund raising for victim services are other efforts being made to improve outreach.

Some of the examples of Additional Actions to Protect Children submitted by dioceses and eparchies are posted on the USCCB website (www.usccb.org).

Effectiveness of the *Charter*

The *Charter* is essentially an outline of steps to be taken to establish a safe environment for children and young people. It contains few specifics on how to accomplish this task. Success is largely dependent on the creativity of each bishop and his staff who are charged with this important responsibility.

As men and women continue to come forward about abuse by church personnel, it is critical that the Church remain aggressive in dealing with the problem of sexual abuse of minors and its aftermath. Early energies directed at achieving compliance with the *Charter* are only a small part of the effort needed to prevent abuse in the future and to provide the type of pastoral response expected of Catholic leaders.

The effectiveness of the unprecedented measures taken by the Church has yet to be truly measured. In the next few years, OCYP will develop methods to determine if the incidence of clergy sexual abuse has diminished. If the *Charter* is found to be successful in that regard, its practices and procedures should be replicated in other parts of society.

The following chapter describes recommendations made by the National Review Board, OCYP, and others to improve upon the way the Church has responded to this crisis and to convey the hope that with cooperation, understanding, and concern there will be no more cases of abuse in church settings.

Notes

- 1 John Jay College of Criminal Justice, *The Nature and Scope of the Problem of Sexual Abuse of Minors by Catholic Priests and Deacons in the United States, 1950-2002* (Washington, DC: United States Conference of Catholic Bishops [USCCB], 2004), 69.
- 2 The Conference of Major Superiors of Men represents the 223 Catholic men's clerical and mixed religious institutes in the United States.
- 3 A total of 98 victims/survivors could not be identified by age.
- 4 According to the USCCB, more than 700 priests and deacons were removed from ministry or voluntarily left ministry between January 2002 and December 2003 based on allegations of sexual abuse of minors.
- 5 *Nature and Scope*, 6.
- 6 Ibid., 69. Gender differences between victims of diocesan priests and deacons and religious priests and deacons were not captured.
- 7 Ibid., 70. Age differences between victims of diocesan priests and deacons and religious priests and deacons were not captured.
- 8 United States Conference of Catholic Bishops, *Essential Norms* (2002), in *Promise to Protect, Pledge to Heal* (Washington, DC: USCCB, 2003).
- 9 The Congregation for the Doctrine of Faith is designated by the Holy See as the congregation responsible for canonical review of allegations of sexual abuse of minors by Catholic clergy.
- 10 Cf. *Nature and Scope*.
- 11 National Review Board for the Protection of Children and Young People, United States Conference of Catholic Bishops, *A Report on the Crisis in the Catholic Church in the United States* (Washington, DC: USCCB, 2004).
- 12 The members of the Ad Hoc Committee on Sexual Abuse are Archbishop Harry J. Flynn, Chair; Archbishop Stefan Soroka; Bishop Gregory M. Aymond; Bishop Robert J. Baker; Bishop Stephen E. Blaire; Bishop Blase J. Cupich; Bishop Thomas G. Doran; Bishop John R. Gaydos; Bishop Howard J. Hubbard; Bishop William E. Lori; Bishop W. Francis Malooly; Bishop James A. Murray; Bishop George H. Niederauer; Bishop Thomas J. Rodi; and Bishop Robert F. Vasa.

CHAPTER FOUR

Recommendations

“The Board will approve the annual report of the implementation of this *Charter* in each of our dioceses/eparchies, as well as any recommendations that emerge from this review.”

—Article 9, *Charter for the Protection of Children and Young People*

One of the major tasks of the Office of Child and Youth Protection (OCYP) set forth in the *Charter* is to “assist dioceses/eparchies in the implementation of safe environment” programs. Because “safe environment” programs had been implemented in some dioceses and eparchies prior to the adoption of the *Charter*, some bishops preferred to continue to use or to select their own programs rather than to rely on OCYP to develop or recommend programs for them. Therefore, OCYP provided only general guidance regarding the requirements of the *Charter*; but by the completion of the first round of audits, “best practices” and “less effective practices” were emerging.

This report contains 11 new recommendations of OCYP and the National Review Board to enhance the effectiveness of the *Charter* and the response of the USCCB to the problem of sexual abuse of minors. The recommendations were developed from the observations of the auditors; the suggestions of victims/survivors, victim assistance coordinators, and diocesan and parish personnel; and the perspectives of interested Catholics. The status of the recommendations contained in the first *Annual Report on the Implementation of the Charter* (2003) and in the National Review Board report *The Crisis in the Catholic Church in the United States* are included in the Appendices.

2004 ANNUAL REPORT RECOMMENDATIONS

Church leaders must continue to explore ways to assure the laity that they remain concerned, caring, and committed to resolving this crisis. To assist them, OCYP

and the National Review Board submit the following 12 recommendations relating to a more pastoral response, the prevention of sexual abuse of minors in church environments, and future accountability to the laity.

For a more pastoral response, the following are recommended:

1. (a) That those dioceses and eparchies that use attorneys for intake of allegations of abuse notify the victim at the time the complaint is being made that the person with whom they are communicating is an attorney and in what capacity, if any, the person represents the diocese; and (b) that those dioceses and eparchies provide an alternate reporting method for victims who are uncomfortable making a report to an attorney.
2. That diocesan/eparchial attorneys and victims'/survivors' attorneys attempt to develop procedures wherein dioceses and eparchies can extend pastoral outreach to victims if they desire, notwithstanding the current status of litigation.
3. That dioceses and eparchies consider and evaluate the use of alternative methods for the civil resolution of allegations of abuse.
4. That bishops also identify and extend outreach to clergy and other members of consecrated life who have been victims of sexual abuse.

For prevention of sexual abuse of minors in church environments, the following are recommended:

5. That the USCCB, through the Office of Priestly Life and Ministry and the Ad Hoc Committee on Sexual Abuse, and in conjunction with the Conference of Major Superiors of Men (CMSM), identify and share model practices for identifying priests or deacons who are at risk for offending.

6. That the USCCB, through the Office of Priestly Life and Ministry and the Ad Hoc Committee on Sexual Abuse, and in conjunction with the Conference of Major Superiors of Men (CMSM), develop and/or share model policies for monitoring priests or deacons who are at risk for offending.
7. That OCYP study all new allegations made by minors about sexual abuse committed against them by all persons acting in the name of the Church, in order to determine the efficacy of prevention methods and programs.
8. That all Catholic schools, all schools sponsored by religious communities, and all Catholic youth-serving organizations within a diocese or eparchy be subject to the applicable articles of the *Charter*.

For future accountability, the following are recommended:

9. That a permanent team comprising bishops from the Ad Hoc Committee on Sexual Abuse, members of the National Review Board, and other lay persons be responsible for selecting future annual audit procedures.
10. That each diocese and eparchy publish an annual report to the faithful containing the number of new allegations of sexual abuse received, the year(s) in which the alleged abuse occurred, the number of individuals making those allegations, the number of persons accused of abuse, the ministerial status and residence of those accused, and the financial costs to the diocese or eparchy.
11. That OCYP attempt to identify the reasons for extraordinary numbers of allegations of sexual abuse of minors in a given year, as they might occur.

TO THE FUTURE

For the past two years, Catholics in the United States have been carefully watching the actions of church leadership on the issue of sexual abuse of minors by persons acting in the name of the Church. Hundreds of thousands of clergy, educators, volunteers, employees, parents, and lay people have become involved in implementing the practices and procedures set forth in the *Charter*. These actions have resulted in more outreach, greater provision of support and services, and removal of offenders from ministry.

The mandates of the *Charter* are creating a generation of young people who have a greater awareness of abuse. Catholic boys and girls will be able to recognize inappropriate behavior and will know that there are no “secret” acts between themselves and any adult. Most of all, these young people will know that if they have been abused, it is not their fault.

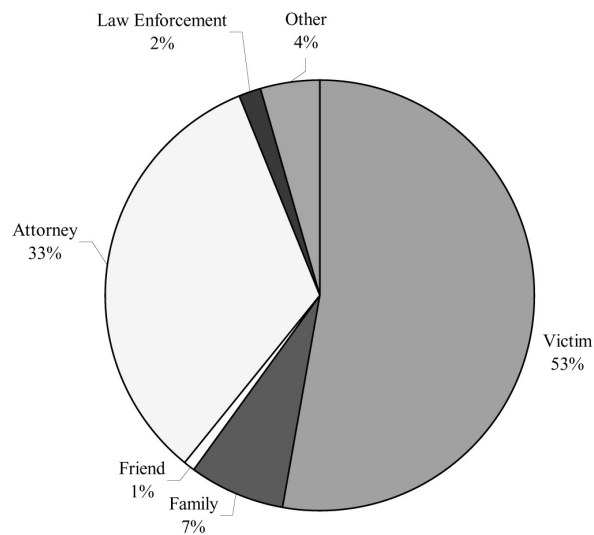
The new knowledge that will be gained from the “causes and context” study will take the response of the Church to this crisis to a higher level. The Catholic Church in the United States can then take more aggressive action to address the reasons for the criminality of those individuals who have been thought to be devoted to a holy and Christian life but who have harmed others.

Full implementation of the *Charter* and adoption of all recommendations contained in this report will not ensure that no child will ever be abused again in a church environment. Recognizing this, the National Review Board, the Ad Hoc Committee on Sexual Abuse, and the Office of Child and Youth Protection will continue to use our experiences and insights to develop initiatives that will prevent future acts from occurring to the furthest extent possible. All of us will be unwavering in our commitment to ensuring the accountability of all Catholic bishops of the United States to their people in the future and to the safety of all of our children.

APPENDIX A

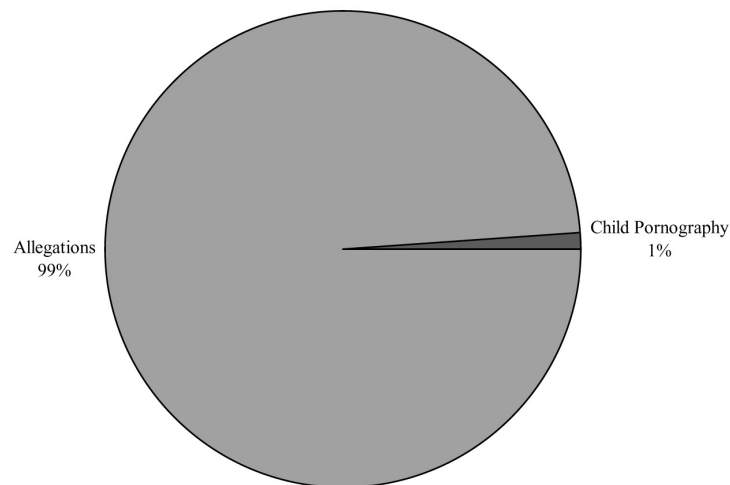
Figures

FIGURE 1. Methods of reporting allegations to church authorities in 2004—dioceses/eparchies.



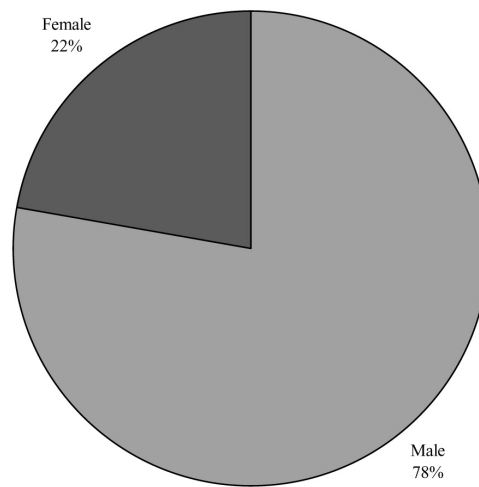
Source: 2004 Survey of Allegations and Costs

FIGURE 2. Percentage of child pornography-only cases—dioceses/eparchies.



