



Children First

A Two-Year Assessment
of the Implementation
of the *Policies and Procedures*
for the Protection of Children,
Archdiocese of Boston (2003)

FINAL REPORT
2003-2005

**The Implementation and Oversight Advisory Committee,
Office of Child Advocacy, Archdiocese of Boston
M. J. Doherty, Ph.D., Chair**

**The Office of Child Advocacy, Implementation and Oversight
Deacon Anthony P. Rizzuto, Ph.D., Director
and**

**The Review Board, Archdiocese of Boston
The Honorable Mary Fitzpatrick, L.L.B., J.D., Chair**

April 7, 2006

Hebrews 13.13-14

PREFACE

ACRONYMS USED IN THIS DOCUMENT

CAP Teams	Child Abuse Prevention Teams
CAIOC	Child Advocacy, Implementation and Oversight Committee
CfC	Committee for Children
CCPC	Cardinal's Commission for the Protection of Children
CDF	Congregation for the Doctrine of the Faith, Rome
CTF	Children's Trust Fund
CQI	Continuous quality improvement
DA	District Attorney
DSS	Department of Social Services, Comm. of Mass.
IOAC	Implementation and Oversight Advisory Committee
OAG or AG	Office of the Attorney General, Comm. of Mass.
OPSO	Office of Pastoral Support and Outreach
PGC	"Protecting God's Children"
RCAB	Roman Catholic Archdiocese of Boston
TAT	"Talking about Touching"
TQM	Total Quality Management
USCCB	United States Conference of Catholic Bishops

PREFACE

THE TWO-YEAR ASSESSMENT

This two-year assessment of the implementation of *Policies and Procedures for the Protection of Children* (July, 2003), Archdiocese of Boston (**Appendix A**),¹ represents a first-time effort of unprecedented depth and magnitude – namely, the process mapping of implementation of current policies with a view toward discovering what is working, what is not working, and what needs to be developed to improve.²

In the course of this review, we have accompanied the process mapping with multiple strategies and perspectives, joining and synthesizing them. The final document of the two year-assessment is the result of combining the process mapping with

- 1) numerous personnel interviews and interviews of consumers;
- 2) the multi-disciplinary analysis of the psycho-social experts, educators, therapists, lawyers, social workers, parents, and pastoral ministers on the Implementation and Oversight Advisory Committee (IOAC) and Review Board;
- 3) the public invitation of insights from the community at large through the archdiocesan website;
- 4) the external vetting of the draft document with social agencies and survivors' advocacy groups;

¹ All references to policies and procedures in this review document are to the text of the printed booklet edition called *Policies and Procedures for the Protection of Children*, Archdiocese of Boston, which was promulgated by Bishop Richard Lennon, then Apostolic Administrator, on June 26, 2003 to take effect on July 1, 2003. An outline of the articles of the *Policies and Procedures* provides a glimpse of its scope:

Article 1 – General Provisions

Article 2 – Safe Environment Programs

Article 3 – Pastoral Support and Outreach

Article 4 – Principals for Communications

Article 5 – Reporting Child Abuse and Neglect to Civil Authorities

Article 6 – Reporting Child Abuse to Church Authorities

Article 7 – Principals for Investigating Complaints of Child Abuse

Article 8 – Complaints against Archdiocesan Personnel and Volunteers

Article 9 – Complaints against Clergy – The Preliminary Investigation

Article

10 – Complaints against Clergy – Penal and Administrative Processes

² It must also be noted that a ministerial “code of conduct” is included with the *Policies and Procedures*. As early as June 27 and 28, 2002, the Policy Committee of the Cardinal's Commission for the Protection of Children began bringing forward the idea that a code of conduct and a procedures manual were needed as part of the policy. Although the “Code of Ministerial Behavior” was not part of the promulgated *Policies*, the Decree of Promulgation given at the Chancery of the Archdiocese of Boston on October 17, 2003 to take effect on the 24th day of October, 2003, stated that, after a year spent *ad experimentum*, the Code would be permanent and part of the policy by October, 2004. The Code has, indeed, become part of the policy, with one possible revision having come forward, namely, the revision of an “acknowledgment of receipt” form to make it general to clergy, employees, and volunteers alike. The procedures manual was never fully developed as a separate entity, although many procedures are incorporated into the *Policies and Procedures* booklet

- 5) the request for insights on the same draft from two special internal vetters, namely, the Vicar General and Moderator of the Curia and the Delegate for Investigations;
- 6) the regular periodic review of developing versions of the document by the IOAC and the Review Board; and
- 7) the development of a narrative overview of the historical context of systemic change and internalization of programs needed for protection of children and prevention of abuse in the social mission of the Church today.

Upon delivery of the final document to Archbishop Seán P. O'Malley, OFM Cap., we expect that he will conduct an intensive internal vetting of the report with archdiocesan offices, agencies, and personnel such as the Regional Bishops, the Presbyteral Council, the Archdiocesan Pastoral Council, and the College of Consultors, and respond to the IOAC with his judgments on how and when our recommendations will be addressed and implemented in the Archdiocese.

Both the ongoing analysis and the personnel interviews have been a learning experience for all who have participated in this review. Those who were interviewed – Department Directors, Cabinet Secretaries, employees and others, both clergy and laity, who are directly involved with policy implementation – have been forthcoming in their commentary on the strengths, weaknesses, accomplishments, challenges, communications, resources and “better ideas” that have come with the hard work of implementing the 2003 *Policies and Procedures for the Protection of Children*. As a result, the reviewing committees consider the review extraordinarily fruitful in its production of informative and helpful data.³ In the past year, we have also found that external and special internal vetting of the current *Policies* and of our major draft recommendations with other interested parties have brought many insights and further recommendations to our review.

Since the reviewing groups are comprised of professionals who together have distinctly different civil, religious, secular, ecumenical, psycho-social, legal, medical, ministerial, educational and administrative backgrounds, we have striven to be inclusive, rather than exclusive or mono-disciplined, and to accommodate that variety of perspectives in our one narrative. The documents accommodates points of view of all the members of the reviewing groups and seeks neither to provide the neutrality on religious statements that civil documents, and even our reviewers who serve in state agencies, customarily require, nor to argue the position of one professional discipline.⁴

³ See Appendix B for lists of the volunteer members of the two reviewing groups, the Implementation and Oversight Advisory Committee in the archdiocesan Office of Child Advocacy and the archdiocesan Review Board. Committee and Board membership includes individuals who are survivors of sexual abuse or who are family members of children abused by priests.

⁴ Special thanks must go to three IOAC Members for helping develop the structure and the spirit of this report and represent its content to various audiences: Robert Gittens, Esq., Vice-President, Public Affairs, Northeastern University, gave the IOAC the broad framework in which to think about its review (what has been done in the Archdiocese, what has not been done, what needs to be done). Susan Getman, Deputy Commissioner, Massachusetts Department of Social Services, called us to state the mission, core values, and guiding principles of our review, to emphasize continuous quality improvement as the standard to be striven for in the Archdiocese, and to organize a large amount of review material into more accessible major findings, recommendations and tables. Suzin Bartley, Executive Director, Children's Trust Fund, a member of the Commission for the Protection of Children (2002) and a member of the Implementation and Oversight Committee since its beginnings early in 2003, has with her staff

In short, this review report draft is a multi-disciplinary document – not a civil document, not a theological statement, not a scientific assertion, not a cultural understanding, but something that has elements of all those habits of thought. This review report simply aims to present a truly constructive, comprehensive and critical look at where the Archdiocese of Boston has been, what it has accomplished, and where it needs to go in the future in the work of safe environment, pastoral outreach, and justice.

With goals of prevention of abuse and protection of children and youth in mind, we who have independently conducted this required two-year review of the *Policies and Procedures for the Protection of Children*, Archdiocese of Boston (2003), note that we were given a free hand by Archbishop Seán P. O'Malley to develop our critique and to point a direction. The theme we have chosen is “children first” – a leitmotif that reflects the most promising practices in the work of child and family advocacy and that focuses on actual children.

However, with regard to policies and procedures for the protection of children, since every survivor was once a child, and since every adult on the journey of faith is invited to become a spiritual child in order to receive the kingdom of heaven, we cannot help but recognize as well in the theme of “children first” another, ecclesiological dimension based in the Gospel.

Jesus clearly says, “Let the little children come to me...for it is to such as these that the kingdom of heaven belongs” (Mark 10.14), and he holds the child up as the model of Christian discipleship. “Whoever does not receive the kingdom of God as a little child will never enter into it” (Mark 10.15). And whoever puts a stumbling block (*scandalon*) in a little one's way would be better off if he had a millstone placed around his neck and he were sunk into the deep (Mark 9.42). Indeed, “children first” here translates as a motif that has universal application in the household of faith. Theologian Paul Hinnebusch, O.P., has even observed in his book on the beatitudes that when Jesus wants to teach discipleship he points to the child as the model of trust and simplicity. These are the little ones who are poor in spirit, the meek of the earth.

The Catholic Church has always embraced both faith and reason. What the application of reason and knowledge can do, including contemporary developments in the psycho-social sciences that have been gradually recognizing the personhood of the child and the significance of the family, and insights in management, communications, and processes of organizational change, is help the Church take down the stumbling blocks that have contributed to abuse by enabling the situation in which it could occur.

Beyond that, there is a call of faith that asks the Church to open up and encourage the way, the truth, and the life in all its people and in the region as a whole.

Proximately, this report has been done in service of healing, renewed trust and restorative justice in a Church. But ultimately, in a social environment in which abuse is endemic, what the Archdiocese is already doing and will continue to do, beginning with the most vulnerable population of younger children and extending to youth, transcends the myopic prevention of abuse by some clergy and addresses child abuse in all forms perpetrated by anyone in society.

constituted a major technical support and information system for the selection and archdiocesan rollout of safe environment programs in parishes and schools.

“Children First” offers our recommendations to the Archbishop as a continuum of policy-making, implementation, and systematically pursued cultural and organizational change in the Archdiocese of Boston so that the “little ones” – children, families, the crushed survivor and the disheartened faithful priest or parishioner, the poor, the humble sinner, the *anawim* who are, in Albert Gelin’s memorable phrase, “the clients of God” who live in that freedom and trust, the least and the last, those most likely to be hurt or put aside by power, whether in the civil or the ecclesiastical realms – can spiritually thrive.

