

FAQs Relative to the Release of The List of Credibly Accused Clergy in the Diocese of Providence

[Downloaded on 7/1/19 from

<https://dioceseofprovidence.org/faqs-re-the-list>]

Why is this disclosure being made now?

Recent national and international attention has brought a new focus to the history of clergy sexual abuse. This has caused enormous pain, anger and confusion. Inquiries were being made about the existence of such cases in the Diocese of Providence, and whether or not, like other dioceses, we would be releasing a list. Continuing our long-standing practice of transparency, Bishop Tobin asked for a thorough review of diocesan files of priests who have served in the Diocese of Providence since 1950 to identify those credibly accused of sexual abuse of a minor. The Diocese is now making the findings of this review public.

Who made the decision to publish this list?

Bishop Tobin, after consultation with diocesan officials including the Vicar General, Director of the Office of Compliance, Director of the Office of Outreach and Prevention and the Diocesan Advisory Board for the Protection of Children and Young People, has directed that this list be made public.

Who is the Director of the Office of Compliance?

The Director of the Office of Compliance compiled this list. The current director is Kevin M. O'Brien, a twenty-three year veteran of the Rhode Island State Police, a former Major and Commander of the Detective Division. The initial Director of Compliance, a retired Lieutenant of the Massachusetts State Police, served in that role for twenty-two years. The Diocese established the Office of Compliance ("OEC") in 1993 to investigate reports of abuse and to provide education and training on the awareness, prevention and reporting of child abuse.

Who is the Director of the Office of Outreach and Prevention?

In connection with the OEC, the Diocese also established the Office of Outreach and Prevention to promote healing and reconciliation by offering compassionate pastoral care to those who have been impacted by clerical sexual abuse. The office also coordinates Safe Environment Training programs to schools and ministries that serve diocesan youth. Dr. Michael Hansen, a licensed Rhode Island psychologist, serves as the Director of the Office of Outreach and Prevention. He has served in the Diocese of Providence since 2003 in various capacities.

What is the Diocesan Advisory Board for the Protection of Children and Young People?

The Catholic Bishops of the United States adopted the *Charter for the Protection of Children and Young People* ("Charter") in June 2002. Three months later, Bishop Mulvey established this Advisory Board for the Protection of Children and Young People ("Diocesan Review Board") to serve as a consultative body. The Diocesan Review Board, comprised of a majority lay membership not in the employ of the Diocese, advises the Bishop in assessing allegations of clergy sexual abuse, a cleric's suitability for ministry, and conducts periodic reviews of diocesan policies and procedures for addressing sexual abuse of minors.

Current lay and non-diocesan members of the Diocesan Review Board are: Dennis J. Roberts II (former Rhode Island Attorney General); Michael P. Quinn (former Major of Rhode Island State Police/Director of Campus Safety and Security at Johnson & Wales University); Caryl Frink (Episcopal Diocese of Rhode Island); Karen Pinch (Town Administrator, Richmond, RI/former Lieutenant Colonel of Rhode Island State Police); Bishop Jeffrey A. Williams (Founding Pastor of King's Cathedral in Providence); and The Honorable Stephen Isherwood (Rhode Island District Court Judge).

Past lay and non-diocesan members of the Diocesan Review Board include: Edmond S. Culhane (former Superintendent Rhode Island State Police); Anne Marie D'Alessio (Rhode Island Victims' Advocacy and Support); The Honorable Laureen D'Ambra (Rhode Island Family Court Judge /former Rhode Island Child Advocate); Walter D. Fitzhugh, MD (Rhode Island licensed psychiatrist); Rabbi Marc Jagolinzer (Temple Shalom, Middletown, RI); and Patricia Martinez (former Director Rhode Island DCYF).

How was this list developed?