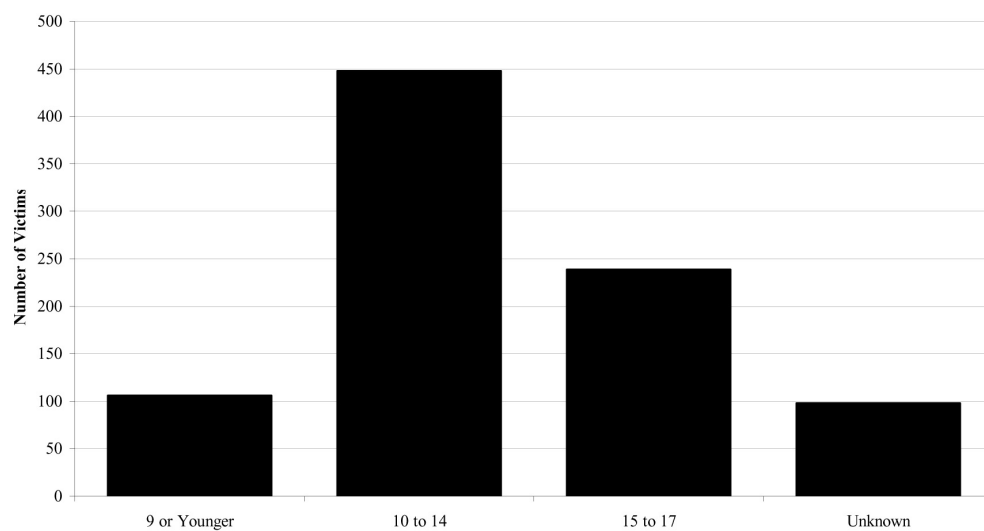
Source: 2004 Survey of Allegations and Costs

FIGURE 3. Gender of victims/survivors—dioceses/eparchies.



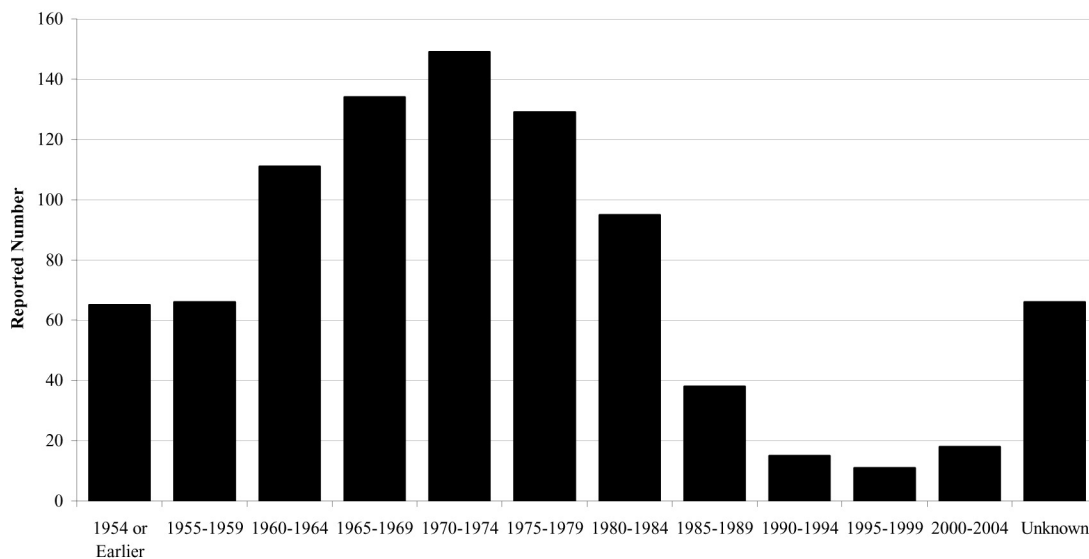
Source: 2004 Survey of Allegations and Costs

FIGURE 4. Age of victims/survivors when abuse began—dioceses/eparchies.



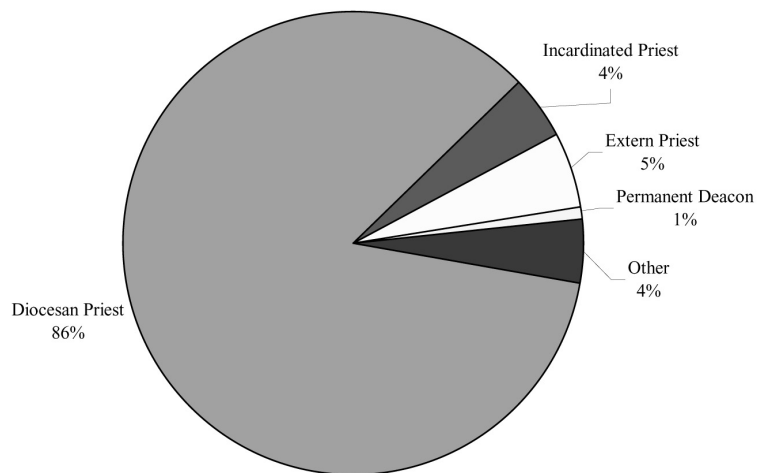
Source: 2004 Survey of Allegations and Costs

FIGURE 5. Year(s) in which alleged offenses occurred or began—dioceses/eparchies.



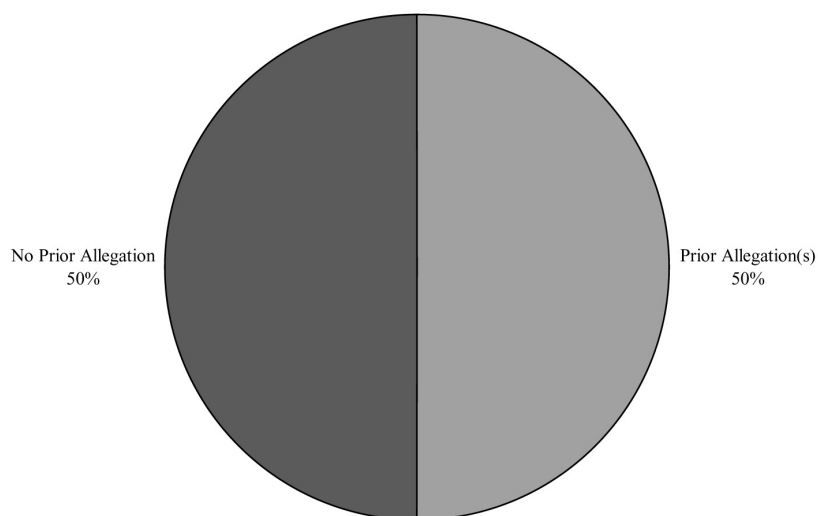
Source: 2004 Survey of Allegations and Costs

FIGURE 6. Ecclesial status of alleged perpetrators at the time of the alleged abuse—dioceses/eparchies.



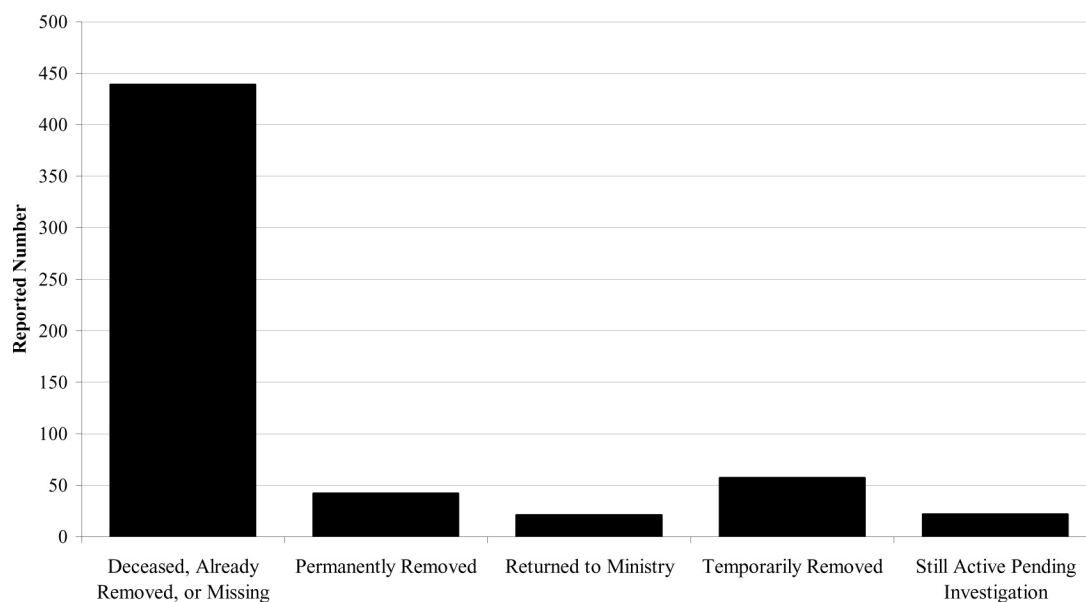
Source: 2004 Survey of Allegations and Costs

FIGURE 7. Percentage of alleged perpetrators having prior allegations—dioceses/eparchies.



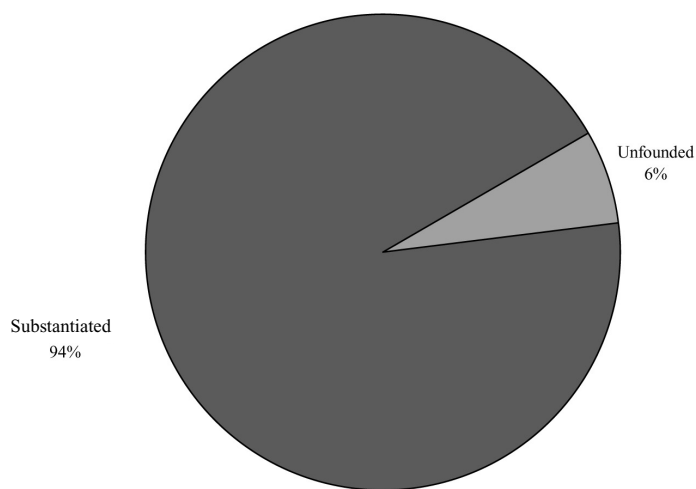
Source: 2004 Survey of Allegations and Costs

FIGURE 8. Current ecclesial status of alleged perpetrators—dioceses/eparchies.



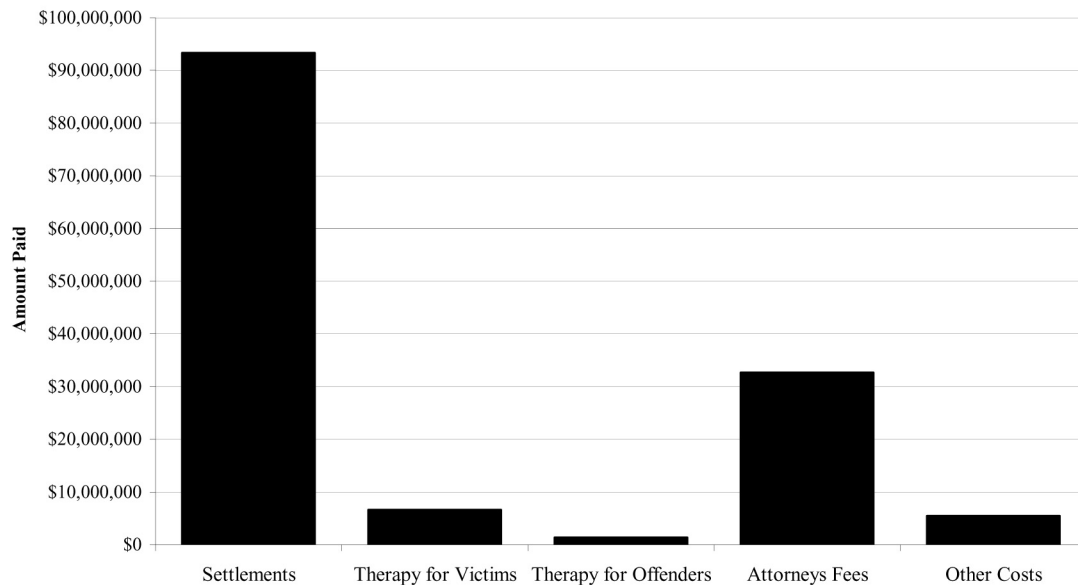
Source: 2004 Survey of Allegations and Costs

FIGURE 9. Percentage of new allegations determined to be unfounded in 2004—dioceses/eparchies.