April 7, 2006

Children First

GUIDING PRINCIPLES & MAJOR FINDINGS

FROM CANONS TO PASTORAL CARE

TOWARDS CQI (CONTINUOUS QUALITY IMPROVEMENT)

COMPREHENSIVE RECOMMENDATIONS

DISCUSSION & CONCLUSIONS : SEEKING JUSTICE

Contents

<i>Preface</i>	vii
<i>Table of Contents</i>	xiii
GUIDING PRINCIPLES & MAJOR FINDINGS	
✋✋✋ The Foundation of the Review: Mission, Core Values, & Guiding Principles	3
✋✋✋✋ What the Archdiocese Has Accomplished So Far	7
A. Reaction to Crisis, Response to Societal Need	7
B. Religious Education Publishers	8
C. Snapshots Summaries/Statistical Data Charts	8
D. Going Forward	13
✋✋✋✋✋ What the Archdiocese Needs to Do	15
A. Overarching Concerns	15
B. Major Findings: The Review Board	15
C. Major Findings: Completing Implementation	17
C. Twenty-Two Major Recommendations	20
✋✋✋✋ The Greatest Challenge	22
FROM CANONS TO PASTORAL CARE	27
V. Some Historical Contexts	27
A. Evolution of Policy	27
B. Experience and Evaluation of the Canonical Interface	27
C. The Conjunction of Abuse Crisis & Parish Reconfiguration	32
D. Addressing the Social and Spiritual Wound	33
TOWARDS CONTINUOUS QUALITY IMPROVEMENT	37
VI. The Review As Prelude to Continuous Quality Improvement	39
A. Methods, Objectives, Timelines, Resources & Types of Recommendation	
VII. Summary of Interview Data Collected in Tables	42
COMPREHENSIVE RECOMMENDATIONS	75
VIII. A Categories of Recommendations	77
VIII. B. Recommendations	77
DISCUSSION & CONCLUSIONS: SEEKING JUSTICE	85
IX.A The Challenge of Organizational, Social and Cultural Change	87
IX.B. The Canonical Genre of the <i>Policies and Procedures</i> and the Need for a Both/And Approach	89

IX.C. Specific Accomplishments & Challenges in Handling Complaints of Child Abuse.....90

IX.D. The American Church As a Whole & a Strength-Based Community Approach.....92

Statistical Data Charts:

Data Charts on Program Participation (2003-2005).....8

i. TAT Schools Survey Statistics..... 9

ii. Safe Environment Statistics from Parishes..... 10

✕✕✕☞ Pastoral Support and Outreach Data..... 11

✕❖☞ Cases Reviewed by the Review Board12

Summary of Data Collected/Tables:

Strengths/Weaknesses, Accomplishments/Challenges, & Recommendations for Policy, Procedures, Communication & Resources.....45

Organizational Charts for Role of Director of Implementation & Oversight & Links to Various Departments Serving Protection and Prevention.....48

SECTION I, ARTICLES 1-4 GENERAL PROVISIONS.....TABLE NUMBER

Archbishop as Implementer.....1.1

Review Board.....1.2

Office of Pastoral Outreach and Support.....1.3

Office of Child Advocacy and Safe Environment.....1.4

Secretary for Ministerial Personnel.....1.6.2

Delegate for Investigations.....1.6.8

Institutes of Consecrated Life.....1.7

Safe Environment: Schools & Parishes

Mandated Prevention & Education Programs..... 2.1-3

Safe Environment: Mandatory Background Checks (CORIs).....2.4

Safe Environment: Seminary Screening and Formation.....2.5

Office of Pastoral Support and Outreach.....3

Principles of Communication.....4

SECTION II, ARTICLES 5-10, HANDLING COMPLAINTS OF CHILD ABUSE

Reporting Child Abuse and Neglect to Civil Authorities.....5

Reporting Child Abuse to Church Authorities.....6

Principles for Investigating Complaints of Child Abuse.....7

Complaints against Archdiocesan Personnel and Volunteers.....8

Complaints against Clergy –The Preliminary Investigation.....9

Complaints against Clergy –Penal and Administrative Processes.....10

X. Appendices.....97

A. Booklet edition of *Policies & Procedures* (July, 2003)

B. Committees Conducting This Review

C. Major Recommendations of the Commission for the Protection of Children

D. Ministerial Code of Conduct Translated into Five Languages

E. Safe Environment Statistics from Parishes & Schools:

An Overview of Current Archdiocesan Response with Some Reference to Work-in-Progress & Ongoing Training of Clergy

- F. Guidelines for Access to Care in the Office of Pastoral Support and Outreach**
- G. Letter of Authorization**
- H. 2004 Audit Report**
- I. Condensed Version, *Policies and Procedures***

GUIDING PRINCIPLES & MAJOR FINDINGS

- I. The Foundation of the Review:
Mission, Core Values, & Guiding Principles**
- II. What the Archdiocese Has Accomplished So Far**
- III. What the Archdiocese Needs to Do**
- IV. The Greatest Challenge**

GUIDING PRINCIPLES & MAJOR FINDINGS

I. The Foundation of the Review: Mission, Core Values, and Guiding Principles

In its 2005 review of the *Policies and Procedures for the Protection of Children* (2003) in the Archdiocese of Boston, the Implementation and Oversight Advisory Committee (IOAC) of the Office of Child Advocacy wishes to note at the outset that, over the past three years, the Archdiocese has worked hard at abuse prevention and protection of children and has produced a significantly safer environment.

As an historical frame of reference, it is worth observing that *twelve* of the fourteen major recommendations of the Commission for Protection of Children (2002), on which the *Policies and Procedures* were initially based, have been implemented to various degrees in the Archdiocese of Boston, and two remain national works-in-progress.⁵ This in itself is a remarkable achievement in so short a time. The two recommendations that have not yet been fulfilled are 1) the creation of a system to monitor offenders and 2) the development of a national sexual offender registry for persons removed from ministry because of allegations.⁶ It is our understanding that that the USCCB is working on the first task on a national level, and that secular and civil authorities are themselves struggling to find a way to make a national sexual offender registry work in our society.

At the same time, we know that the *Policies and Procedures* of 2003 has not completely achieved the outcomes at which it was aimed, and revision is in order. To build clearer paths to the desired outcomes, the IOAC has undergirded its review report and recommended policy changes with the following statement of mission, core values and guiding principles. These articulated standards emphasize what ought to be the driving motive in the revised policy, namely, the shaping of an environment that is responsive, most of all, to children and families.

The following mission statement, core values and guiding principles provide a foundation on which to address current deficits in child protection and to stimulate a necessary cultural shift

⁵ For convenient reference, the Major Recommendations of the Commission for Protection of Children (2002) are listed in **Appendix C**.

⁶ We acknowledge reception of the comments of Alice Moore, Chief of the Protection Bureau in the Office of the Attorney General, Commonwealth of Massachusetts, through which she participated by invitation in our external vetting process of January, 2006, in her letter of February 27, 2006, which we received after the Office of Attorney General released it to the press. Despite the breach of requested confidentiality on a work-in-progress, we concur with her concern about monitoring, a recommendation which we had already incorporated in our draft report, and continue to point to the complexity involved in developing appropriate mechanisms for this kind of tracking, whether in the civil or ecclesiastical arena. Monitoring is a national and civil issue, not strictly one applying to the Church or to this Archdiocese. For statement of our perspective, see Michael Paulson, "Gaps Alleged in Church Plan to Prevent Sexual Abuse But Overseer Says Program Achieves Goals," *The Boston Globe*, February 28, 2006, A1 and 5.

toward a trustworthy, open, and reconciling Catholic environment for children, families and the faith community in the future. As the Gospel states, it would be better to have a millstone put around one's neck and to be thrown into the sea than to cause one of these little ones to stumble (Luke 17.2).

MISSION STATEMENT

The policies and procedures for the protection of children in the Archdiocese of Boston ensure the creation of safe and nurturing environments in which children can learn and develop emotionally, intellectually and spiritually.

CORE VALUES

All of our efforts and work together in the implementation of archdiocesan policies and procedures for the protection of children will be characterized by the following attitudes and their corresponding values:

Christ-centered	Mutually committed
Healing	Accountable
Restorative	Preventive and always learning
Inclusive	
Sustained in seeking quality outcomes	
Transparent	

GUIDING PRINCIPLES

Children First

1. All policies and procedures and their implementation will place the concerns of children and victim-survivors first.
2. All related institutional and administrative directives and protocols will protect children and victims from harm regardless of the personal convenience, sensitivities, or privileges of adults that might dictate otherwise. When the interests of children and adults are in conflict in circumstances of abuse, the children's interests will take precedence.⁷
3. Primary regard for children, victim-survivors, families and faith communities as well as mutual accountability and shared commitment to the Core Values and Guiding Principles will characterize all relationships between RCAB officers, leaders, employees, volunteers, parents and other individuals charged with implementation.

Leadership, Policy Design and Accountability in Implementation

1. All policies, procedures and programs must be pastorally responsive to all members of the community of faith – children, families, victim-survivors, religious, clergy, seminarians, employees, volunteers – as well as the institutional nature of the Church.

⁷ Paula Stahl of Children's Charter, Inc., Trauma Clinic, in comments to IOAC made as one of the outside vetters in our consultation of January, 2006

2. The conceptual framework of all policies, procedures and programs will ensure proactive pastoral responses as well as demonstrate compliance to civil and canonical legal systems.
3. Archdiocesan leaders and staff will enter into a covenant with the people of God to provide full resources, including staffing and funding, to create and support safe and nurturing environments for all of God's children and restorative justice and healing in the community of faith.
4. All policies and procedures will be informed by knowledge of the full range of needs and interests and required resources and shall be designed to be just and accessible for all constituents.
5. Adult leaders in the Archdiocese of Boston, on all levels of the organization, will take responsibility for aligning their actions and implementation of policy with the stated Mission, Core Values, and Guiding Principles and will hold themselves and others accountable for effective implementation of all policies, procedures, programs and administrative plans.
6. All policies and procedures and their implementation will be:
 - Timely, clear, and communicative about the decision-making process and the related accountability and authority structure;
 - Open and transparent;
 - Clear and decisive about steps to be taken when individuals do not satisfactorily meet their responsibilities as mandated through the policies and procedures;
 - Clear about appropriate consequences for non-compliance; and
 - Effective and fully resourced.
7. All programs and communications strategies related to child protection and prevention of abuse will be inclusive, consultative and collaborative in educating the Church community and the community at large.
8. All archdiocesan leaders, at every level, will commit to investing educational and public relations resources in child protection and restorative justice equal to communications investments in other major social issues in the Church.
9. All activities associated with the oversight and implementation of policies and procedures for the protection of children will be consistent with Catholic theology and ethics.

Systems, Practices and Attitudes

1. All systems must be coordinated in a manner that is collaborative and inclusive of interdisciplinary professionals, victims, survivors, family members, the faith community, and the public at large.
2. Core programs and procedures must be consistent with clearly articulated standards throughout the Archdiocese with enough flexibility in application to carry out the mission.

3. On-going review of all policies, practices and programs must reflect a commitment to continuous quality improvement, accountability and emergent learning.
4. Open communication and transparency will be evident internally and externally in all systems and interactions. A respect for appropriate confidentiality will not be sacrificed by the commitment to openness, but will draw clearly appropriate boundaries.
5. Archdiocesan-wide commitment to continuous learning will ensure that change evolves through experience and demonstrated outcomes are achieved without regard to previous institutional patterns.
6. All persons involved in implementation of policy and procedures will commit themselves to honest dealing and “no secret-keeping” and embrace the archdiocesan ministerial code of conduct.

II. What the Archdiocese Has Accomplished So Far

II.A Reaction to Crisis, Response to Societal Need

A lot has happened in the Archdiocese since 2002. A great deal has been done. But different times call both for continuity of response and new responses beyond crisis reaction. Going forward, the Archdiocese needs to consider the high human and financial cost of having to *react* to crisis. Rather, the Archdiocese must *respond* proactively.

During major administrative shifts in 2002-2003, the Archdiocese took on the difficult task of interfacing the different requirements of civil and canon law and began to discover in practice where the difficulties of implementation occur. In the two years since the *Policies and Procedures* were promulgated in July, 2003 – and the three years since the delivery of the recommendations of the Commission for the Protection of Children in October, 2002 – the efforts of personnel and volunteers in the Archdiocese of Boston to implement policies of protection of children and prevention of abuse while handling a backlog of allegations of abuse have been steady. The Archdiocese has persevered in the implementation of the policies through the obstacles usually encountered in large scale organizational change – social distress, limited human and material resources, and bureaucratic snags.