At the direction of the Bishop, the Director of Compliance was tasked with conducting an independent, thorough and objective review of files dating back to 1950, a year used by many other dioceses as a benchmark. Many files were several decades old, and the Director was not the initial investigator. The Director reviewed all diocesan files compiled over seventy years, and employed his training and expertise as a twenty-three year State Police detective to make assessments and judgments regarding the available and developed evidence within the files. In some instances, the Director made additional inquiries to corroborate and bolster certain allegations. In some cases of his own choosing, the Director of Compliance consulted the Director of Outreach and Prevention and/or the Diocesan Review Board for further advice. In all instances, however, the Director of Compliance ultimately exercised his own independent, expert judgment in determining whether to place particular clergy on the list.

What standard did the Director of Compliance use to determine if someone was “credibly accused”?

For the purpose of the published list, the Director included individuals on the list when he had a reasoned and grounded belief that the allegation was sufficiently supported based upon the presently available and developed evidence.

What factors did the Director of Compliance consider in making the determination?

The Director of Compliance considered a variety of complex and competing considerations in developing the list. On the one hand, there is the paramount interest in protecting children. There is also the important consideration of transparency and disclosure which leads to rebuilt trust and healing. On the other hand, there are the interests related to due process and fairness towards those accused who have not had an opportunity to respond to allegations or have their cases fully adjudicated. This is especially true in cases of clergy who predeceased an allegation or where the accuser is anonymous or declined to participate in any investigation of the accusations.

In balancing these competing interests, the Director of Compliance independently reviewed each file and all available information, and weighed various factors to come to a determination. These factors included, but were not limited to, whether the allegation was anonymous; the consistency of witness testimony; the accuracy or inaccuracy of details provided in the accusation; any physical evidence; whether the accused had an opportunity to respond to the allegation, and if so, his credibility and response; whether the accused was the subject of more than one allegation; the scope and spectrum of the alleged conduct; any additional information obtained from law enforcement; and the existence or absence of any corroborating evidence or witnesses.

What about accused clergy who are not listed?

The absence of an accused from the list does not mean an allegation against him is false. The list being published is for “credibly accused” clergy in accordance with the standards, process and procedure

detailed above. While false claims are made, the Diocese has also received plausible claims – claims that *might* have happened. However, if the available and developed evidence was not strong enough to meet the standard of “credibly accused”, the Director did not assign the priest to the list. It is important to note, however, that publication of this list is only a portion of the Diocese’s long-standing response to the history of sexual abuse within the Catholic Church. For over two decades, **every allegation** of sexual abuse received by the Diocese – **regardless of credibility** -- is promptly and fully reported to law enforcement. This cooperative and fully-transparent approach allows the police complete freedom and independence to conduct their own objective investigation of every allegation.

Further, there will undoubtedly be questions raised about whether particular priests should have been included on this list, and where the line of “credibly accused” was drawn. The Bishop chose to place that determination in the hands of a trained expert of unquestionable integrity and experience and allow that expert to exercise his independent judgement without interference or review. The Director ultimately determined which allegations warranted inclusion, without intervention or editorial modification by any diocesan official. Should more information become available, the list will be updated. Those with additional information should contact the Office of Compliance.

There are two additional priests listed as “publicly accused”, what does that mean?

Each of these priests retired in good standing. After their deaths, allegations were made against them dating back 37 and 54 years, respectively. Each priest is the subject of a single allegation. The claims were investigated at the time they were received, but could not be verified or substantiated without any corroborating witnesses or facts. Based upon the Director’s standards, process and procedure, the accused would not have been included on the list. However, each priest has been the subject of significant publicity at recent legislative hearings. This media coverage eroded the consideration given to reputational harm and warranted a separate category. Additionally, while this process was focused on priests, an additional category was created for two deacons with criminal convictions.

Why is the number of clergy reported on this list different from numbers reported in other, earlier contexts?