Source: 2004 Survey of Allegations and Costs

FIGURE 10. Payments related to abuse settlements, by category—dioceses/eparchies.



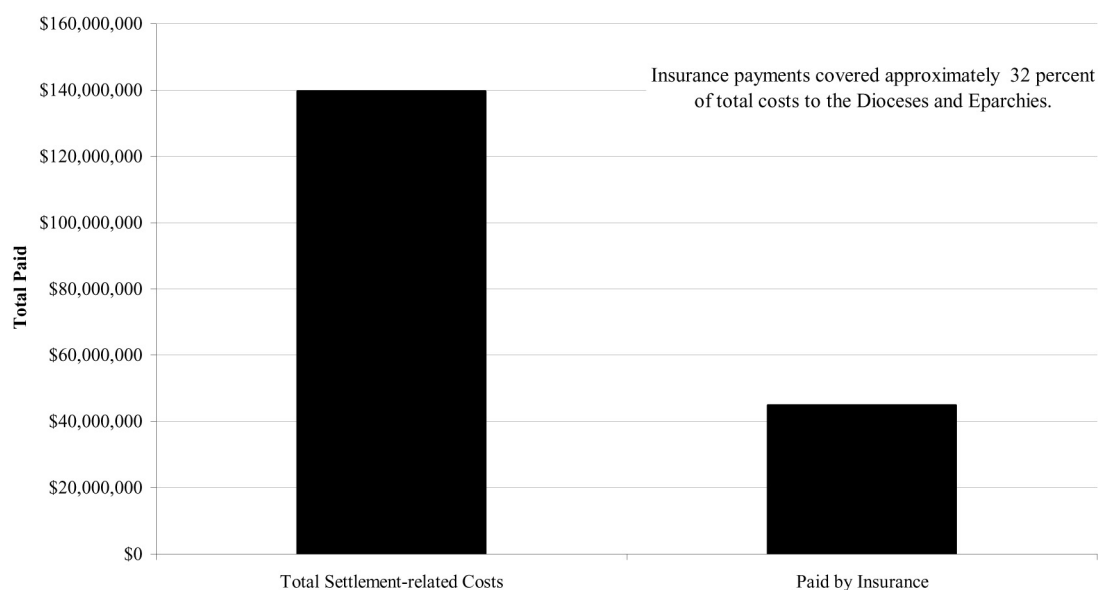
Source: 2004 Survey of Allegations and Costs

FIGURE 11. Totals paid for each category and grand total—dioceses/eparchies.

Costs Related to Settlements in 2004: Dioceses and Eparchies	
Settlements	\$93,364,172
Therapy for Victims	\$6,613,283
Therapy for Offenders	\$1,413,093
Attorneys Fees	\$32,706,598
Other Costs	\$5,485,011
GRAND TOTAL	\$139,582,157

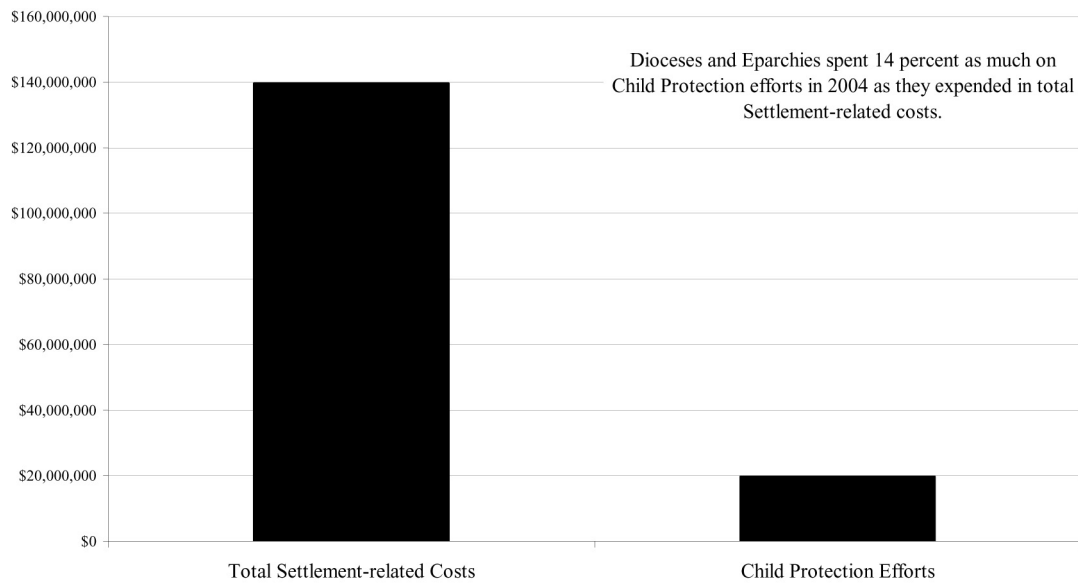
Source: 2004 Survey of Allegations and Costs

FIGURE 12. Percentage (approximate) of total paid by insurance—dioceses/eparchies.



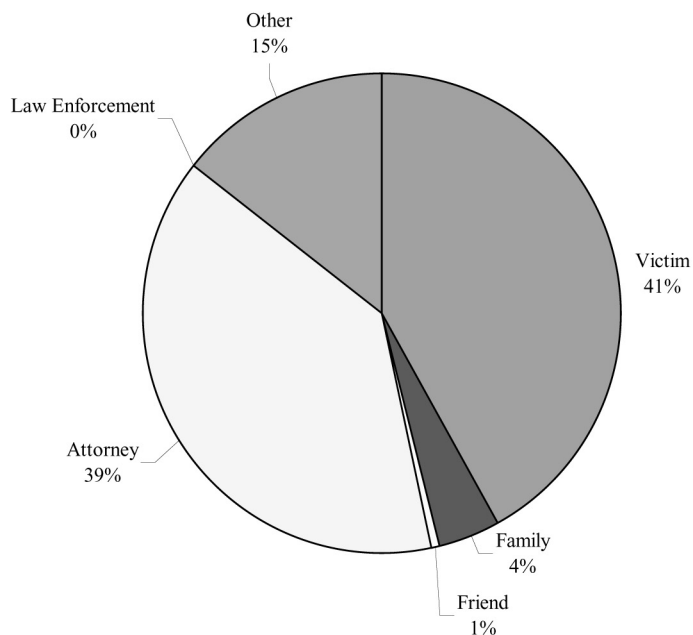
Source: 2004 Survey of Allegations and Costs

FIGURE 13. Costs paid for settlements and child protection efforts—dioceses/eparchies.



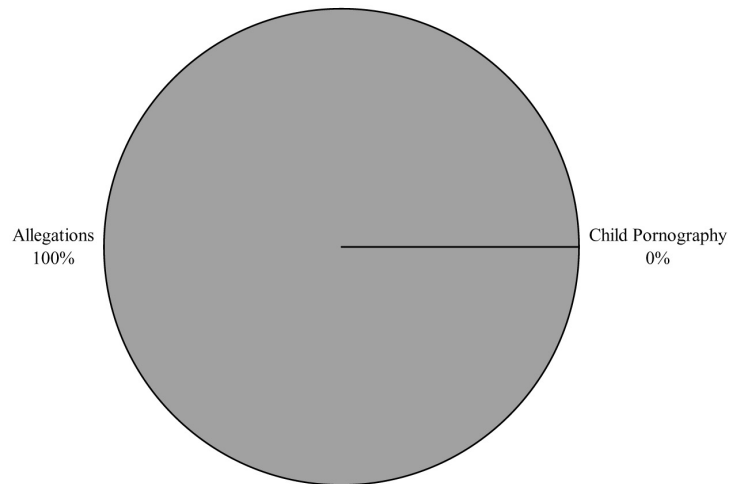
Source: 2004 Survey of Allegations and Costs

FIGURE 14. Ways in which allegations were reported to church authorities in 2004—men's clerical and mixed religious institutes.



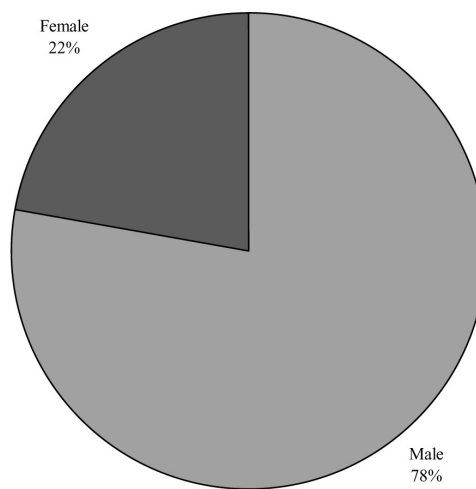
Source: 2004 Survey of Allegations and Costs

FIGURE 15. Percentage of child pornography-only cases—men's clerical and mixed religious institutes.



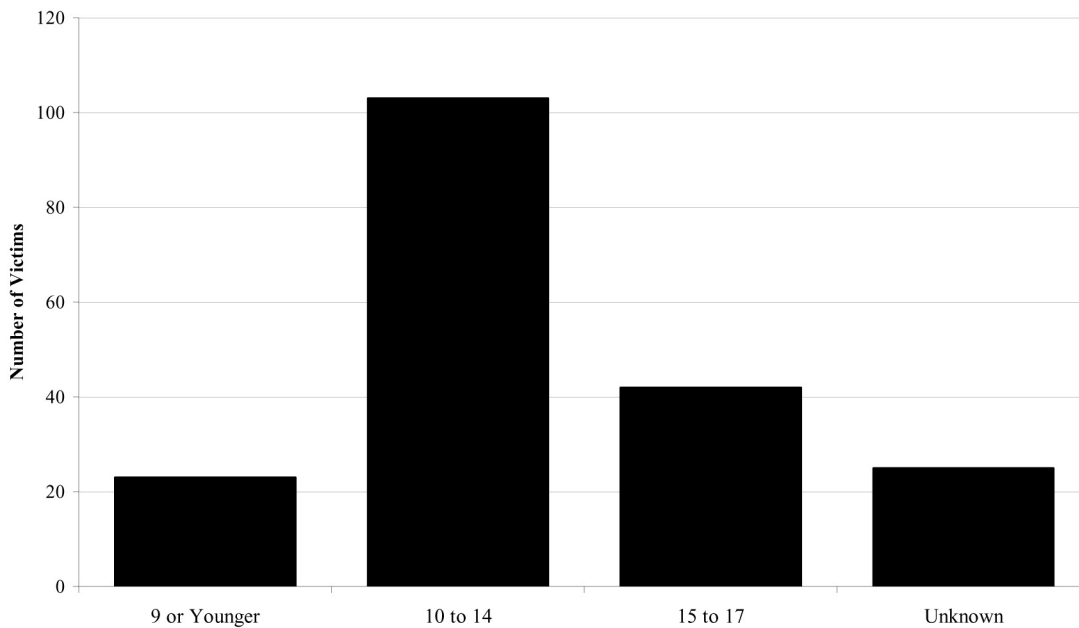
Source: 2004 Survey of Allegations and Costs

FIGURE 16. Gender of victims/survivors—men's clerical and mixed religious institutes.