From parish to school to committee to chancery office, many members of the laity, religious orders and clergy alike have generously given of themselves to correct patterns of the past and to open the path of a better future. In addition, professional men and women from other faiths have made significant contributions to the development and oversight of policy implementation. Multiple actions to provide resources of healing to victim-survivors; to develop and install a ministerial code of conduct; to educate children, families and parish communities; to establish background checks on clergy, employees and volunteers; to train all those in ministry about mandated reporting and to make that a norm; to achieve global settlement of civil suits and to process allegations canonically; and to develop an organizational and institutional awareness have been wholly or partially successful in themselves. To some degree, and in short order, the Archdiocese has rolled out the implementation of new policies across its territory and in the awareness of every parish. From the vantage of prevention and protection education alone, tens of thousands of children in the Commonwealth of Massachusetts have been empowered through personal safety training with developmentally appropriate knowledge to resist molesters and tell a trusted adult. These Massachusetts children would not otherwise have received this training.⁸

Compared to some dioceses in the United States, Boston has attained a laudable depth in the implementation of some policies and needs to complement that achievement with complete breadth of implementation across hundreds of parishes. The Archdiocese has benefited significantly, if unevenly, from the accomplishment of the initial implementation of central principles of safe environment in schools, religious education programs, and Child Abuse

⁸ Outside vetter Susan Wayne of the Justice Resource Institute comments in her review of the draft report that many people in the Commonwealth, non-Catholics like herself as well as Catholics, are mindful of the educational institutions, the missionary work, and the commitment to social services in the Catholic Church, which has been a huge contributor to and an important part of society for centuries. Although some people have become cynical because of the abuse crisis, and the Church has lost its voice in some areas, the Church should persevere in doing good things.

Prevention (CAP) Team programs. Adult participation in CAP Teams, as well as educational programs such as “Talking about Touching” (TAT), developed by the Committee for Children in Seattle, Washington, and “Protecting God’s Children” (PGC), developed by VIRTUS, ensure protection and prevention in the future. Survivors and their families have benefited from pastoral support and outreach programs and individual therapeutic treatment plans. Some aspects of justice have been served through a global legal settlement and the canonical adjudication of a backlog of past cases. Clergy, employees and volunteers are trained in mandated reporting and all undergo regular background checks. Translated into five languages,⁹ a code of ministerial conduct has been put in place (**Appendix C**).

II.B Religious Education Publishers

Additionally, by trying to carry out its own safe environment programs of protection of children and prevention of abuse, the archdiocesan Office of Child Advocacy, Implementation and Oversight and the Office of Religious Education have laid the groundwork for a national initiative. For over a year, they have been in communication with the publishers of the five major national religious education *curricula* and have discussed the need to integrate personal safety education material into published texts. The publishers are open to the possibility of partnering with the Archdiocese and working together to promote child safety. These preliminary discussions culminated in a summit meeting in Boston in the late summer of 2005. The purpose of that meeting was to discuss in more depth the past, present, and future of child safety programs within religious education across the United States; to share our experiences of "contextualizing" and integrating this kind of material into the religious education classroom; and to hear the publishers’ thoughts on how this will impact the next editions of their religion texts.

As of November, 2005, aspects of this initiative were presented to the Bishops’ Committee for the Protection of Children, the Secretary and Deputy Secretary for Education and the Director and Deputy Director of the Office of Child and Youth Protection at the annual meeting of the United States Conference of Catholic Bishops with a view toward developing a *national* norm that would integrate child personal safety education into the major religious education texts used in the United States. As of December, 2005, officers of the USCCB, authors of safe environment educational programs, and directors of religious education offices have begun planning next steps in bringing this prospect to fruition.¹⁰

The successful implementation of this religious education initiative on the part of the Office of Child Advocacy in the Archdiocese of Boston would have national implications and would make a national contribution to safe environment education in the United States.

II.C Snapshot Summaries/Statistical Data Charts

The following statistical data charts for safe environment in schools and parishes; pastoral support and outreach; and review of cases by the Review Board provide snapshots of the scope and reception of the work that has gone on across the Archdiocese in the past three years.

⁹ Spanish, Portuguese, Vietnamese, Haitian Creole, and Korean.

¹⁰ See Appendix E for details of RCAB’s initiative with religious education publishers and the USCCB.

SAFE ENVIRONMENT The first chart summarizes responses in Catholic elementary schools to implementation of safe environment policies (**Chart I**). More extensive discussion of the accomplishments in the areas of safe environment in the parishes and the schools can be found in **Appendix E** and is very much worth the reading. Likewise, the next statistical chart provides a glimpse of the rolling out of safe environment training in parishes and the incorporation of CAP teams and safety education in religious education programs (**Chart II**).

Safe Environment: Statistical Chart I

Questionnaire Results for Catholic Elementary Schools¹¹

100% sent principals, teachers, guidance counselors, school nurses for training
99% report that the TAT curriculum was taught in one or both of the 2002/2003 and 2003/2004 school years
97% report that the TAT curriculum will be taught in the 2004/2005 school year*
97% report that the curriculum is taught once or twice a week, or more depending on grade level
86% agreed/strongly agreed that the teachers' response to the curriculum has been positive (12% were unsure because they were new principals, 2 principals disagreed)
91% agreed/strongly agreed that the children's reaction to the program has been positive (9% were unsure because they are new principals)
95% agreed/strongly agreed that children are learning the skill the program is designed to teach
78% agreed/strongly agreed that the parents' reaction to the program has been positive. (19% were unsure because they are new principals or had not received feedback)
85% report they have hosted one or more parent information evenings
92% report that they have used the parent information letters included in the curriculum
81% report that no child has been opted out of the program (only 48 children – less than 1% - have been removed diocese-wide**)
100% report that they have an abuse reporting protocol in place
52% report that they have filed one or more 51a abuse and neglect reports with DSS (60 in the 2002-2003 academic year and 60 in the 2003-2004 academic year; all pertained to family members, neighbors, other children, etc., and were a combination of different kinds of abuse and neglect)
97% say the training should be offered as part of the orientation for new teachers, or every 2 years

***As of the current school year, over 52,000 elementary school children have been trained**

****Only 3 schools account for 30 of the 48 children removed**

¹¹ With 80 of 107 principals (75%) responding. The questionnaire or survey instrument is available at the Office of Child Advocacy. This chart was prepared by Deacon Anthony Rizzuto, Director of the Office of Child Advocacy.

Safe Environment: Statistical Chart II

Questionnaire Results for Parishes¹²

100% sent psychologists, teachers, social workers, nurses, parents, etc. for training as facilitators and CAP Team members

90% report that all mandated clergy, employees and volunteers attended training by the date required (Policy required that all be trained by Dec 03. Archbishop granted extension to June 04)

95% of parish clergy attended training in the past 18-24 months

95% of parish employees attended training in the past 18-24 months

86% of parish volunteers attended training in the past 18-24 months*

85% report that no one who was required to take the training, and did not, is still in ministry (exceptions are new personnel and volunteers who have come into the parish recently)**

71% have ongoing training courses scheduled and will continue them until all personnel are trained.

35% have lost CAP Team members due to volunteer turnover and request a total of 242 new trainers

31% have implemented the TAT curriculum in their parish religious education programs***

44% indicate that they plan to complete the curriculum in the next academic year (Best Practices sessions in May/June 2005 attended by 254 individuals from 163 parishes; TAT training session for Religious Educators who are new to the parishes, or who missed the initial rounds of training, was held on July 11/12, 2005 for 45 individuals from 29 parishes).

9% of parishes indicate they have filed one or more 51a abuse and neglect reports with DSS in the past 2 years (53 cases were reported in total, and all pertained to family members, neighbors, other children, etc., and were a combination of different kinds of abuse and neglect)

* **Total of these three categories is almost 46,000**

** **While all clergy are required to take the training, only those employees and volunteers whose work/ministry brings them into contact with minor children are required to take the training.**

*****To date, approximately 43,000 children in parish religious education classes have received training in personal safety and abuse prevention.**

PASTORAL SUPPORT Under the expert professional and pastoral leadership of Barbara Thorp, LICSW, the primary and immediate focus of the Office of Pastoral Support and Outreach (OPSO) in the past two years has been the establishment of a clinical network of independent

¹² This data chart represents 277 parishes responding, a 92% response rate. This chart was prepared by Deacon Anthony Rizzuto, Director of the Office of Child Advocacy.

therapists and the arrangement of myriad treatment plans for individuals and group programs for survivors and their family members. Added to this, OPSO was directly involved – from both clinical and pastoral perspectives – in communication with survivors who were plaintiffs in the settlement process. Overall, OPSO under Barbara Thorp has been noted for exemplary and exceptional work in the victim community.¹³ **Appendix F** copies current material from the archdiocesan website that explains operative current guidelines for access in the functioning of OPSO.

Chart III itemizes the work of the Office of Pastoral Support and Outreach (OPSO) through December, 2005, in responding to survivors and their families and working with a network of therapists:

Pastoral Support and Outreach: Statistical Chart III

Therapeutic Support & Pastoral Outreach Programs for Survivors & Family

626 personal letters of apology and invitation to meet sent from Archbishop since 2002 to those receiving settlements

637 victims, survivors and family members served by OPSO to date

140 letters outlining services available sent by OPSO to individuals with pending claims

400 independent therapists working with OPSO (total number in 3 years) to help survivors

130 completed independent courses of treatment for survivors/some family members

235 active treatment plans

Treatment and services already in place for 50 of the 170 survivors in pending claims

An improved intake record-keeping process with regard to client confidentiality

A professional conference (January, 2004) aimed at pastoral information-sharing and knowledge-integration for clinical standards

Facilitated various programs in small-group formats, including:

- Women's Support Group
- Parents' Support Group (working sessions with volunteer therapist, Jeff Bradley, *pro bono*, and support sessions)
- A series of focus groups at various parishes with the BC School of Social Work
- Meeting of parents/survivors/staff in October, 2004
- Wellness day for survivors (Spring 2005)
- South regional clergy meeting (OPSO outreach to priests, May, 2005)
- Two evening dialog sessions between survivors and priests (Summer 2005)
- Dialog and Mass for priests and parents of survivors (October 2005)
- Two in-service programs for therapists treating survivors (Fall 2005)

¹³ Paula Stahl of Children's Charter, Inc., Trauma Clinic, in comments to IOAC made as one of the outside vetters in our consultation of January, 2006. The data in this chart were communicated by Barbara Thorp to the Office of Child Advocacy.

Review Board: Statistical Chart IV

Article 1.2 of the *Policies and Procedures for the Protection of Children* describes the function and responsibilities of the archdiocesan Review Board. Since the promulgation of the *Policies and Procedures for the Protection of Children* in July 2003, the Archbishop has sought the recommendation of the Review Board on a number of cases regarding allegations of sexual abuse of a minor. The Archbishop may seek the Board's advice at any time after an allegation is received, but this normally occurs at the conclusion of a preliminary investigation. Based in part upon the Board's recommendation, the Archbishop makes a determination as to whether or not an allegation requires further canonical action.

