

DIOCESE OF DAVENPORT

DIOCESAN POLICY OF INTERVENTION IN THE CASE  
OF A CLERIC ACCUSED OF PEDOPHILIA  
OR SEXUALLY EXPLOITIVE BEHAVIOR OF A MINOR

POLICY

Recognizing that pedophilia and sexually exploitive behavior of a minor are disorders with grave consequences for victims and perpetrators, the Diocese of Davenport hereby establishes the following policy to facilitate rapid intervention in the case of an accusation of pedophilia or sexually exploitive behavior of a minor made against a cleric:

1. The Bishop of the Diocese of Davenport will establish a Review Board. The Review Board shall be appointed by the Bishop and shall be comprised of three priests, a psychiatrist or psychologist, and an attorney.

2. The Review Board will oversee all the steps of the procedure for dealing with accusations and will to the best of its ability act as guarantor of due process for all parties. This includes but is not limited to:

a. review the report of the Bishop's delegate concerning any alleged incident.

b. advise the Bishop regarding the need for additional investigation.

c. if the Bishop has determined that there is reasonable cause to believe that an offense had been committed (see below), the Review Board shall make recommendations to the Bishop regarding the evaluation of the cleric.

d. make an assessment upon the completion of the evaluation. The assessment shall determine what course of treatment, if any, shall be offered to the cleric and what other further action shall be taken in regard to the cleric's future.

PROCEDURE

1. When a cleric has been accused of pedophilia or sexually exploitive behavior with a minor, the Bishop will appoint a delegate to respond to the charge.

a. If the civil authorities are already involved, the delegate shall

i) monitor the charges and gather what information might be available from the civil authorities;

ii) work with the family of the victim to assure the family that the Diocese will respond by convening the Review Board, offer professional counseling, and all other steps appropriate to the family as indicated below. Care must be taken to avoid any semblance of cover-up or minimizing the incident.

b. When civil authorities are not already involved, the delegate shall investigate the credibility of the initial charge and inform the Bishop of the results of this initial investigation.

2. When the Bishop concludes on the basis of the report submitted to him by the delegate that there is reasonable cause to believe that an offense has been committed, he shall:

a. immediately confront the accused cleric and impose a leave of absence, which will continue until the matter is clarified and resolved in accordance with the guidelines established by the Review Board under canon and civil law. Moreover, the cleric will not receive any further assignment while the matter is pending, except that if the accusation involves a matter not of recent occurrence, a leave of absence will not be imposed until the Review Board has been consulted and has determined a complete course of action according to the individual case.

b. convene the Review Board to determine appropriate further action.

3. The Review Board shall be convoked at the very time that the delegate is appointed according to #1 above. The Bishop will direct the delegate to inform the victim and the family that the Review Board is being convoked, its function and responsibility, and that they will be kept apprised of the actions of the Review Board.

4. The delegate will work with the civil authorities and will cooperate and inform them as the law requires, including the section "Mandatory and Permissive Reporters" as defined in the Iowa Code, Section 232.69.

#### THE CLERIC

5. The delegate will recommend to the accused cleric that he obtain legal counsel.

6. The delegate will see that the cleric receives psychological or psychiatric evaluation according to the recommendation of the Review Board and assure that the results of the evaluation be made available to the Review Board and the Bishop.

7. The cleric shall be offered treatment if the Review board so recommends.

8. Upon disposition or resolution of the incident, the delegate, Review Board, and Bishop will assess whether further service in the Diocese of Davenport is possible. If it is not possible then they, with the cleric, will determine the nature of any continuing relationship to the Diocese of Davenport.

#### THE ALLEGED VICTIM AND FAMILY

9. Because of pastoral concern, the delegate will offer to the victim and family the services of a qualified counselor, psychologist, or psychiatrist, or urge that they seek such services.

10. The delegate will advise the victim and family that they may have legal rights which can be vindicated only with the assistance of an attorney of their choosing.

11. The delegate will inform the victim and family of all the actions taken by the Bishop and the Review Board.

#### THE PUBLIC

12. The delegate will report to the insurer of the Diocese of Davenport and of the institution served by the cleric that an incident has taken place when it is established that this is in fact the case.

13. If the accusation becomes a matter of public knowledge, the Review Board will formulate a statement for the media. If the accusation becomes public before the Review Board meets, this policy statement shall be made as an initial response.

## APPENDIX

### BACKGROUND

According to the standard research on sexual disorders at the John Hopkins Sexual Disorders Clinic (cf. The Diagnostic and Statistical Manual, 3rd. Edition), pedophiles may be homosexual, heterosexual, bisexual, asexual, or antisexual. Heterosexual offenders outnumber homosexual offenders in the general population by at least two to one. There is no absolute cure for pedophilia at the present time. However, various treatments may lead to some measure of control of this condition.

Although it is not possible to compile a universally accurate profile of pedophiles, it appears that:

1. most offenders were themselves abused as children;
2. the average age is about thirty-five to forty;
3. many are alcoholic or predisposed to alcoholism;
4. the vast majority do not use force against their victims, but rather rely on affection, seduction, persuasion and deception;
5. many are personable and intelligent and often effective in dealing with children;
6. most pedophiles commit their offenses against family, friends, neighbors, and acquaintances.

### DEFINITION OF TERMS

In order to avoid confusion or misunderstanding, the following terms are defined:

1. "Pedophilia" is a form of sexual deviation in which adults derive sexual pleasure through relations with children. "Children" are usually defined as age 13 or under, with the molester being at least five (5) years older. Actual relations are not necessary for clinical diagnosis. Pedophilia is a psychiatric illness.
2. "Sexually exploitive behavior of a minor" refers to sexual misconduct with one under the age of 18. This type of behavior is inappropriate and illegal, but perhaps not a psychiatric disease.