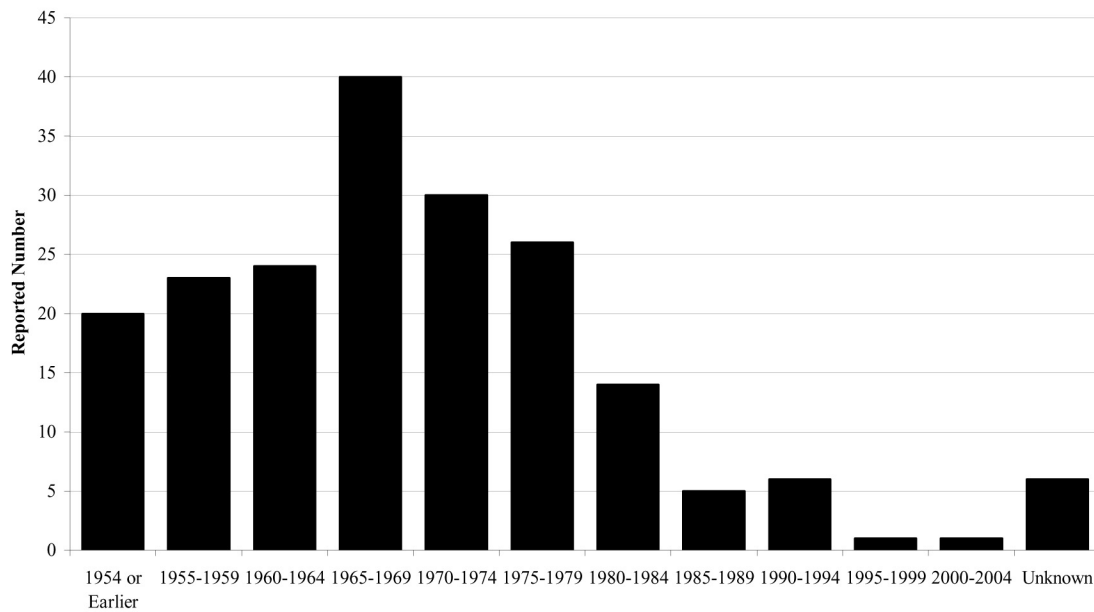
Source: 2004 Survey of Allegations and Costs

FIGURE 17. Age of victims/survivors when abuse began—men’s clerical and mixed religious institutes.



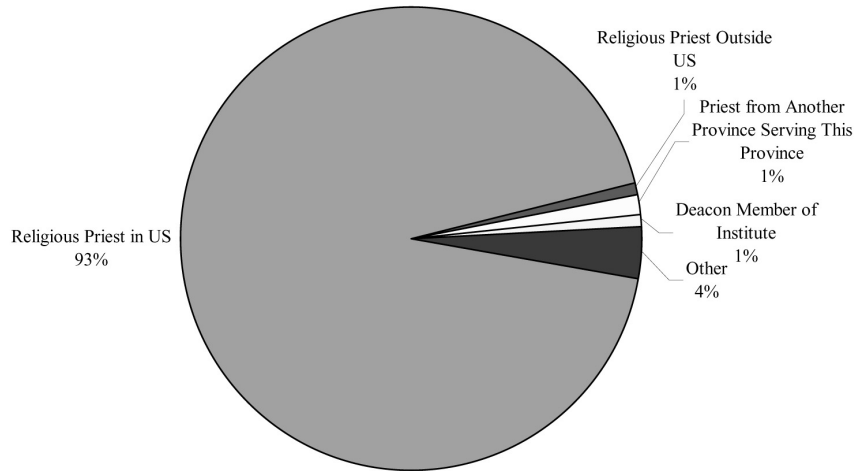
Source: 2004 Survey of Allegations and Costs

FIGURE 18. Year(s) in which alleged offenses occurred—men’s clerical and mixed religious institutes.



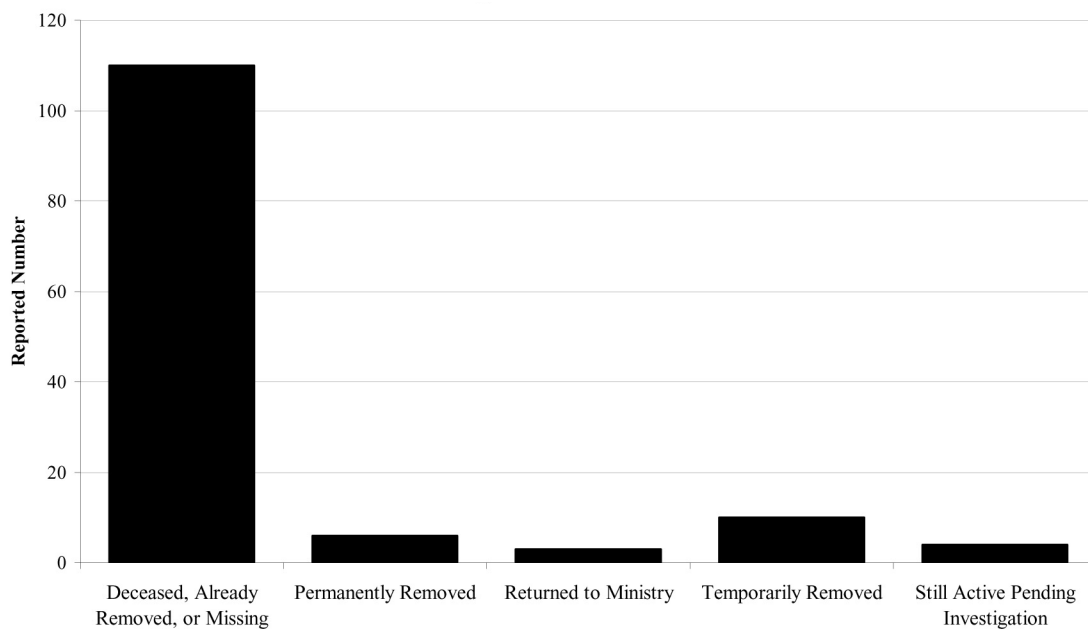
Source: 2004 Survey of Allegations and Costs

FIGURE 19. Ecclesial status of alleged perpetrators at the time of the alleged offense—men’s clerical and mixed religious institutes.



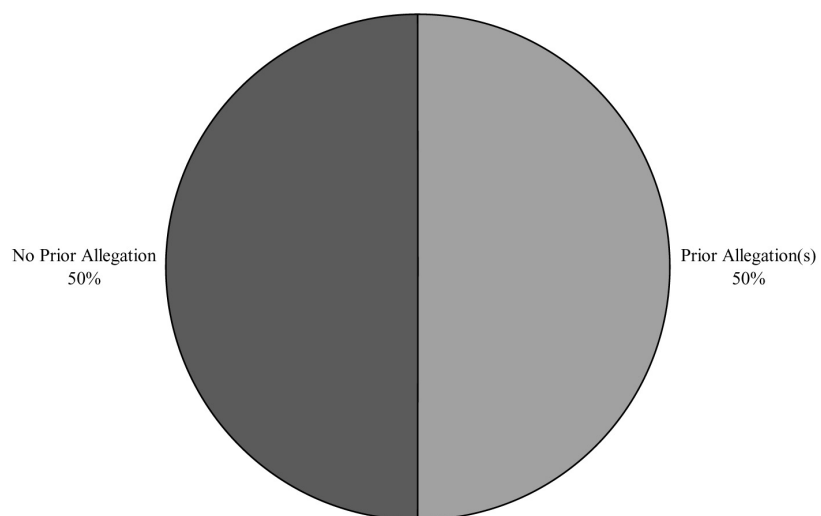
Source: 2004 Survey of Allegations and Costs

FIGURE 20. Current ecclesial status of alleged perpetrators—men’s clerical and mixed religious institutes.



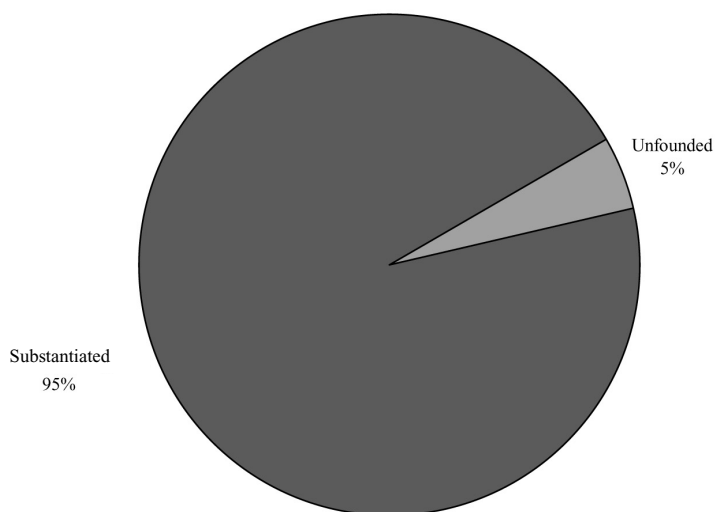
Source: 2004 Survey of Allegations and Costs

FIGURE 21. Percentage of alleged perpetrators having prior allegations—men’s clerical and mixed religious institutes.



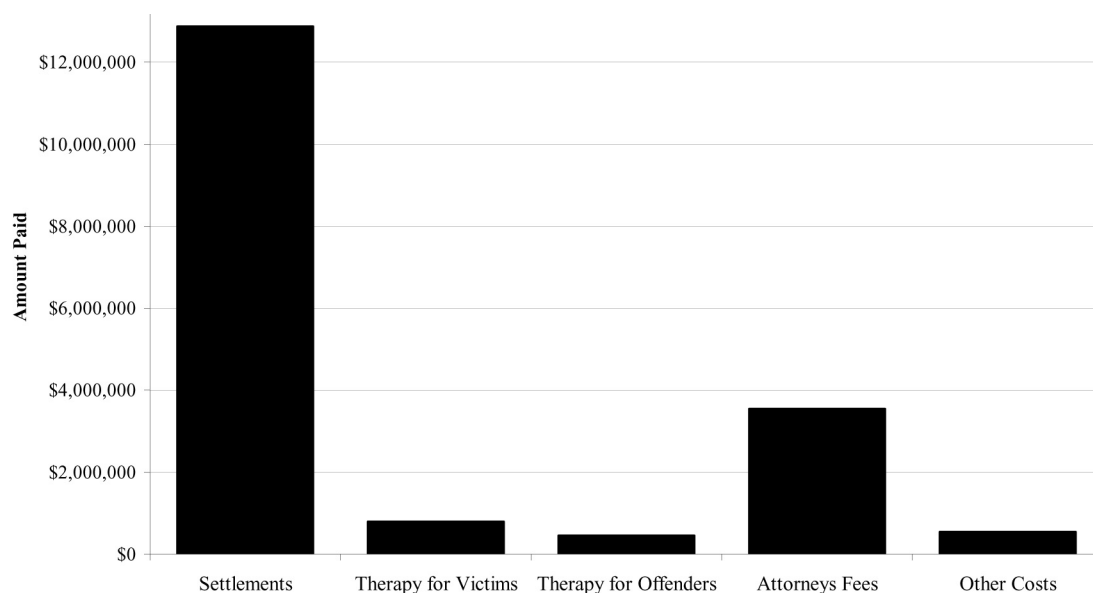
Source: 2004 Survey of Allegations and Costs

FIGURE 22. Percentage of new allegations determined to be unfounded in 2004—men’s clerical and mixed religious institutes.