The primary and immediate focus of the Review Board in the past two years has been the canonical processing of the cases that emerged during or after the crisis of 2002, although cases themselves may have referred to incidents that took place prior to 2002. Thus, during the past two years, the Review Board has examined a backlog of cases connected to the abuse crisis, some of them going back decades. To their great credit, and observing the requirements of the Charter and the Essential Norms, the Review Board and the Archbishop's Delegate for Investigations have managed a very heavy work load, completing many cases and getting many others into the necessary pipeline towards completion.

In some cases where preliminary investigation has occurred and the Review Board has made a recommendation, it has been the decision of the Archbishop that an allegation cannot be substantiated, and all restrictions upon the priest are lifted. In other cases, while the allegation cannot be substantiated, there remain sufficient concerns about the priest in question (for example, due to mental illness, substance abuse, or other issues) so as to necessitate ongoing restrictions upon his exercise of ministry.

If the Archbishop decides that there is probable cause that some canonical crime occurred, he is bound by canon law to refer the case to the Congregation for the Doctrine of the Faith, and the Congregation determines in what way the matter should be adjudicated. For example, the case may be returned to the Archdiocese to be decided by means of a canonical trial or an extrajudicial penal process. In cases involving admitted offenses where the priest is elderly and/or infirm, he may be permanently restricted from the exercise of any priestly ministry in order to live a life dedicated to prayer and penance. Finally, a priest may request to be laicized or, in particularly egregious matters, the Holy Father may dismiss him from the clerical state.

The following data chart indicates the work of the Review Board in reviewing all cases in this time period covered by this report (July 2003-December 2005).¹⁴

¹⁴ This narrative and data chart were prepared by the Vicar General, Bishop Richard Lennon, and the Delegate for Investigations, Amy Strickland, and reported to the IOAC through Father John Connolly.

Cases Reviewed by the Review Board (July 2003-December 2005)

In the period July 2003 through December 2005, the Review Board considered cases involving 71 Boston Archdiocesan clerics (priests or deacons). The cases break down as follows:

In 38 of these 71 cases, the Review Board recommended to the Archbishop that some further canonical action be taken. In these cases, the Board found probable cause that sexual abuse of a minor had occurred. Upon acceptance of the Board's recommendation by the Archbishop, each of these cases was transmitted to the Congregation for the Doctrine of the Faith ("CDF") in Rome for determination of the appropriate canonical process. The current status of these cases is as follows:

- | | | |
|----|---------|---|
| 11 | cases - | priest is no longer in the clerical state due to laicization or dismissal from clerical state |
| 5 | cases - | Priest is permanently restricted from ministry and directed to live life of prayer and penance. |
| 13 | cases - | CDF has directed further penal process, consisting of either a canonical trial or extrajudicial penal process; priest restricted from exercise of any ministry. |
| 9 | cases - | Still pending before CDF; priest restricted from exercise of any ministry. |

In one of the 71 cases reviewed in the period July 2003 through December 2005, the Review Board has considered the case, but a preliminary investigation remains open. The priest is restricted from the exercise of any ministry pending further investigation and review by the Review Board.

In the remaining 32 cases, the Review Board recommended to the Archbishop that the case did not merit transmission to the CDF in Rome. In these cases, the Review Board did not find probable cause that sexual abuse of a minor had occurred. In 9 of these 32 cases, the priest is restricted from ministry for other reasons, including mental illness or substance abuse.

II. D Overview: Going Forward

Thus, greatly helped by the largely psycho-social and civil recommendations of the Commission for the Protection of Children in October, 2002, the Archdiocese has made a solid beginning in addressing the tragic revelations of 2002 in four areas of activity: 1) safe environment education in schools, 2) safe environment education in parishes, 3) pastoral outreach and support, and 4) the review of cases by the Review Board. Simply by trying to implement the policies and procedures of 2003 across the board, the Archdiocese of Boston has in many ways launched a major cultural and organizational change whose energy must be sustained and supported.

Implementation of policy is now a combination of genuine achievement, work-in-progress, refining of goals, filling of gaps, and ensuring continuity of programs for the future as well as methods of continuous quality improvement. The Archdiocese must build into its organization, management and communications practices the truer human economy of assimilating, staffing, funding and resourcing programs for protection and prevention. Now that the Archdiocese has arrived at the next phase of response, the challenge to address the troubled areas of policy, to build up weak areas, and to progress into a deeper and broader territory in which implementation of child protection and abuse prevention is routine comes to the fore.

Certainly this challenge has been felt in various ways at the parish level in the past two years. Going forward in implementation often fulfills the proverbial “one step forward, two steps backward” phenomenon. Thus, the energy and commitment to sustain the momentum of implementation of safe environment programs has waxed and waned in some locales. For example, although the Archdiocese as a whole benefited significantly from the accomplishment of the initial implementation of central principles of safe environment in schools, religious education programs, and Child Abuse Prevention (CAP) Team programs in 2002-2003, many parishes suspended programs during 2003-2004 while Archbishop O’Malley, in response to some parents, asked for an additional review of the content of specific programs. Such a review proceeded under Bishop Richard Malone between November, 2003, and February, 2004. In the end, the “Malone Report” to the Archbishop confirmed the theological compatibility and educational values of the content of the programs chosen for archdiocesan safe environment education, but the inquiry itself broke the momentum of implementation in some parishes. During 2004-2005, the Archdiocese has had to struggle to rebuild that momentum, and it is still struggling to achieve complete implementation.

Yet a more hopeful development has also occurred. In some quarters, initial resistance has given way to slow growth and actual rootedness. The five regional meetings of directors of religious education during the summer of 2005 revealed groups of people who had begun to understand the necessity of safe environment education even if it helped only one child by preventing abuse. This is the kind of success that shows depth and progress in achieving social change. Although adults are primarily responsible to protect children, children themselves are teaching grandparents, parents and teachers about the value of safe environment education by communicating their needs and experiences and those of some of their peers.

III. What the Archdiocese Needs to Do

- **Major Findings: Overarching Concerns**
- **Major Findings: The Review Board**
- **Major Findings: Completing Implementation**
- **Twenty-Two Recommendations**
- **The Greatest Challenge**

III.A MAJOR FINDINGS: OVERARCHING CONCERNS

While the Archdiocese has accomplished a great deal, a great deal remains to be done. Certain overarching concerns have come up again and again in our review process and revealed an Archdiocese of Boston generally facing five (5) major challenges that must be met in order to achieve genuine implementation of policies of protection, prevention and justice.

1. Communication (both internal and external)
2. Compliance with existing policies/practices
3. Correction of policies that are not working
4. Coordinating centralization of implementation and oversight administration
5. Continuity and inculturation of protection and prevention responses across the Archdiocese.

These are the needs, from one perspective or another, that produce the most concern among survivors, the faithful, priests, employees, and professionals with whom we have spoken. These concerns also resonate with the strong convictions of members of the IOAC and the Review Board conducting the review. Pastoral outreach and safe environment programs can only be implemented successfully and meet the standard of “children first” where there is strong clerical leadership and accountability at the parish level and the clear expectation of compliance from archdiocesan leadership.

III.B MAJOR FINDINGS: THE REVIEW BOARD

The first major finding of this report must call special attention to the design and functionality of the independent Review Board as a particularly sensitive area of policy implementation needing clarification and improvement. Our data show that Review Board design, role definitions and boundaries, processes, operations, and communications need to be re-examined and re-structured.¹⁵ We say this while we also recognize that, to their great credit during an extended period of crisis as they observed the requirements of the Charter and the

¹⁵ Cross-reference these comments on the Review Board with Major Recommendation 3 under “Leadership,” p. 21; Table 1.2, pp. 50-51, and Tables 7 through 10, pp. 67-74; and Comprehensive Recommendations, pp. 77-83, *passim*.

Essential Norms, the Review Board and the Archbishop's Delegate for Investigations have managed a very heavy work load, completing many cases and getting many others into the necessary pipeline towards completion.

The primary and immediate focus of the Review Board in the past two years has been the processing of the cases that emerged during or after the crisis of 2002, although cases themselves may have referred to incidents that took place prior to 2002. Thus, during the past two years, the Review Board has examined a backlog of cases connected to the abuse crisis, some of them going back decades.

However, going forward, the Review Board's own experience of the last two years points to a significant need for re-organization. Related to the problems of the Review Board we have learned how important it is to develop the most promising practices in investigations and to sustain a co-delegate system that includes those trained in dealing with sexual assault so that complainants, the accused and the community of faith can have confidence in canonical processes.

The Archdiocese needs to be clear that the Review Board

- Is an independent body having a distinct role definition different from those of the Delegate for Investigations and the Office of Canonical Affairs even if there is functionally some relatedness
- Has direct access to investigators trained in responding to sexual abuse who have interviewed complainants
- Has direct access to all information necessary in the preliminary investigation and sees the same information the Archbishop sees
- Sets its own agenda, runs its own meetings and, prior to submission, reviews and approves all communications sent on its behalf to the Archbishop
- Enjoys consistent, direct communication with the Archbishop, who meets with the Review Board for no less than three (3) special sessions per year.
- Offers advice to the Archbishop on all aspects of diocesan policies and practices for dealing with sexual abuse of minors and has regular communication with other Boards and Archdiocesan offices
- Hears back directly from the Archbishop regarding his determinations on specific recommendations made to him by the Review Board (not only judgments in cases but also other recommendations) and also receives quarterly reports on determinations of the Archbishop from the Delegate
- Has direct discussion with the Archbishop on the need to require additional expertise on the Board, the possibilities of interfaith membership, and how members are chosen
- Has the resources and staffing to handle allegations in a timely fashion
- Is consulted about priests being put on administrative leave
- Is consulted on how to determine whether an alleged abuser is a current risk to children

- Is consulted on how and when to put a priest on administrative leave, and how to craft some oversight or supervision around priests who are left in place, but about whom concerns remain.

Additionally, under the umbrella of one of the overarching concerns that have come to light in the area of policy on handling allegations, we note a failure in both policy and implementation to develop and carry out communications and notifications to complainants and the accused about canonical processes at significant junctures, such as the inception of canonical actions, their intermediate stages, and conclusion. Although it would not be appropriate for the Review Board itself to be charged with carrying out these communications, the Review Board should assist the Archbishop or the Delegate of Investigations in developing suitable channels and instruments of such communication. Likewise, the Review Board should receive periodic assurance that such notifications are being sent out in a timely fashion to complainants and the accused and to the Offices of Child Advocacy and Pastoral Support and Outreach in cases that pertain to their duties.

III.C MAJOR FINDINGS: COMPLETING IMPLEMENTATION

Using the three categories of this report's guiding principles – 1) children first, 2) leadership, policy design, and accountability; and 3) systems, practices, and attitudes – to organize the major findings of our two-year review has yielded a picture of the Archdiocese as a large organization that has set out to achieve change but has not completely implemented its own policies. The Archdiocese is unevenly struggling to initiate and complete implementation and to sustain commitment to it. Where the Archdiocese has succeeded, there is a depth of application, reception, and assimilation that will bear good fruit for this region and for the country. Where it has not succeeded, there is not even lip service regarding the *Policies and Procedures*. This review points out how much the Archdiocese needs to commit itself to providing adequate staffing and resources to carry out a full implementation of policies for the protection of children and prevention of abuse.

It is our hope that looking at problems of implementation through the core values of this review and the lens of our guiding principles will help the Archdiocese carry out and complete the needed practical courses of action.