Precisely because such earlier reported totals refer to information compiled for different purposes, under different timeframes, scopes of behavior, standards and protections for potentially wrongfully accused individuals. In all prior instances where the Diocese has compiled lists of accused priests, it did so *without regard to any assessment of credibility*. In one prior instance, the Diocese was a voluntary participant in the 2004 John Jay College of Criminal Justice study (“John Jay Study”). The John Jay Study examined the causes and contexts of sexual abuse by Catholic priests. Data respecting the numbers and types of accusations was collected and examined, but no investigations or credibility assessments of individual accusations were made in that study. In turn, no names related to individual accusations were made public. The Diocese has also provided discovery responses in civil litigation regarding sexual abuse claims where, again, information respecting *any allegations* of sexual abuse or misconduct, without regard to any examination of credibility, were produced. In those cases, the courts entered protective orders that limited the disclosure of details regarding unproven accusations. In sum, the John Jay Study and these civil litigations covered different time frames and applied significantly different standards for inclusion of responsive information than the list being released now. The names of accused individuals are being released in this list, but only after a determination has been made, as described above, that the accusations against that person were credible.

What is the difference between diocesan priests and religious order priests?

A diocesan priest is incardinated in a territorial diocese under the jurisdiction and authority of the diocesan bishop. The priest usually serves within the boundaries of the diocese, with exceptions for special assignments. A priest who belongs to a religious order is under the direct jurisdiction and authority

of his religious superior, whose central offices often lie outside the diocese in which the priest serves. A religious order priest may have an assignment in a diocese or parish with the approval of both his superior and the diocesan bishop.

What steps has the Diocese taken to prevent sexual abuse of minors by clergy or Church personnel?

The Diocese has very strong child protection and sexual abuse prevention programs in place, and has a quarter century record of implementation and improvement. The Office of Compliance was established in 1993, nearly ten years before the Catholic Bishops of the United States adopted the *Charter for the Protection of Children and Young People*. Staffed with a trained law enforcement investigator, that office has vigorously and transparently conducted investigations and has promptly and fully reported allegations of abuse to the police – regardless of credibility. In 2002, the Diocesan Review Board was established to assess cases and make recommendations to the Bishop regarding an accused’s suitability for ministry. Any allegation credibly established – regardless of when it occurred – results in permanent removal from ministry. Significant efforts are also expended towards prevention. More stringent procedures have been implemented for seminarian selection. The Office of Compliance annually conducts over 4,000 Bureau of Criminal Investigation Checks, and Safe Environment Training Programs are delivered to everyone who has regular contact with children. Annual audits are conducted each year to assure compliance with the *Charter*. The Diocese is continually evaluating its policies and practices to ensure that our child protection and abuse prevention efforts are further strengthened. The Diocese worked voluntarily with the Attorney General’s office to establish formalized reporting protocols and supplemental transparency which exceeds state law requirements.

Have these measures been effective?

These policies and procedures have produced significant and positive results. The overwhelming majority of claims received are for behavior alleged to have occurred many decades ago. This is not to say the Diocese is complacent as we are always reviewing and looking to improve our policies and procedures.

What if I or someone I know has been sexually abused by a priest, deacon, or other personnel of the Church?

To those who have been abused, and have not contacted law enforcement or diocesan officials, please know that we and others are here for you. The Diocese urges anyone who has been the victim of sexual abuse, or with knowledge of such abuse, by any priest, deacon, religious lay employee or volunteer of the Diocese of Providence to report the information to the Rhode Island State Police Major Crimes Unit at (401) 444-1000, the RI Child Protective Services’ Child Abuse and Neglect Hotline Systems at 1-800-RI-CHILD (1-800-742-4453), the Rhode Island Attorney General’s Office at (401) 274-4400 and/or Kevin O’Brien, Director of the Office of Compliance, at (401) 941-0760 or email kobrien@dioceseofprovidence.org. They may also contact, Victim Assistance Coordinator, Dr. Michael Hansen, Director of the Office of Outreach and Prevention at (401) 946-0728 or email mhansen@dioceseofprovidence.org to learn about pastoral outreach programs.