Source: 2004 Survey of Allegations and Costs

FIGURE 23. Payments related to abuse settlements, by category—men's clerical and mixed religious institutes.



Source: 2004 Survey of Allegations and Costs

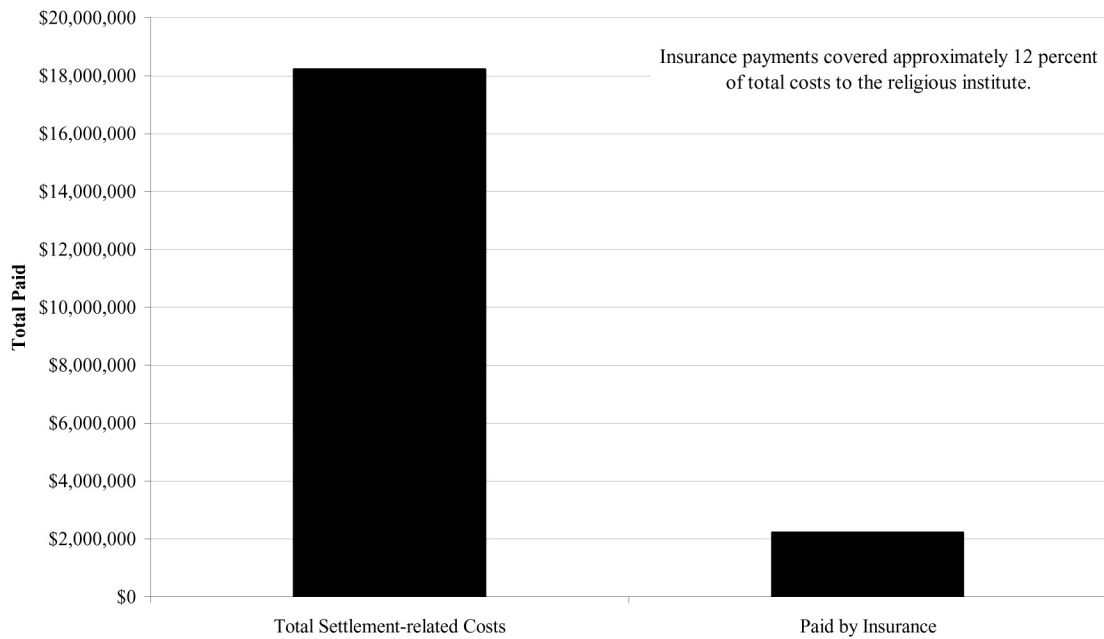
FIGURE 24. Totals paid for each category and grand total—men's clerical and mixed religious institutes.

**Costs Related to Settlements in 2004:
Religious Institutes**

Settlements	\$12,877,637
Therapy for Victims	\$793,053
Therapy for Offenders	\$456,237
Attorneys Fees	\$3,544,847
Other Costs	\$548,880
GRAND TOTAL	\$18,220,654

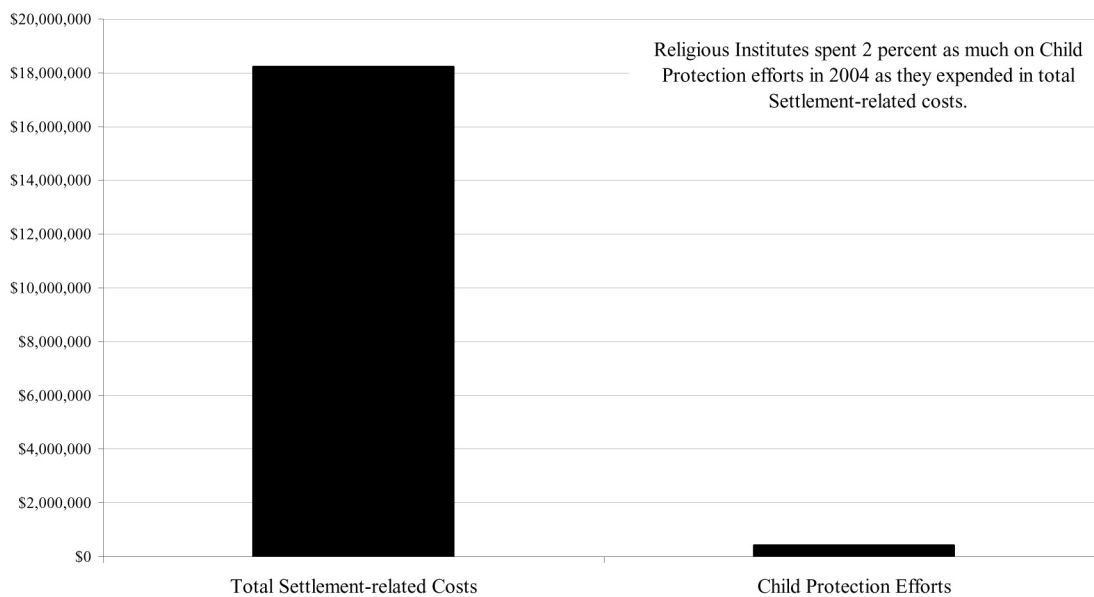
Source: 2004 Survey of Allegations and Costs

FIGURE 25. Percentage (approximate) of total paid by insurance—men’s clerical and mixed religious institutes.



Source: 2004 Survey of Allegations and Costs

FIGURE 26. Costs paid for settlements and child protection efforts—men’s clerical and mixed religious institutes.



Source: 2004 Survey of Allegations and Costs

FIGURE 27. Total new credible allegations reported in 2004—by victims, allegations, and offenders.

New Credible Allegations Reported in 2004			
	Dioceses and Eparchies	Religious Institutes	Combined Total
Victims	889	194	1,083
Allegations	898	194	1,092
Offenders	622	134	756

Source: 2004 Survey of Allegations and Costs

FIGURE 28. Total amounts paid for each category and grand total.

Costs Related to Settlements in 2004			
	Dioceses and Eparchies	Religious Institutes	Combined Total
Settlements	\$93,364,172	\$12,877,637	\$106,241,809
Therapy for Victims	\$6,613,283	\$793,053	\$7,406,336
Therapy for Offenders	\$1,413,093	\$456,237	\$1,869,330
Attorneys Fees	\$32,706,598	\$3,544,847	\$36,251,445
Other Costs	\$5,485,011	\$548,880	\$6,033,891
GRAND TOTAL	\$139,582,157	\$18,220,654	\$157,802,811

Source: 2004 Survey of Allegations and Costs

FIGURE 29. Total costs paid for settlements and child protection efforts.

Costs for Settlements and Child Protection in 2004			
	Dioceses and Eparchies	Religious Institutes	Combined Total
Settlement-related	\$139,582,157	\$18,220,654	\$157,802,811
Child Protection Efforts	\$19,785,325	\$418,084	\$20,203,409

Source: 2004 Survey of Allegations and Costs

FIGURE 30. Compliance with the *Charter* at the time of the 2004 audit.

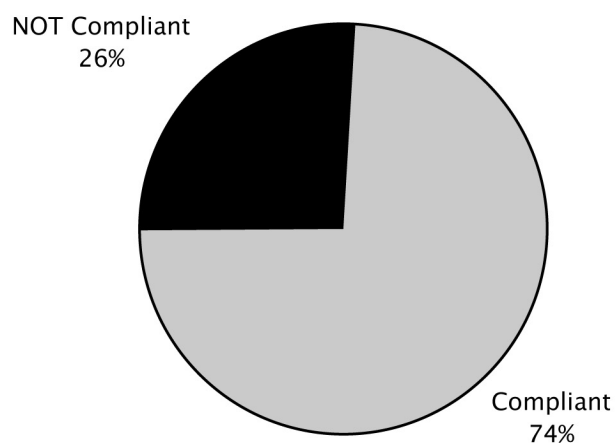


FIGURE 31. Compliance with the *Charter* as of December 31, 2004.

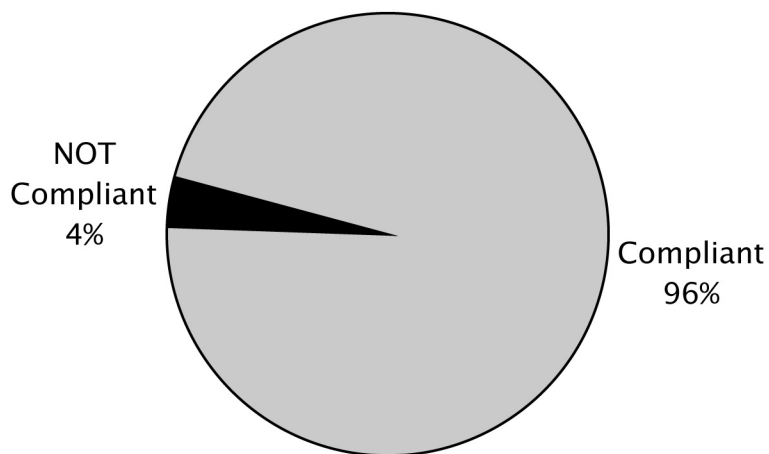


FIGURE 32. Comparison of compliance at the completion of 2003 and 2004 audit processes.

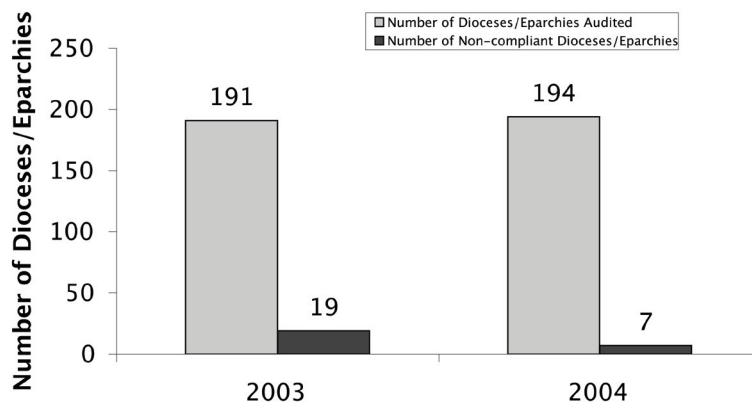


FIGURE 33. Number of Required Actions issued, by article.

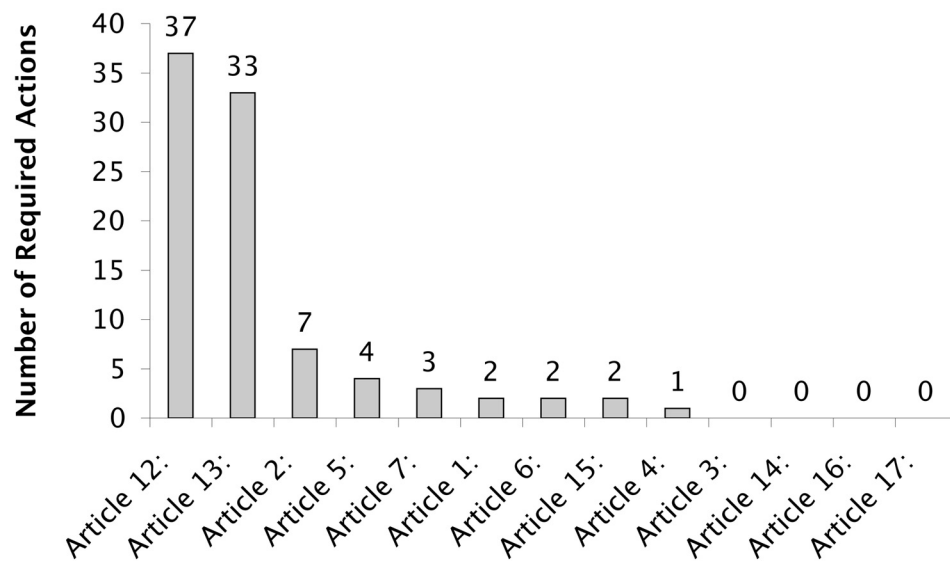


FIGURE 34. Number of dioceses/eparchies in compliance, by article, as of December 31, 2004.