1) Children First

While safe environment education for grades PreK-4 in Catholic schools found early and strong implementation, there are a number of areas of response that are insufficiently implemented because they are a) not complete, b) not strong and stable enough, c) beginning implementation or d) not yet even up and running.

a) NOT COMPLETE

- Safe environment education in religious education programs across all parishes grades K-8

b) NOT STRONG OR STABLE ENOUGH

- Broad community healing and outreach
- Full development and use of CAP teams in parishes

c) BEGINNING IMPLEMENTATION

- Full establishment of a pilot program for safe environment education for grades 5-8, which was introduced into Catholic schools in 2005-2006
 - Reinforcement of the lessons learned through TAT through “booster” sessions since all children in grades K-8 will have been taught those lessons in some form by 2007
- d) NOT YET DEVELOPED**
- The development of a lay advisory board for pastoral support and outreach
 - The articulation in writing of guidelines for care in pastoral support and outreach.

2) Leadership, Policy Design and Accountability in Implementation

The immediately functional execution of policies or patterns of practice and procedure has often been hampered by the lack of the following:

- A statement of and role description for a Special Assistant/Director of Implementation and Oversight who has centralized authority for all protection and prevention activities, a direct link to the Archbishop, and responsibility to co-ordinate inter-office communication¹⁶
- Structured channels of intra and inter-office communication to and from that centralized authority
- Enforcement measures for compliance
- Establishment and implementation of regular notification practices to complainants and the accused regarding canonical processes, to the Office of Pastoral Support and Outreach, and to the Office of Child Advocacy.
- A therapeutic treatment plan policy and funds for it going forward, particularly regarding long-term needs

3) Systems, Practices and Attitudes

Several other aspects of policy development and implementation have not yet been considered and addressed by the Archdiocese and require staffing, resources, communication, and skill in the operation of systems:

- Means to address non-compliance in parishes and schools where safe environment programs have not been fully implemented
- Development of an ongoing rolling review for continuous quality improvement (CQI)
- The processing of a new battery of cases from plaintiffs who have come forward since the global settlement of November, 2003
- The untangling of violations of the due process of accused priests whose lives are suspended for years while canonical judgments take time
- Development of standards for investigations that are consistent with the standards in civil investigations, and continued use of licensed investigators with specialized training in sexual assault.

¹⁶ Outside vetter Susan Wayne, Executive Director of the Justice resource Institute, reinforces our perception that the Archdiocese needs a single, authoritative overseer for implementation of all policies and programs

Additionally, the *Policies and Procedures* of 2003 are aimed literally and legally at preventing abuse of minors and protecting children. It does not address at all two important but difficult areas of response to other, if older, children of God. To make a comprehensive response, archdiocesan policies ought to define:

- Transparent avenues to address clerical abuse of young people and adult women and men, and
- Suitable and reliable ways to monitor offenders.¹⁷

4) Synthesis

In sum, placing children first requires the leadership of the Archbishop and, to be effective, the sustained and systematic incorporation across the board, from chancery to parish, of new structures, practices and attitudes in the archdiocesan organization until they become simple and routine. In the attainment of such an institutional synthesis, placing children first has a number of implications. Certain efforts must continue on the long-term, such as the ongoing work of

- Healing survivors of clerical sexual abuse;
- Co-ordinating civil and canonical processes for handling allegations;
- Restoring trust in members of the community of faith;
- Rebuilding trust externally;
- Overcoming shame on the communal level and extending the spiritual support of faith communities to survivors;
- Practicing restorative justice; and
- Reinstating the central pastoral aim of the Church – and the Archbishop – to teach, govern and sanctify the community of believers.

To the extent that the Archdiocese can complete and fulfill implementation of policy in these ways, it will not only be institutionally effective for prevention of abuse and protection of children but also point to the reality that the Church is more than an institution. The Archdiocese will reflect the fundamental values of person and community that stand at the heart of the Church's own experience of Christ's charity and be seen, once again, as a person – mother and teacher – in whose face is visibly drawn the map of Christ's face. For it is true of her, as Saint Bernard well understood about her spiritual quest in his sermons on the Song of Songs as he

¹⁷ Again, we wish to note that this is a recommendation already included in our report when the Attorney General's Office, one of our outside vetters of January, 2006, reinforced the point in comments shared with the media on February 27, 2006. See Jay Lindsay, Associated Press, "Attorney General Chides Church on Reforms," Boston.com, 6 p.m., February 28, 2006, on the surprise public release of the AG's comments, our commitment to transparency, and our perception that, while "the policy is doing its job for this time...., it's also in a state of evolution" because "In any large organization, change takes time."

portrays the Church as Bride cast out into the streets looking for the Bridegroom, that when she looks like him, the Crucified One, she will find him.

III. D TWENTY-TWO MAJOR RECOMMENDATIONS

Having identified overarching concerns and major findings, the IOAC and the Review Board can generate a specific list of major recommendations for change in policy or in practice of policy. These recommendations are based on the two-year experience of what has been accomplished and is working, what is not working or remains to be done, and what needs to be developed. Once implemented, these recommendations will help the Archdiocese of Boston seek constant quality improvement in child and youth protection and prevention of abuse.

Twenty-two recommendations follow in a bulleted list, organized in the same categories as our guiding principles, that is, 1) Children First, 2) Leadership, Policy Design and Accountability in Implementation, and 3) Systems, Practices and Attitudes. A more detailed list of recommendations can be found in Section VIII of this document.

Children First

Under the leadership of the Archbishop, and in order to go forward in protection, prevention, and justice, the Archdiocese needs to:

- ☞ Sustain, strengthen and extend safe environment programs, especially CAP teams, across the Archdiocese and in every parish/faith community until they have become assimilated and routine;
- ☞ Develop a pastoral plan for extending pastoral support and outreach across the Archdiocese and inculturating the work of healing in parish/faith communities.
- ☞ Continue to balance the legal action in the settlement process with a pastoral emphasis so that the legal process serves a deeper justice and does not lead to revictimization.
- ☞ Develop and express a pastoral statement with regard to abuse and the social mission of the Church to accompany the canonical expression of policies and procedures.
- ☞ Seek interfaith collaboration.
- ☞ Continue to pursue and provide technical and professional support, along with the US Conference of Catholic Bishops, the Office of Child and Youth Protection and the appropriate USCCB committees, to a national religious education initiative helping publishers of religious education programs to align and integrate child personal safety and abuse prevention information, materials and practices into their curricula.

Leadership, Policy Design and Accountability in Implementation

Under the leadership of the Archbishop, the Archdiocese needs to:

1. Develop, express and carry out compliance rules and timeframes for policies

2. Provide immediate and sustained evidence of concrete, progressive actions taken by the Archbishop and his designees to hold clergy and lay staff accountable for their performance and the outcomes that are required to satisfy the terms and expectations of the philosophy, policies and programs adopted for the protection of children.
3. Re-structure and implement Review Board policies, practices, roles and communications toward independence, particularly around use of material for preliminary investigations, independent reports, and direct contact with the Archbishop.
4. Consistently observe due process for complainants and accused on a) the information that is needed before a priest is removed from ministry pending the preliminary investigation; b) the time during which cases are left pending without a decision; and c) information that may be shared.
5. Create and carry out notifications to complainants and the accused about canonical proceedings at their inception, intermediate stages, and conclusion, and notify Office of Pastoral Support and Outreach in cases affecting its sphere of responsibility (e.g., individual clients, victims' advocate groups)
6. Develop standards for preliminary investigations that are in accordance with standards in civil investigations. The evidence gathered can then be utilized in the canonical process when applicable. In this way civil authorities, complainants, accused priests, and all Catholics can have more confidence in the canonical process.
7. Attend to the discoveries this review has made regarding canonical processes in Section II of the *Policies* on "Handling Complaints" and continue to develop policies into their next, more pastoral and organizational phase.

Systems, Practices and Attitudes

Under the leadership of the Archbishop, the Archdiocese needs to:

- ☞ Centralize the authority of the Special Assistant/Director of Implementation and Oversight over all offices, programs and efforts at protection, prevention of abuse, and handling of allegations and give him/her a direct link to the Archbishop and a cabinet position.
- ☞ Develop channels, protocols and timelines for better internal and external communication among archdiocesan offices, including that of the Archbishop, to encourage transparency, openness and collaboration and to inform the public on archdiocesan programs for protection, prevention and handling allegations;
- ☞ Develop a continuous quality improvement (CQI) policy review process and make it mandatory and inclusive of all offices/programs of protection, prevention, and handling allegations
- ☞ Provide immediate and sustained evidence of the Archbishop's strategic plan to establish corrective action plans, including professional development, for RCAB personnel in parishes, schools and institutions where individual performance and outcomes are not aligned with the requirements of the RCAB's Policies and Procedures for the Protection of Children.

- ☒☞ Create a mechanism for tracking mandated reporting (51A) carried out in schools and parishes and report incidents to the Office of Child Advocacy to measure compliance and policy effectiveness. Regularly reaffirm the requirement to report immediately any suspected or actual child abuse or neglect to DSS.
- ☒☞ Develop and implement plans for ongoing post-ordination formation and performance evaluation with a view toward the health and well-being of clergy
- ☒☞ Create an effective aftercare and monitoring process for clergy against whom there have been credible allegations and a tracking system for those who have been dismissed from the clerical state.
- ☒☞ Develop and carry out a multifaceted outcomes evaluation that will not only measure the efficacy of the safety education and training programs for adults and children with regard to knowledge retention and skill utilization, but also attempt to gauge the effects of the massive organizational changes made to the Archdiocese as a whole through implementation of policy.
- ☒☞ Co-ordinate these efforts with a view toward organizational change and appropriate internalization of a social mission of the Church, neither slipping back into non-transparent management practices of the past nor developing a parallel life that usurps the primary reasons for the existence of the Church.

IV. The Greatest Challenge

IV. The Greatest Challenge

The greatest challenge presented to the Archdiocese in 2005-06 is the slow pace of organizational and cultural change in the face of diminished human and fiscal resources. This challenge is ignored at the peril of the Church.

The attainment of continuity in the good work the Archdiocese has begun, the achievement of thorough institutional integration of programs, and the development of a broad-based, informed pastoral care for the complex communal issues surrounding abuse are serious tasks of inculturation that lie ahead. Many archdiocesan personnel have been working harder in the past two years because they carry responsibility for two, three, or even four jobs instead of one. This is not a situation that can be sustained indefinitely. The time has come, insofar as that is possible, to reorganize internal management and to “work smarter.”

To go forward with child protection and abuse prevention, the Archdiocese must achieve the meaningful continuation and organizational integration of programs for safe environment, pastoral support and outreach, seminary formation, and ongoing post-ordination formation and performance evaluation for the health and wellbeing of priests.¹⁸ The Archdiocese has to find

¹⁸ It should be noted that the revised USCCB Charter (2005), Article 17 encourages ongoing post-ordination formation and that bishop-members of the Conference have pledged themselves to “work individually in our dioceses/eparchies and together as a Conference, through the appropriate committees, to strengthen our programs

both the funding and personnel to carry out these tasks while also pursuing continuous quality improvement (CQI), developing strong channels of intra and inter-office/agency communication and collaboration, and working out canonical procedures so that they do not obscure American civil standards of due process for either plaintiffs or the accused.

And all this while seeking to remain essentially a Church and becoming a renewed people of God and community of faith.