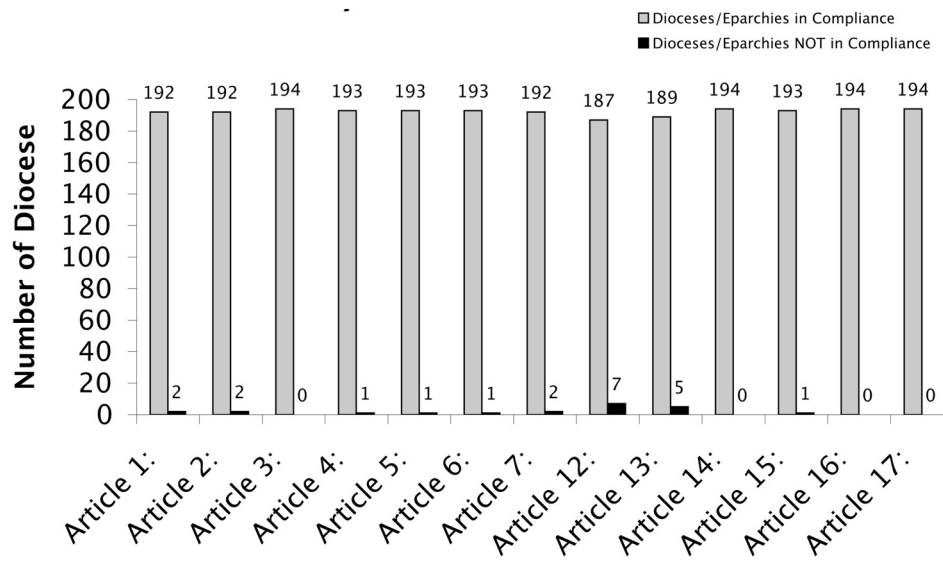


FIGURE 35. Percentage of dioceses/eparchies with victim assistance coordinators who are lay, clergy, or both.

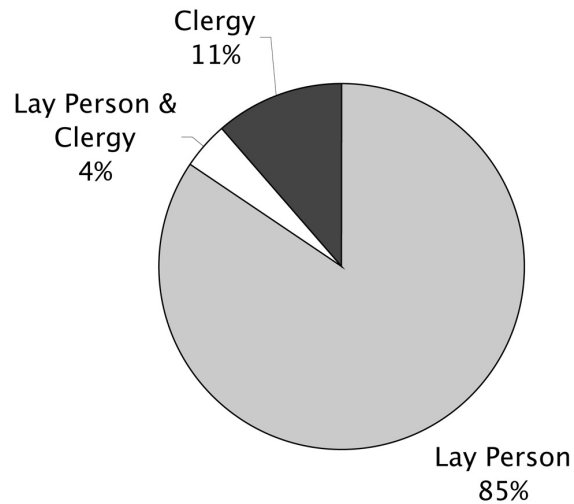


FIGURE 36. Percentage of dioceses/eparchies having documented reporting agreements with law enforcement.

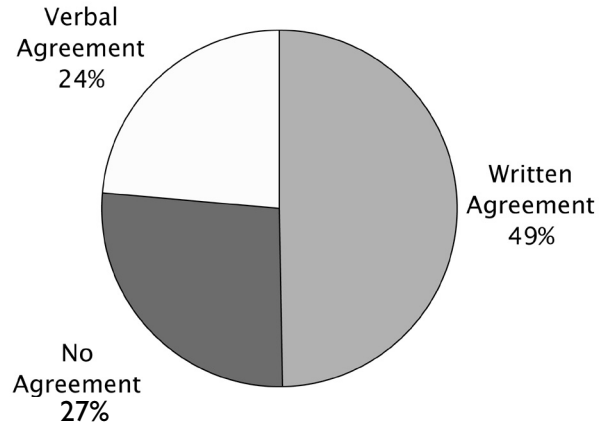


FIGURE 37. Totals and percentages of completed safe environment training.

	Total Number	Number Trained	Percentage
Priests	34,514	28,936	83.8%
Deacons	13,663	11,243	82.3%
Educators	203,393	197,776	97.2%
Employees	203,343	167,749	82.5%
Volunteers	1,015,536	742,168	73.1%
Children	6,092,215	3,139,441	51.5%

FIGURE 38. Training required versus training completed.

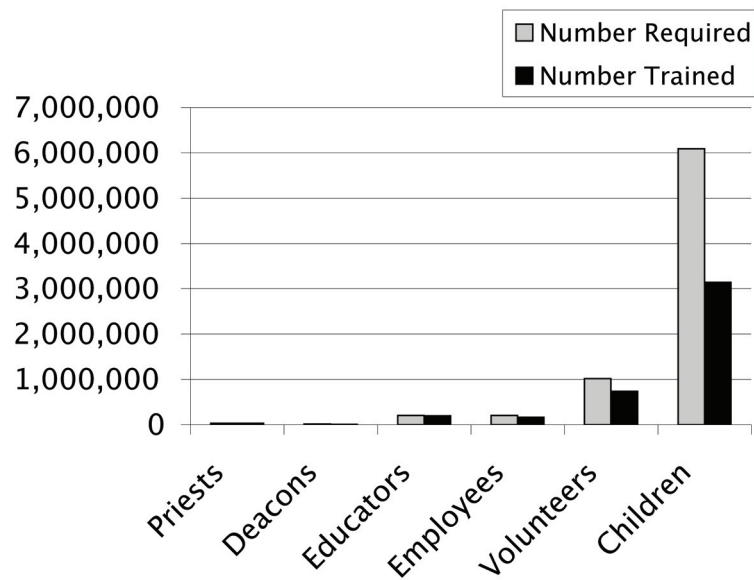


FIGURE 39. Percentage of completed safe environment training.

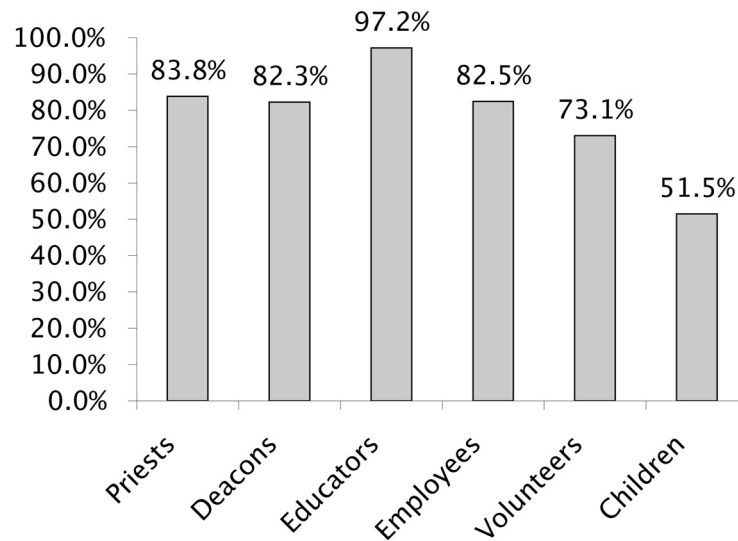


FIGURE 40. Total and percentage of background evaluations completed.

	Total Number	Number Checked	Percentage
Priests	34,874	32,073	92.0%
Deacons	13,559	14,158	104.4%
Educators	185,924	179,656	96.6%
Employees	207,817	177,612	85.5%
Volunteers	978,172	769,348	78.7%

FIGURE 41. Number of background evaluations completed, by category.

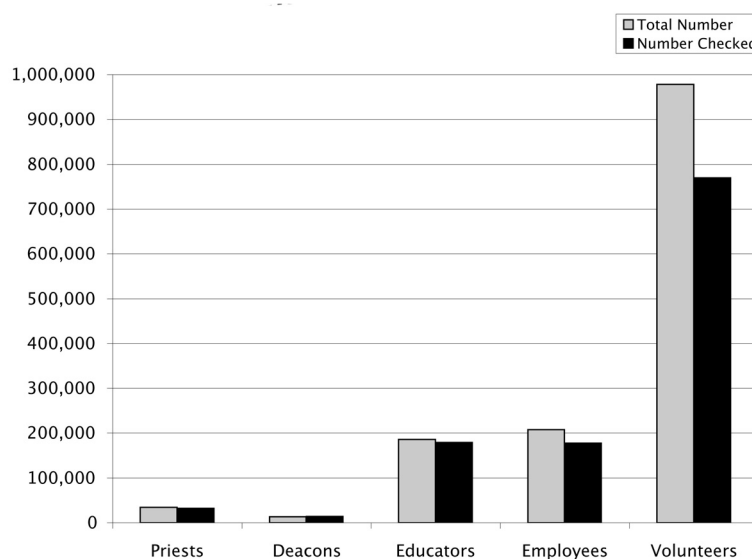
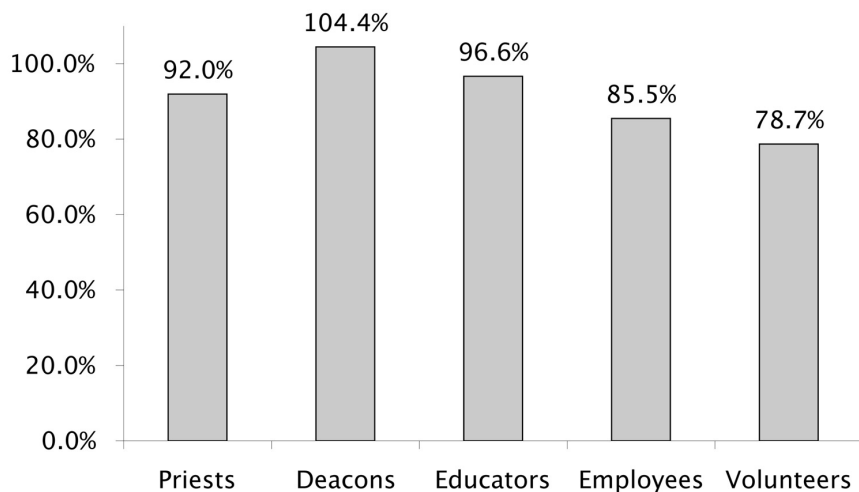


FIGURE 42. Percentage of background evaluations completed, by category.



APPENDIX B

Status of the 2003 Annual Report Recommendations

The 2003 *Annual Report on the Implementation of the "Charter"* contained 64 recommendations: 13 general and 51 article-specific. Thirty-six (36) of those 64 recommendations, or 56 percent, have been implemented in some dioceses, eparchies, USCCB offices. The other recommendations are currently under review by the bishops' Ad Hoc Committee on Sexual Abuse and relevant USCCB offices and committees as noted.

GENERAL RECOMMENDATIONS

Implementation of the *Charter* at the Parish Level

Recommendation: It is recommended (a) that the Office of Child and Youth Protection (OCYP) prepare guidelines for dioceses and eparchies regarding methods for integrating all aspects of the *Charter* at the parish level; (b) that where this integration does not already exist, bishops and eparchs take affirmative steps to involve the laity and the clergy in creating safe environments and providing pastoral care to victims/survivors of child sexual abuse; and (c) that a mechanism be established to audit the participation of the parishes in the implementation of the *Charter*.

Status: Additional questions were added to the 2004 compliance audit instrument, which helped to measure implementation of the *Charter* on the parish level. Some dioceses and eparchies have established internal compliance procedures to identify parishes that have adopted or established safe environment programs and to ensure that background investigations are completed and codes of conduct are publicized and followed. Additional follow-up is recommended. (See recommendation number 11 in Chapter Four).

Evaluating the Effectiveness of the *Charter*

Recommendation: It is recommended (a) that the Ad Hoc Committee on Sexual Abuse and the OCYP identify and institute effectiveness measurements for safe environment programs, to be conducted no later than 2006; and (b) that each diocese and eparchy provide to the OCYP and the National Review Board (NRB), every year, the number of allegations of sexual abuse reported during that year and the disposition of each case.

Status: OCYP has identified various methods of determining effectiveness. The selection of the appropriate mechanism(s) will be determined by the Ad Hoc Committee on Sexual Abuse in 2005. The recommended data collection method was approved by the USCCB and implemented in December 2004. The results are included in Chapter Three of this report.

Analysis of Risk of Future Incidents of Sexual Abuse of Minors

Recommendation: It is recommended (a) that the Ad Hoc Committee on Sexual Abuse and the Bishop's Committee on Priestly Life and Ministry continue to assist bishops and eparchs in determining the appropriate supervision and sustenance that should be provided to priests and deacons who have abused minors; and (b) that the Ad Hoc Committee on Sexual Abuse prepare and distribute a communication suitable for interested parishioners regarding the oversight and support afforded to clergy who have abused minors.

Status: Review of this recommendation is underway by the Ad Hoc Committee on Sexual Abuse and the Office of Priestly Life and Ministry.

Recommendation: It is recommended that each bishop and eparch make every effort possible to locate priests or deacons who have left their jurisdictions, to notify other members of the USCCB, and to cooperate with civil authorities.

Status: The Ad Hoc Committee on Sexual Abuse and the Office of Priestly Life and Ministry are reviewing this recommendation.

Recommendation: It is recommended that the bishop's Committee on Priestly Life and Ministry evaluate methods to better identify members of the clergy, including their status in ministry, residence and assignment history.

Status: This recommendation is under review by the Ad Hoc Committee on Sexual Abuse and the Committee on Priestly Life and Ministry.

Training and Best Practices

Recommendation: It is recommended that OCYP develop and implement training programs for diocesan review board members and safe environment coordinators and that OCYP work with the Archdiocese of Chicago to provide training to victim assistance coordinators throughout the country.

Status: OCYP developed and conducted a prototype workshop for diocesan review board members. OCYP also held a symposium for all victim assistance coordinators. It included presentations by victims/survivors, abuse/trauma therapists, and child abuse prevention specialists. Workshops for safe environment coordinators will be conducted by OCYP in 2005.

Written Standards, Guides, and Manuals

Recommendation: It is recommended that the Ad Hoc Committee on Sexual Abuse and the OCYP prepare guidelines to assist bishops, eparchs, and their staffs in implementing the *Charter*.

Status: OCYP prepared and provided draft guidelines to the Ad Hoc Committee on Sexual Abuse for its review.

Standardization of Documents, Record-Keeping Systems, and Checklists

Recommendation: It is recommended that the Ad Hoc Committee on Sexual Abuse and OCYP identify model forms, checklists, and record-keeping systems pertaining to implementation of the *Charter* and provide them to all dioceses and eparchies.

Status: Some information regarding model forms, checklists, and record-keeping systems has been gathered and shared with dioceses, eparchies, and the audit staff. Additional work is needed in this area.

Review of the *Charter for the Protection of Children and Young People*

Recommendation: It is recommended that the USCCB and the NRB consider the results of this audit during the 2004 review of the *Charter*.

Status: The 2003 and 2004 *Annual Reports on the Implementation of the Charter* will be a part of the *Charter* review process.

Recommendations for Additional Study

Recommendation: The OCYP should implement a voluntary study of victims/survivors to identify better methods of responding to complaints of sexual abuse by clergy or other church personnel.

Status: A survey has been developed by a child abuse prevention specialist and is awaiting approval of the Ad Hoc Committee on Sexual Abuse and the National Review Board.

Recommendations for Future Accountability

Recommendation: It is recommended that the audit procedure utilized in 2003 be repeated in 2004.

Status: This recommendation was adopted by the USCCB and the same audit procedure was used in 2004.

Recommendation: It is recommended (a) that future annual reports contain the number of allegations of sexual abuse of minors reported during the year, the number of actions taken against clergy as the result of an admitted or established act of abuse, the number of victims, and the financial costs; and (b) that these data be gathered and maintained by the Office of Child and Youth Protection.

Status: This recommendation was adopted, and the data for 2004 have been collected and reported in Chapter Three of this report.

2003 RECOMMENDATIONS BY ARTICLE OF THE CHARTER

The following 31 recommendations have been implemented in various dioceses and eparchies, or by OCYP and the Ad Hoc Committee on Sexual Abuse.

Article 1. Healing, Outreach, and Reconciliation

- 1.1 Each pastoral outreach program should be reviewed to ensure that it includes true “outreach,” that is, a specific offer to meet with victims/survivors and their families in a suitable, non-litigious atmosphere.
- 1.2 Bishops and eparchs, if they have not already done so, should identify and contact all persons who have reported allegations of child abuse by a member of the Catholic clergy who have not met with a bishop, eparch, or his designee and should make an offer for such a meeting.
- 1.3 Bishops and eparchs should continue to encourage victims/survivors to come forward through periodic public announcements.
- 1.4 Bishops, eparchs, or their delegates should extend outreach to priests, deacons, and parish employees who are particularly impacted by instances of sexual abuse committed by a colleague.
- 1.5 Dioceses and eparchies that have not already done so should establish outreach to “vulnerable adults” who may be victims of sexual abuse by clergy and they should include these individuals in diocesan/eparchial sexual abuse policies.
- 1.6 Victim assistance coordinators should reach out to victim support groups to offer pastoral care and services and to maintain positive lines of communication.
- 1.7 Dioceses and eparchies should explore use of, or cooperation with, public sexual assault centers to provide services to victims/survivors and their families.

Article 2. Response and Reporting

- 2.1 Diocesan attorneys or others who might be in a position to investigate or evaluate allegations of sexual abuse should not be assigned as victim assistance coordinators.
- 2.2 Every diocese and eparchy should establish a procedure for prompt response by the victim assistance coordinator to allegations of sexual abuse, utilizing paging or cell phone technology.
- 2.3 Where feasible, individuals should be able to contact necessary diocesan personnel or assistance coordinators in a location other than a parish or diocesan office.
- 2.4 Diocesan and eparchial websites and parish bulletins should contain easily located information pertaining to the procedures for reporting instances of sexual abuse by a member of the clergy, church employee or volunteer.
- 2.8 Victims/survivors and accused clergy should be allowed to meet separately with the review board.
- 2.10 The victim assistance coordinator should support the complainant through the review board

process and should keep him or her apprised of actions taken or anticipated.

- 2.13 The Ad Hoc Committee on Sexual Abuse and OCYP should identify model review board practices and should incorporate them into a training program for review board members.
- 2.14 Bishops and eparchs should make greater use of their review boards to address the many issues relating to the sexual abuse of minors.

Article 4. Reporting and Cooperation

- 4.1 Dioceses and eparchies should report all allegations of abuse of minors, whether or not the allegation falls within the criminal statutes of the state or commonwealth, unless an agreement to the contrary exists between the diocese or eparchy and the prosecuting agency.
- 4.2 Victims/survivors should be provided information in writing about their right to report instances of abuse to civil authorities and the diocesan/eparchial process for addressing their complaints.
- 4.3 Dioceses and eparchies should memorialize agreements with public authorities to report cases in which the victim/survivor is no longer a minor.

Article 5. Preliminary Actions and Investigations

- 5.1 Once advised of an allegation against him, an accused priest or deacon should be informed of the procedures to be followed during the investigation. He should be kept abreast of the developments of the investigation with due regard for the norm of canon law.
- 5.2 In instances of unfounded allegations, the bishop or eparch work with the accused cleric, and with lay leaders if feasible, to determine effective ways to restore the cleric's good name.

Article 6. Standards of Conduct

- 6.1 Codes of conduct should be published and publicized in relevant languages in an appropriate medium. Pastors and priests should be involved in educating parishioners about these standards.
- 6.2 Codes of conduct should be acknowledged in writing.

Article 8. Office of Child and Youth Protection

- 8.1 The Ad Hoc Committee on Sexual Abuse and the NRB should periodically evaluate the work of OCYP to ensure that it is effectively meeting its mandate and to identify ways in which OCYP can be of additional assistance to dioceses and eparchies in implementing and abiding by the provisions of the *Charter*.

Article 12. Safe Environment Programs

- 12.1 Specific responsibility should be affixed within dioceses and eparchies for the implementation of various aspects of safe environment programs.
- 12.2 Reviews of safe environment educational programs, now or in the future, should include the participation of school administrators and interested parents.
- 12.3 Safe environment educational materials should be provided in relevant languages.

Article 13. Background Evaluations

- 13.1 Background investigations should be coordinated at the diocesan level.
- 13.2 Dioceses and eparchies should address concerns with employees and volunteers about privacy issues relative to background investigations.
- 13.3 OCYP should assist dioceses and eparchies in establishing standard thresholds for background invitations and in identifying high-quality, cost-effective systems.

Article 15. Meetings between Bishops and Major Superiors of Men

- 15.1 The USCCB and the Conference of Major Superiors of Men should share best practices regarding their respective compliance audit and accreditation processes.

Article 16. Cooperative Research

- 16.1 Victim assistance coordinators should identify ongoing, proposed, or future studies regarding the problem of child and youth sexual abuse in their communities and should determine if diocesan or eparchial participation would be of value.



The following recommendations contained in the 2003 *Annual Report* are under consideration by the Ad Hoc Committee on Sexual Abuse and other relevant USCCB offices and committees:

- | | |
|--|--|
| <p>1.8 Diocese and eparchies should support and encourage further research into effective therapies for victims of sexual abuse.</p> <p>2.5 The diocesan attorney and the victim assistance coordinator should not be voting members of the diocesan/eparchial review board.</p> <p>2.6 (a) In those instances where an investigation is required that is not, or cannot be, conducted by a law enforcement agency, the diocese or eparchy should utilize the services of an investigator who is cognizant of the unique aspects of sexual abuse cases and sensitive to the needs of the victims/survivors, and (b) the investigator should report to, but not be a part of, the review board.</p> <p>2.9 During review of the <i>Charter</i> and the <i>Essential Norms</i>, consideration should be given to adding a provision for the prompt resolution of investigations and for the complainant to be advised of the results of the investigation in a timely manner.</p> <p>2.11 Review boards should evaluate all past cases of abuse to assist the bishop/eparch in determining</p> | <p>fitness for ministry of the alleged offender, based on the criteria set forth in Article 5 of the <i>Charter</i>.</p> <p>2.13 The Ad Hoc Committee on Sexual Abuse and the Bishops' Committee for Canonical Affairs should develop standards for review board deliberations.</p> <p>5.3 The Ad Hoc Committee on Sexual Abuse should clarify the meaning of "prayer and penance" as described in Article 5, including to whom it should apply.</p> <p>5.5 Bishops and eparchs should prepare and distribute to interested parishioners material regarding the canonical process used to address allegations of sexual abuse of minors.</p> <p>5.4 Bishops and eparchs should ensure the enforcement of the application of "precautionary measures" found in the <i>Code of Canon Law</i>, canon 1722, and ensure that priests who are defendants in criminal cases involving sexual abuse of a minor do not present themselves in clerical garb.</p> <p>6.3 Failure to abide by codes of conduct should have enforced consequences.</p> <p>7.1 The Ad Hoc Committee on Sexual Abuse should provide additional guidance to bishops and eparchs regarding the standards for openness and transparency, particularly with regard to releasing the names of individuals, whether living or deceased, who are accused of acts of sexual abuse against minors.</p> <p>8.2 The bishops' Committee for Canonical Affairs should advise the NRB and the public, through an appropriate document, of how members of the USCCB intend to hold themselves accountable for adherence to the <i>Essential Norms</i>.</p> <p>13.4 The bishop's Committee on Priestly Formation should evaluate, with the assistance of appropriate professionals, the screening and evaluative techniques described in the <i>Program of Priestly Formation</i> (1993, no. 513) in light of new information about the incidence of sexual abuse of minors by priests and deacons.</p> |
|--|--|