It is on an institutional and managerial plane that the Archdiocese can, and must, strive to confirm the good work it has begun. In the process, however, it would be false to see the Church as merely a social institution. Rather, if the greatest challenge the Archdiocese now faces is the organizational change of its culture, the deepest opportunity is one that may be called formation.¹⁹ The challenge and the opportunity go together. The cultural and organizational change the Archdiocese must seek in order to achieve protection of children and prevention of abuse socially serves the larger end of helping the Church itself transfigure its lowly body into closer conformity to the glorious body of Christ (Phil.3.20-21).

both for initial priestly formation and for the ongoing formation of priests.”

¹⁹ “What matters in the Church is not religion but the form of Christ,” explains Dietrich Bonhoeffer, “and its taking form amidst a band of human beings. If we allow ourselves to lose sight of this, even for an instant, we inevitably relapse into that program-planning for the ethical or religious shaping of the world” that is inadequate.

FROM CANONS TO PASTORAL CARE

V: Some Historical Contexts

👉 Evolution of Policy

👉 Evaluating the Primarily Canonical Genre
of the *Policies and Procedures* (2003)

👉 The Conjunction of Abuse Crisis & Parish Reconfiguration

👉 Addressing the Moral and Spiritual Wound

FROM CANONS TO PASTORAL CARE

V. Some Historical Contexts

V. A. Evolution of Policy

The *Policies and Procedures* document (July, 2003) is one that developed out of several sources and different genres at different times in recent history. We identify four such stages of evolution, three of which were strongly canonical in nature. Thus the current two-year review process brings the Archdiocese to the next and fifth threshold in the ongoing evolution of a policy text and should result in a more experientially refined and interdisciplinary policy statement in 2006.

1. 1985 Revised Canon Law
2. 1990s Articulation of archdiocesan policies and protocols for handling allegations of clerical sexual abuse
3. 2002 - Mandated reporting (MA civil law May, 2002)
 - USCCB Charter and Essential Norms (June, 2002)
 - Psycho-social and educational recommendations of the Commission for the Protection of Children (October, 2002)
4. 2003 Canonical interface and promulgation of particular law for the Archdiocese of Boston in the *Policies and Procedures*
5. 2005 IOAC and Review Board recommendations for revision of policy

In this evolution, the crisis of 2002 is the anomaly. It opened up new territory and many questions beyond the strictly canonical. It brought about the need for a new course of action in the formation of policy, one that strove to intersect two different legal systems, the civil and the canonical, and to draw on contemporary psycho-social and legal science. The resultant insights and questions, and their impact on canonical process, had to be dealt with in greater detail. To some degree, therefore, the policy expression of 2003 is an effort to bring a broader, interdisciplinary perspective into a largely canonical framework. The articulated and published *Policies and Procedures* of 2003 represents a canonical interface to the civil and psycho-social questions of 2002.

V. B. Evaluating the Primarily Canonical Genre of the *Policies and Procedures* (2003)

1. CANONICAL INTERFACE There can be no question that the canonical interface of 2003 was absolutely necessary and that it was accomplished in a scholarly and remarkably skillful fashion.²⁰ Nor should there be any question that this very achievement of 2003 is one that must now undergo evaluation, revision and refinement based on the experience of

²⁰ This adaptation was largely the work of Father Robert Oliver, a canon lawyer and seminary professor, with regular consultation of the Implementation and Oversight Advisory Committee.

the past two years. The reviewing committees judge that the next and fifth stage of policy formation must somehow press forward with a policy integration that includes but goes beyond the strictly canonical. Going forward requires neither standing still nor nostalgically retreating to past accomplishments but practicing “both/and” thinking. We recommend taking the best results of each phase of development and implementation, learning from it, deciding what to keep and what to let go of, and framing informed response to the actual needs of the Archdiocese as it goes forward. Reviewers of 2005 look forward to yet another and still better developed iteration of policy after this review.

2. NEED FOR CENTRAL OVERSIGHT. The canonical interface of 2003 made some adjustments to the received recommendations of 2002 and left some important features out of the policy.

For example, in a well-intentioned effort to frame new policies within an existent organizational structure and internalize them, the canonical interface of 2003 actually put aside the Commission’s recommendation that for several years the Archdiocese use a single overseer for all aspects of protection and prevention response and handling of allegations. Certainly policies and programs need to be internalized over the long term, and the sooner the better, but this particular decision seems to have been administratively premature. It moved the Secretary for Child Advocacy, Implementation and Oversight out of a cabinet position that linked him directly to the Archbishop and diminished the role of a Director of Implementation and Oversight to the role of directorship for Safe Environment programs. The archdiocesan effort to respond strategically to the abuse crisis was hampered, then, by lack of internal communication, lack of co-ordination of functions, and pockets of non-compliance.

Consequently, the streamlining effort in the published *Policies and Procedures* (July, 2003) had to be reversed in practice by Winter, 2004, because protection and prevention efforts and the handling of allegations needed central oversight. That winter, Father John Connolly was appointed “Special Assistant” to the Archbishop in order to take on this co-ordinating role. This role now needs to be re-written back into the policy.

Until such time as the responses of protection and prevention and the handling of allegations can truly be assimilated as routine functions in the archdiocesan organization, we recommend that the Archbishop sustain the appointment of a Special Assistant as the Director of Implementation reporting directly to the Archbishop and give him or her powers analogous to those of an episcopal vicar having the Archbishop’s authority on these matters, i.e., all archdiocesan business pertaining to abuse prevention, protection of children and minors, and handling of allegations. We are not recommending appointment of an episcopal vicar as such because that title requires the person to be an ordained priest. We anticipate that this ordering of authority will be needed from 2005 to 2008, when it should be re-examined.

3. PROPORTIONAL EMPHASIS. The two sections of the *Policies and Procedures* (2003) text break down into proportions, roughly, of 30% and 60%, with Appendices (Glossary, Endnotes, Contact Information) accounting for the remaining 10%.

Section I of the *Policies and Procedures* (Articles 1-4, 34 pages or about 30% of the text) skillfully adapts the psycho-social recommendations of the Commission for the Protection of Children on victim advocacy, safe environment education, seminary screening and formation, and principles of communication to existent canonical or ecclesiastical offices -- Archbishop, Vicar General, Secretary for Ministerial Personnel, Delegate for Investigations, Chancellor, Director of Human Resources, etc. -- and introduces two new offices, that of the Director of Child Advocacy/Safe Environment and the Director of Pastoral Support and Outreach. This adaptation attempted an insertion of functions of protection and prevention into the archdiocesan organization and departments going forward but, by removing too early the role of a Director of Oversight and Implementation recommended by the Commission, it reinforced the tendency of archdiocesan departments to be “silos” of non-communication and non-coordination of effort. For at least a year (2003-2004), the right hand did not know what the left hand was doing, and lack of communication and collaboration among different agents of various aspects of the policy remains a major problem.

Section II of the *Policies and Procedures* (Articles 5-10, 54 pages, or about 60% of the text), is prominently interfaced with existent canon law and adapts some of the recommendations of the Commission for the Protection of Children to the civil issues of mandated reporting and the rights of the plaintiffs and the accused as well as spelling out canonical requirements regarding a) preliminary investigation, b) reputation, and c) penal and administrative processes. It is in Section II that the experience of implementation both in archdiocesan offices and in the Review Board will require a similar re-alignment of roles to the one already suggested for Section I.

4. RE-DISTRIBUTION & ALIGNMENT OF ROLES

- All reporting activity must shift from the Secretary for Ministerial Personnel to the Special Assistant/Director of Implementation and Oversight in Articles 5.3.2, 6.1.1-3, 6.2, 6.3, 7.3.3, 7.4.4, 8.1.1-2, 8.2, 9.1, 9.1.3-6 and 9.3 and the role definition and boundaries of the offices of the Director of Implementation and Oversight and of the Secretary for Ministerial Personnel must be re-written in the policy so that, in practice, the principles both of legitimate confidentiality and also of transparency and openness can be fulfilled in the course of implementation.
- Likewise, the role definition, specific functions and role boundaries of the Delegate for Investigations with regard both to the Archbishop and to the Review Board must be re-evaluated and re-written in Articles 5.4.3, 5.3.2, 8.2, 8.3.3, 8.4.1, 9.3, 9.5, 9.6.1-5, 9.7.1-9, 9.8, 9.9, 9.10 with a similar view toward fulfilling the principles both of legitimate confidentiality and also of transparency and openness. Care must be taken to ensure complainants that investigators trained in dealing with sexual assault are conducting the investigations of their complaints. The mechanism for preliminary investigations should be defined in accordance with the standards for civil investigations, conducted by experts in that field with specialized training in sexual assault, and rewritten in Articles 7.1.1 and 7.3.2 so that the investigations carry legitimacy with civil authorities, victim-survivors, accused priests, and parishioners.
- It is imperative in actual practice, as demanding as these procedures are, that

- i. the Review Board see all of the documentation in the preliminary investigation that the Archbishop sees and has direct access to the investigators;
- ii. the reports of the Delegate for Investigations and of the Review Board are distinct reports, not summaries merged together into one document and point of view;
- iii. the Review Board, having given its recommendation on a particular case, routinely and regularly hear back not only from the Delegate in quarterly reports (Article 1.2.4) but also from the Archbishop himself, perhaps through the Delegate, on the Archbishop's determination of a given case, whether a penal process or a course of therapy or some other kind of recommendation is involved;
- iv. the role of the Vicar General who assists the Archbishop in the governance of the entire diocese and possesses the executive power that belongs to the Archbishop in law (Articles 1.3, 1.6.1 and 8.4.8) be more precisely defined, particularly with regard to the role of the Special Assistant/Director of Implementation and Oversight, the adjudication of cases and the primary responsibility of the Archbishop to promulgate and implement the policies (Article 1.1);
- v. that the specific role of a Special Assistant to the Archbishop, analogous to the role of an episcopal vicar²¹ but not limited to those who are priests, who shall take responsibility for the specific area of archdiocesan operations involved in protection and prevention responses and the handling of allegations of abuse be defined with regard to implementation of policies of protection and prevention and handling of allegations; and
- vi. the time during which cases are pending in the canonical process be brought into alignment with standards of due process in American civil law.

5. EDITORIAL CONFUSION. A final word regarding the canonical interface and evolution of the text must be said here regarding editing that occurred between May and July, 2003, and caused considerable public confusion.

In May, 2003, the Implementation and Oversight Advisory Committee reviewed a final draft text of the "Policies and Procedures" about to be promulgated and approved it as a canonical interface with the understanding that some minor editorial work remained to be done, including an agreed-upon re-sequencing of articles. In what was then Article 8.2.6, persons who would have access to information generated in connection with an investigation of abuse included a range of parties. This later became Article 4.3.1 in the published article on "Principles of Communication." In the version of the policies dated May 21, 2003 and reviewed, then promulgated on May 30, 2003, and subsequently posted on the archdiocesan website during June, 2003, paragraph 8.2.6 in the May 21, 2003 version of the policies included "the complainant and his/her lawful representative" and "the accused person and his/her lawful representative" as persons who will also have access to this information." The May, 2003 text read as follows:

²¹ See the Code of Canon Law (1985), canon 479, §2 regarding the episcopal vicar's power over a certain type of business with the exception of those matters the bishop has reserved to himself or those matters that require the special mandate of the bishop in canon law.

8.2.6 (May 21, 2003) Information generated in connection with an investigation of alleged child abuse will be maintained in a confidential manner. The following persons will have access to the information:

- the complainant and his/her lawful representative;
- the accused person and his/her lawful representative;
- the Delegate for Investigations, members of the investigative team, members of the Review Board, tribunal officials, and canonical assessors;
- the bishop of a non-incardinated cleric or the competent superior of a member of an institute of consecrated life, society of apostolic life, or personal prelature.

However, after the Implementation and Oversight Advisory Committee reviewed and approved the apparently final draft, an editorial question came up and an editorial change was made by Father Oliver in consultation with Bishop Lennon regarding that list of persons.

The revised text in the printed edition of *Policies and Procedures* (July, 2003) reads:

4.3. Information generated in connection with an investigation of alleged child abuse will be maintained in a confidential manner.

4.3.1 The following persons will have access to the information:

- the Delegate for Investigations and members of the investigative team;
- members of the Review Board, tribunal officials, and canonical assessors;
- the Bishop of a non-incardinated cleric or the competent superior of a member of an institute of consecrated life, society of apostolic life, or personal prelature.

The expectation that complainants and the accused or their representatives could ask to see information generated in connection with an investigation, however, had already been publicly created because of the website posting of the prior draft and because of the proceedings of a current allegations that was much in the news. There was a public perception that a complainant's request to see the information generated in connection with an investigation of abuse had prompted the change. Whatever happened, such an incident of trying to use the policy called attention to the gap between universal and particular law in Article 8.2.6/4.3.1.

From the standpoint of developing the text, it appears that the change in articulation would have had to have been made at some point anyway. Since universal canon law has no provisions for providing information generated in connection with an investigation of abuse to complainants and the accused, it was unreasonable to create expectations in the particular law of the policy that could not be fulfilled either by the Church of Boston or by the Vatican, and Father Oliver was instructed to remove the complainant and the accused and their lawful representatives from the list of persons who had access to investigative information.

If the matter had been brought back to the Implementation and Oversight Advisory Committee and explained before the editorial revision was made, perhaps the Committee could have helped communicate the rationale to the public, and further damage to efforts of the Church to restore trust could have been avoided. Without such explanation, the revision and its content unfortunately buttressed a public sense of lack of transparency in archdiocesan affairs and increased public fears regarding differences between canon law

and American civil law and due process and the difficulty of co-ordinating these differences, which further alienated survivors/plaintiffs.

Within a month of this confusing set of events, and shortly after the installation of the new Archbishop, the IOAC met for the first time with Archbishop Seán P. O'Malley in early August, 2003, and voiced concern over this failure in the process. The Archbishop promised that, going forward, no such lack of consultation would occur again. The issue continued to boil in the news and IOAC committee members were drawn into the discussion.²²

In our attempt to tie up the loose ends of this particular question, therefore, the further query comes up in this review whether the editorial revision made between late May and July, 2003, conflicts with another statement still in the current *Policies* Article 8, paragraph 2.2 which grants an accused person “the right to examine written records of proceedings and decisions.” This is an issue we addressed specifically during our process mapping. If it does not conflict, the following questions must be answered clearly: a) what material is necessary for a preliminary investigation; b) which documents can be examined and when; and c) what are the differences between canonical prescriptions and the requirements of American civil law and due process and can they be clearly marked.

V.C The Conjunction of Abuse Crisis and Parish Reconfiguration

It is the understanding of those whom we have interviewed, and of many Committee and Review Board members, that it is historical conjunction, not causality, that has linked the abuse crisis to the fiscal crisis.

Nevertheless, the painful, if economically necessary, parish reconfiguration experience has for a time dislocated the people of faith and distracted the Archbishop and the Archdiocese from a better absorption of child protection and abuse prevention efforts. The cry of parishioners whose parishes are caught in reconfiguration decisions, even where those decisions have been reviewed and reversed, is that the cost of protection and prevention is unfairly draining the Archdiocese and parishes of their resources.

Those we have interviewed, including Bishop Richard Lennon, who was Apostolic Administrator from December, 2002, until July, 2003, have told us that the financial fragility of the Archdiocese and or parishes running up great debts existed before the crisis of 2002. Examination of the books clearly disclosed early in 2003 that the archdiocesan chancery and the geographical plan of parish locations needed immediate re-structuring in order to continue operations, to address the reality of a reduced number of priests available to serve, and to suit changing demographics in the region.

The Church of Boston as a single, long-established bricks-and-mortar network of institutions – parishes, schools, hospitals, colleges, social service agencies – is severely challenged as it undergoes a major social change.²³ The Church that is now struggling to emerge through a significant social transition is less a physical network of buildings and institutions and, more than ever, a new spiritual bond of diverse faith communities, laity,

²² See Eileen McNamara, “A Mistake Left Alone,” *The Boston Globe*, September 24, 2004.

²³ Since the 1960s many of those institutions have survived by splitting off from the “network” and becoming separately incorporated or independent Catholic organizations.

religious and clergy alike, who must find their unity anew around the altar, pulpit, and office of the bishop.

The cost of the abuse crisis is very high on every level, and the Archdiocese has told the public that financial resources for it to date have come from the sale of the bishop's residence and seminary grounds, insurance funding, and donations. However, going forward in the future requires re-thinking the funding of operations and staffing in the central office in order to assimilate protection, prevention, healing and justice into the social mission of the Church and engaging dedicated laity on a large scale across the whole region of the Archdiocese.

This is the point at which effects of reconfiguration genuinely cross paths with the ongoing response of the Archdiocese to the abuse crisis in the immediate present and the future. So the Archdiocese – really, the whole community of faith – needs to consider the potentially false economy of letting programs of protection and prevention diminish or disappear.²⁴ Nationally, the abuse crisis of 2002 has cost the Catholic Church over one billion dollars in crisis or reactive spending. How much better it would be to develop resources and staffing and, through a directed and deliberate response, to spend on preventative and educational measures that, in the long run, will be far less costly both in human suffering and in finances.

V.D. Addressing the Social and Spiritual Wound

If the Catholic Church in Boston is to retain its ecclesial identity and find a renewed way of expressing it, the sexual abuse crisis of the Church is not something the community of faith can afford to forget because of restructuring – or because of political distraction and social denial.

Across the Archdiocese, dedicated, good priests suffer from poor morale, and thousands of sincere laity look to the day when they can once again connect their faith to social experience with confidence. Many survivors still describe themselves as feeling “lost.” The profound non-reconciliation between some priests and personnel who have abused children and hundreds of survivors is something with which the Archdiocese must continue to wrestle if the Church is to learn from its past mistakes, to heal, to renew its commitment to prevent abuse from ever happening again, and to confirm an abiding pattern in every instance of protection of children and youth.

Thus the spiritual gravity and human and financial cost of the clerical abuse crisis in the Archdiocese of Boston have informed this review process with a profound and simple conviction. Beyond the therapeutic approach to the healing of individuals, beyond the rolling out of protection and prevention programs in schools and religious education, and beyond the already operative, if unwieldy, legal approaches to justice, both civil and canonical, all of which need to continue, the spiritual effects of the wound of sexual abuse remain in the community and need to be tended to. As the Archbishop himself commented to victim-survivors in his installation homily on July 30, 2003, “You are the wound on the Body of Christ today and the healing of our Church is inexorably bound up with your own healing.”

²⁴ Cf. the revised USCCB Charter (2005), Article 10, and its sense that “the whole Church, especially the laity..., needs to be engaged in maintaining safe environments in the Church” for children and young people.

At the deepest levels, the wound is social, and the wound is spiritual. And until the Church of Boston – clergy and laity alike, bishops, priests, religious and people, the whole community of faith – finds the courage to emerge from a divisive shame, to use our talents, skills and knowledge of diverse arts and sciences in concert together and not against one another, and to take the genuinely communal, sacramental and spiritual means offered by our faith tradition to address what we have experienced, the wound will not be healed.

Various efforts to simplify and integrate management, organization, and communications will decidedly help the Archdiocese, but in the end the renewal of the community is a moral and spiritual matter. By himself, the Archbishop cannot accomplish this healing, but he can remove obstacles to it and direct the whole community toward its realization. What the Archdiocese needs is that “spark of moral discernment” that can motivate and integrate organizational change and the continued implementation of good policies from the energizing ground of our faith.²⁵

A safe and trustworthy environment is decidedly part of that ground, and Catholic schools and religious education programs have begun to bear good fruit from it. But parish communities as a whole and the Catholic faith community in the entire region need to experience this kind of growth. Certainly, there are parishes in which dedicated pastors and thoughtful lay people working together have been able to reach a significant level of inner justice and peace for small groups, but not enough parishes and people are experiencing this grace.

The Church of Boston is just at the beginning of emerging from the shock of two traumas, the abuse crisis and the reconfiguration process, and many tasks of re-organization lie ahead. The work of healing is just beginning to bring survivors, their families, priests and parishioners together for dialogue and the discovery of common ground in a faith tradition that is greater than any obstacle or suffering we have experienced. Ideally, the Archbishop will be able to walk among the people in the parishes and diverse faith communities where they are and ask how they are doing and what they need for their spiritual lives to flourish in this new post-crisis and post-reconfiguration social climate.²⁶ And then, as the mother of a survivor put it when one of our committee members asked her what advice she would give to the Archbishop, he must “Listen to the people.”²⁷

The abuse crisis is not uniquely a Boston or an American Catholic problem. Given international statistics regarding abuse and violence, the argument that “the Catholics of Boston have to fix a problem, but the rest of us don’t” is simply not accurate. The particular horror of clerical abuse demands a uniquely strong self-corrective from bishops

²⁵ See St. Bonaventure, *The Journey of the Mind to God*, I.A.6, in *Mystical Opuscula*, Volume I of *The Works of St. Bonaventure*, trans. Jose de Vinck (Paterson, NJ: St. Anthony Guild Press, 1960), p. 11: “The powers of the soul ... are the following: senses, imagination, reason, understanding, intelligence, and, at the tip of the mind, the spark of moral discernment. These powers, implanted in us by nature, were distorted by sin, and are reformed by grace. They must be cleansed by righteousness, trained by learning, and perfected by wisdom....”

²⁶ Paula Stahl, of Children’s Charter, Inc., Trauma Clinic, in comments to IOAC made as one of the outside vetters in our consultation of January, 2006.

²⁷ Mrs. Paula Ford, Greg Ford’s mother, in a chance encounter during July, 2005.

everywhere, nationally and internationally, since many bishops followed the pattern of seeking recovery for abusive clergy and circulating them to other parishes and thus created a situation that resulted in actual lifelong harm to thousands of children. Faithful Catholics expect stronger accountability from bishops with regard to actions taken in the past and look for the exercise of far greater episcopal responsibility in efforts to go forward. This is especially the case in the Boston Archdiocese, which was used nationally in the media as the “poster child” for the abuse crisis.

Because of the notorious scope of the scandal of abuse and authority in American Catholic dioceses, including Boston, a society afflicted with abuse asks the Church to tend honestly to its own wounds and to make amends. Many of the faithful want to understand what happened in our Church. Thus it is heartening to us that the Archbishop of Boston publicly voiced support for the funding of a USCCB study of causes of this crisis at the June, 2005, USCCB meeting, and that carrying out such a thorough study has now been delegated by the USCCB to John Jay College. Many citizens also look consciously for good to come out of the evil that infiltrated the Church. It is encouraging to those of us who have conducted this review to hear from our outside vetters about the quality of the review itself, the sense that there was little or nothing to add,²⁸ and the feeling that this signifies a very hopeful and productive process in the Archdiocese.²⁹

By implementing our recommendations, the Church of Boston can organizationally develop a model of recovery and a genuine course of prevention, protection and community health that can then be translated to and embraced by other structures and institutions.