- 13.5 OCYP should assist the bishops' Committee on Priestly Life and Ministry in identifying additional ways to ensure that priests from foreign countries who are accepted for ministry within the United States have not been accused of, nor have committed, an act of sexual abuse.
- 14.1 The Ad Hoc Committee on Sexual Abuse and the bishop's Committee on Priestly Life and Ministry should clarify the definitions of ministry and residence.
- 14.2 Bishops and eparchs should ensure that they have identified and located all priests and deacons who have admitted to an act of sexual abuse of a minor, or who have been found by an appropriate process in accord with canon law to have committed such an act. Bishops and eparchs should implement the measures set forth in the *Charter*.
- 14.3 The USCCB and the Conference of Major Superiors of Men should resolve the issue regarding notification of transfers of clergy for residence if no faculties are requested.
- 17.1 The Apostolic Visitation of diocesan/eparchial seminaries and religious houses of formation should include the assistance of relevant lay professionals.
- 17.2 The results of the Apostolic Visitation should be published and distributed to interested parishioners.
- 17.3 The USCCB should prepare a communication for interested parishioners to describe the *Basic Plan for the Ongoing Formation of Priests*, in order to promote greater understanding of the efforts made to ensure that clergy are aware of the problem and impact of child and youth sexual abuse in society.

Note

- 1 Office of Child and Youth Protection, United States Conference of Catholic Bishops, *Annual Report on the Implementation of the Charter for the Protection of Children and Young People* (Washington, DC: USCCB, 2004).

APPENDIX C

Recommendations from the National Review Board

UPDATE ON THE *Report on the Crisis in the Catholic Church in the United States*

The National Review Board was created by the USCCB as part of the response to the crisis of sexual abuse of minors by some Catholic priests and deacons. Article 9 of the *Charter* describes the board and its functions. Among them, the Board is to commission a comprehensive study of the causes and context of the current crisis. To develop hypotheses for this study and to memorialize the results of their interviews with dozens of subject matter experts, the Board prepared and published in February 2004 the *Report on the Crisis in the Catholic Church in the United States (Report)*.

From their work on this report, a number of recommendations that could be implemented in the near term became apparent. These 33 recommendations were included in the Board's report and are repeated here as they relate directly to the manner in which the Church may more effectively reduce the incidence of abuse and to the ways in which church leaders are held accountable for their actions to protect children. Some of the recommendations are similar to those included in the 2003 *Annual Report on the Implementation of the "Charter,"* contained in Appendix C.

Fourteen (14), or 42 percent, of the recommendations set forth below are in practice. The remaining recommendations are under review by the bishops' Ad Hoc Committee on Sexual Abuse, relevant USCCB committees and departments, OCYP, and the Conference of Major Superiors of Men.

RECOMMENDATIONS PERTAINING TO FURTHER STUDY AND ANALYSIS

1. The bishops and religious ordinaries should continue to support the undertaking of a comprehensive scientific study relating to the causes and context of sexual abuse in the Church and society. **Requests for Proposals have been issued for this study.**
2. The bishops should agree to ongoing diocesan audits to ensure compliance with the *Charter* and *Essential Norms*. **The members of the USCCB approved ongoing compliance audits for 2004 and 2005.**
3. There should be a periodic review of the effectiveness and fairness of the zero-tolerance policy to ensure the application of individualized justice. **The policy is under review.**

RECOMMENDATIONS PERTAINING TO ENHANCED SCREENING, FORMATION, AND OVERSIGHT

4. Bishops, eparchs, and seminary leaders must ensure that each candidate is a mature, psychologically well-adjusted individual, with an unequivocal commitment to a life of service to the Church and her people, and a clear understanding of the challenges of the priesthood, including celibacy, before admission to the seminary. **The policy is under review.**

5. A bishop or eparch must get to know each potential candidate and exercise good judgment to determine whether the candidate is suitable for the priesthood. Candidates should be thoroughly vetted through all appropriate methods. **The process is under review.**
6. Seminaries must provide better preparation for the challenges of living a celibate life in today's culture. **This recommendation is under review.**
7. Seminaries must institute rigorous procedures for continually evaluating the suitability of those admitted to study for the priesthood, as well as mechanisms (including expulsion) for addressing problems identified in the evaluation process. **This recommendation is under review.**
8. Seminaries themselves must be more rigorously evaluated. The upcoming Apostolic Visitation should be conducted by independent, knowledgeable individuals who can provide an honest, informed, and unbiased evaluation. **This recommendation is under review.**
9. The Apostolic Visitation must examine both the curriculum and the formation program. **This recommendation is under review.**
10. To the extent that institutions operating certain seminaries are not providing adequate oversight, these seminaries should be placed under different authority. **This recommendation is under review.**
11. There must be ongoing intellectual, spiritual, and psychological formation and monitoring of priests after ordination. **This recommendation is under review.**
12. Priests should be encouraged to participate in fellowship groups with other priests, to form close, healthy relationships with priests and with laity, and to maintain an active prayer life. **This recommendation is under review.**
13. Bishops and eparchs must meet frequently with their priests to monitor their morale and emotional well-being. **This recommendation is under review.**

14. A bishop or eparch must know his priests. **This recommendation is under review.**
15. Each bishop or eparch should meet annually with the religious superior of any non-diocesan priests who are resident in his diocese/eparchy to ensure that the religious superior takes responsibility for monitoring the non-diocesan priests engaged in ministry in the dioceses/eparchies. **This is an ongoing process, verified by compliance audits.**

RECOMMENDATIONS PERTAINING TO INCREASED SENSITIVITY AND EFFECTIVENESS IN RESPONDING TO ALLEGATIONS OF ABUSE

16. Seeing to the welfare of victims of abuse must be the primary duty of the Church when confronted with evidence of abuse. Dioceses must ensure that victims of clergy sexual abuse are encouraged to come forward and are treated with respect, dignity, and compassion. **This is an ongoing process, verified by compliance audits.**
17. Bishops, eparchs, and church leaders must recognize both the criminal and the sinful nature of the sexual abuse of minors by members of the clergy. **This is an ongoing process, verified by compliance audits.**
18. Bishops and eparchs must respond vigorously to all allegations of abuse, maintain accurate records of such allegations and the responses thereto, and openly exchange information with other dioceses/eparchies about such allegations. **This is an ongoing process, verified by compliance audits.**
19. All bishops, eparchs, and leaders of religious orders should meet with victims/survivors and their families to obtain a better understanding of the harm caused by the sexual abuse of minors by clergy. **This is an ongoing process, verified by compliance audits.**
20. Bishops, eparchs, and leaders of religious orders must be personally involved in the issue of clergy sexual abuse and not delegate a matter of such importance to others. **This is an ongoing process, verified by compliance audits.**

21. When assessing individual cases in order to determine whether a priest engaged in an act of sexual abuse of a minor and therefore must be removed from ministry, bishops, eparchs, and other church leaders should honor the rights of accused priests and consult with their lay review boards, so that together they might strive for individualized justice in light of their developing experience and expertise. **This is an ongoing process, verified by compliance audits.**
22. Dioceses, eparchies, and religious orders should re-examine their litigation strategies to ensure that a pastoral response takes precedence over legal tactics. Dioceses/eparchies should eschew litigation when possible and earnestly pursue other avenues of resolving allegations of abuse. **This is an ongoing process, verified by compliance audits.**
23. When seeking therapeutic options for priests who have engaged in sexual abuse of minors, a diocese/eparchy should use only well-qualified treatment centers that specialize in treating sexual disorders and that are able and willing to evaluate patient outcomes in a disinterested, professional fashion. **This recommendation is under review.**
24. The Church should make use of national or regional canonical tribunals in the United States to consider cases for laicization under the *Charter* in order to ensure that experienced individuals hear and decide these cases and that they are decided in a consistent fashion. Bishops/eparchs should ensure that the appropriate authorities at the Vatican are provided with a comprehensive and complete file to review when determining whether to laicize a priest. **This recommendation is under review.**
25. The bishops/eparchs should trust and learn to make greater use of those consultative and deliberative bodies established by canon law to assist them in the pastoral care and governance of their dioceses/eparchies. These bodies should be filled with faithful laypersons and priests who are talented, responsible, and dedicated to the Church, but who are also capable of offering, and who are expected to offer, truly independent counsel to the bishop. **This recommendation is under review.**
26. The Church should consider restoring and strengthening the role of the metropolitan archbishop in overseeing suffragan bishops and should consider steps to enable the national conferences to serve as information clearinghouses and to provide enhanced information flow among dioceses/eparchies about critical issues facing the Church. **This recommendation is under review.**
27. The bishops/eparchs should be more willing to engage in fraternal correction and should appeal to the Vatican to intervene if a particular bishop/eparch appears unable or unwilling to act in the best interests of the entire Church. **This recommendation is under review.**
28. An audit team—through OCYP—should review the handling of abuse allegations by individual dioceses, eparchies, and orders. The audit team should publish its findings in a report so that the laity will be apprised of the results. **This is an ongoing process, verified by compliance audits.**
29. Dioceses, eparchies, and orders should report all allegations of sexual abuse to civil authorities, regardless of the circumstances, or the age or perceived credibility of the accuser. **This is an ongoing process, verified by compliance audits.**
30. Dioceses, eparchies, and orders should endeavor to resolve civil claims and government investigations on reasonable terms and in a manner that minimizes the potential for intrusion of civil

RECOMMENDATIONS PERTAINING TO GREATER ACCOUNTABILITY OF BISHOPS AND OTHER CHURCH LEADERS

25. The process for selecting bishops/eparchs should include meaningful lay consultation. **This recommendation is under review.**

RECOMMENDATIONS PERTAINING TO IMPROVED INTERACTION WITH CIVIL AUTHORITIES

30. Dioceses, eparchies, and orders should report all allegations of sexual abuse to civil authorities, regardless of the circumstances, or the age or perceived credibility of the accuser. **This is an ongoing process, verified by compliance audits.**
31. Dioceses, eparchies, and orders should endeavor to resolve civil claims and government investigations on reasonable terms and in a manner that minimizes the potential for intrusion of civil

authorities into the governance of church matters. **This is an ongoing process, verified by compliance audits.**

**RECOMMENDATIONS PERTAINING
TO MORE MEANINGFUL
PARTICIPATION BY THE
CHRISTIAN FAITHFUL IN
THE CHURCH**

32. The bishops, eparchs, and other church leaders must listen to and be responsive to the concerns

of the laity. To accomplish this, the hierarchy must act with less secrecy, more transparency, and a greater openness to the gifts that the members of the Church bring to her. **This is an ongoing process, verified by compliance audits.**

33. The resolution of this crisis will require an abiding faith and commitment to morality from all members of the Church. **This recommendation is under review.**



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