Last but not least, as the first quarter of 2006 has begun, the people of faith ask the Archbishop, now the Cardinal-Designate, and the Archdiocese for an intensified pastoral leadership. Having faced the immediate crisis of the past four years, the Archdiocese needs to strengthen forward-looking policies and programs and to produce a parallel document on socially endemic abuse and the social mission of the Church to accompany the current canonical statement of the *Policies and Procedures*. This parallel document should be

- more pastoral,
- not dominated by law (civil or canonical),
- open to ecumenical and interfaith collaboration, and
- expressly informed by a relational and spiritual understanding suitable to the signs of the times and the needs of the contemporary Church as a community, ever ancient and ever new, in whom the risen Christ is present.

Added to the sustaining of forward-looking programs and good management practices, organizational change, and communications, such a response might bless a

²⁸ Notably Marilee Hunt, Executive Director, Governor’s Commission on Sexual and Domestic Violence, in comments made as an outside vetter of the draft review report, but also several other vetters, including Alice Moore of the Attorney General’s office and Susan Wayne of the Justice Resource Institute.

²⁹ Outside vetter Susan Wayne of the Justice Resource Institute remarked further in a telephone interview with Deacon Anthony Rizzuto on March 10, 2006, that anyone reading the review report will find it clear and honest and will see that the Church is very serious about the work of child protection and not treating this work in a superficial way, but with depth and insight.

community of faith that has been sorely tried. We have no doubt that it might also bless the Archbishop himself and encourage him to persevere in this difficult work.

The Church, according to the documents of Vatican II, is “like a pilgrim in a foreign land,” that presses forward amid the persecutions of the world and the consolations of God, announcing the cross and death of the Lord until He comes. By the power of the risen Lord she is given strength to overcome patiently and lovingly the afflictions and hardships that assail her from within and from without and to show forth in the world the mystery of the Lord in a faithful though shadowed way....³⁰

³⁰ *Lumen Gentium* 1.8, *The Documents of Vatican II*, trans. Walter M. Abbott, SJ (NY: America Press, 1966), 24.

TOWARDS CQI (CONTINUOUS QUALITY IMPROVEMENT)

VI. The Two-Year Assessment

As a Prelude to Continuous Quality Improvement: Methods, Objectives, Timelines, & Types of Recommendation

VII. Summary of Data Collected/Tables

SECTION I, ARTICLES 1-4 GENERAL PROVISIONS

- 1.1 Archbishop as Implementer**
- 1.2 Review Board**
- 1.3 Office of Pastoral Outreach and Support**
- 1.4 Office of Child Advocacy and Safe Environment**
- 1.6.2 Secretary for Ministerial Personnel**
- 1.6.8 Delegate for Investigations**
- 1.7 Institutes of Consecrated Life**
- 2.1-3 Safe Environment: Schools & Parishes
Mandated Prevention & Education Programs**
- 2.4 Safe Environment: Mandatory Background Checks (CORIs)**
- 2.5 Safe Environment: Seminary Screening and Formation**
- 3 Office of Pastoral Support and Outreach**
- 4 Principles of Communication**

SECTION II, ARTICLES 5-10, HANDLING COMPLAINTS OF CHILD ABUSE

- 5 Reporting Child Abuse and Neglect to Civil Authorities**
- 6 Reporting Child Abuse to Church Authorities**
- 7 Principles for Investigating Complaints of Child Abuse**
- 8 Complaints against Archdiocesan Personnel and Volunteers**
- 9 Complaints against Clergy –The Preliminary Investigation**
- 10 Complaints against Clergy –Penal and Administrative Processes**

TOWARDS CONTINUOUS QUALITY IMPROVEMENT

VI. The Two-Year Assessment As a Prelude to Continuous Quality Improvement: Methods, Objectives, Timelines & Types of Recommendation

We have seen this review as a work-in-progress beginning in November, 2004, completing several major review tasks during 2005, developing into a penultimate report in January, 2006, and transitioning into the Archdiocese's continuous quality improvement in implementation in 2006.

Under the umbrella of improving implementation of child protection and abuse prevention in the Archdiocese of Boston, This review has had four (4) main objectives:

1. Determination of which policies are implemented, which are working well, which do not seem to be working well, and which new policies may be needed;
2. Development of recommended revisions of the current text of the *Policies*;
3. Identification of additional recommendations beyond the textual, including incorporation of a rolling review process so that assessment is always going on and quality improvement of the policies and procedures is inbuilt;
4. Assessment of the genre and reception of the current *Policies* with a view toward advising the Archbishop on organizational and pastoral change toward the meaningful integration of policies and practices of child protection and abuse prevention.

The archdiocesan effort to implement the *Policies and Procedures* during 2003-2005 has in itself led to the discovery of what works and what does not work as well as some experiential adjustments made by individual agents of policy along the way. All of our data and reflections, in turn, have produced this review's list of recommended changes and an expression of the Church's mission regarding both its own practices of protection and prevention and also its outreach to a society afflicted by sexual abuse.

This review started with a comprehensive examination and cross-mapping of two primary sources: a) the data from the 2004 USCCB audit, which identifies the accomplishments of the Archdiocese of Boston to date and provides primarily quantitative performance information, and b) the ten Articles of the *Policies and Procedures*. The mapping of the audit data to the pertinent sections and paragraphs of the *Policies and Procedures* determined what the quantitative data revealed about the functioning of each area (i.e., how are things working, what is working well, what does not seem to be working well?).³¹

Beyond that, the development and execution of a multi-phased process has produced this final draft of our report as a comprehensive, critical and constructive analysis, six phases of which are complete:

³¹ See **Appendix H** for a copy of the 2004 USCCB Audit Report for the Archdiocese of Boston.

- 1) initiation of mapping process in primary sources;
- 2) generation of qualitative questions as well as quantitative analysis;
- 3) interviews of responsible personnel and of internal and external consumers of the services and programs contained in the policies, including survivors, schools, CAP teams, DREs;
- 4) reflective consolidation of collected data and interview materials, with the generation of a basic set of recommendations;
- 5) public solicitation of feedback, suggestions and recommendations concerning the present *Policies and Procedures* through the archdiocesan website (September-October, 2005);
- 6) inclusion of the insights gained from external vetting and special, selected internal vetting in final assessment with the major portion of our quantitative and qualitative analysis.

Completion of the comprehensive review through interviews of consumers during the autumn and early winter of 2005-06 and external and special internal vetting during the first two months of 2006 have constituted the last formal phase of this two-year review. This process is now complete and includes the

- Final assessment and integration of all collected data into our analysis and central recommendations (February, 2006) and
- The identification of a final set of major recommendations and production of a final report (March, 2006).

In addition to members of the Review Board and the Implementation and Oversight Advisory Committee, twenty-six (26) individuals and groups responsible for the functional areas represented in the *Policies* have been personally interviewed by review teams. The individuals who were interviewed and the functions they represent in the execution of current policies are as follows:

- Sr. Marian Batho, CSJ – Delegate for Religious
- Sr. Clare Bertero, OFM – Secretary for Education
- Sr. Kathleen Carr, CSJ – Superintendent of Catholic Schools
- Rev. John Connolly – Special Assistant to the Archbishop
- Rev. Robert Connors – Secretary for Ministerial Personnel
- Rev. Sean Connor – Delegate for Investigations
- Rev. Rodney Copp – Promoter of Justice
- James Curran - Investigation staff
- Rev. Christopher Coyne – Past Secretary for Communications
- Terrence Donilon – Secretary for Communications
- Rev. John Farren – Rector, Saint John Seminary
- Judge Mary Fitzpatrick (Chair) and Review Board membership (Dr. Wilfrid Pilette, Maureen McGettigan, Carola Pontone, Paul Connolly, Rose Perard, Rev. Michael Doyle, and Jeffrey Bradley)
- Rev. Peter Gori – Advocate for Priests

- Thomas Hannigan, Esq. – Legal
- Rev Daniel Hennessey – Vocations Director
- Monsignor Francis Kelley – Past Rector, Blessed John XXIII Seminary
- Ann Lally – Director, Office of Volunteer Services
- James Larson - Investigation staff
- Bishop Richard Lennon – Vicar General/Moderator of the Curia
- Rev. James Mahoney – Assistant for Pastoral Support of Clergy
- Rev. Mark Mahoney – Judicial Vicar
- Rev. Thomas Nestor – Assistant for Pastoral Support of Clergy
- Rev. Robert Oliver – Faculty Member, St John Seminary, Canon Lawyer
- David Smith – Chancellor
- Judge Amy Strickland – Delegate for Investigations
- Barbara Thorp – Director, Office of Pastoral Support and Outreach
- Rev. Peter Uglietto – Current Rector, Blessed John XXIII Seminary

Additionally IOAC Members and Review Board Members have also interviewed survivors, parents and families of survivors, pastors and members of parish CAP teams, and other involved parties.

Drawing on a list developed by the Executive Director of the Children’s Trust Fund and other members of the IOAC, the nine external veters who were consulted during January and February, 2006, were the following:

Janet Fine, Executive Director, Massachusetts Office of Victim Assistance

Marilee Hunt, Executive Director, Governor’s Commission on Sexual and Domestic Violence*

Mary Lauby, Jane Doe, Inc.

Joseph Leavey, Executive Director, Communities for People*

William Lyttle, President, Key, Inc.*

Alice Moore, Office of the Massachusetts Attorney General*

Paula Stahl, Director, Children’s Charter, Inc. Trauma Clinic*

Marylou Sudders, President and CEO, Massachusetts Society for the Prevention of Cruelty to Children

Susan Wayne, Executive Director, Justice Resource Institute*

Of these, the six veters whose names are marked with an asterisk returned comments to the Office of Child Advocacy by the beginning of March, 2006, and their general comments and a number of their specific suggestions have been added to the document and footnoted. Because of circumstances, other veters were not able to respond by the beginning of March.

The two special internal veters were Bishop Richard Lennon, Vicar General and Moderator of the Curia, and Amy Strickland, Delegate for Investigations. Of these, Bishop Lennon returned his comments directly to the Archbishop by January 30, and those comments were later shared with Deacon Anthony Rizzuto, Director of the Office of Child

Advocacy, and M.J. Doherty, Ph.D., Chairperson of the IOAC for the purposes of inclusion or response, where possible, in this report.

Content informing our review inquiry has thus been gleaned through process mapping, interviews, consultation of various texts, development of analytical surveys and interview questions, discussions and selective internal and external public vetting. Details can be found summarized in the **Tables** presenting the **Summary of Data Collected** and in some suggested drafts for pertinent textual revision. All aspects of our analysis also reflect a broader, national context through our discussion and conclusions.

Among the resources either consulted or developed in the course of our review are:

- Booklet edition of *Policies & Procedures* (July, 2003)
- Ministerial Code of Conduct Translated into Five Languages³²
- Deacon Anthony Rizzuto, “Safe Environment Statistics from Parishes & Schools: An Overview of Current Archdiocesan Response with Some Reference to Work-in-Progress & Ongoing Training of Clergy”
- Deacon Anthony Rizzuto, Survey Instruments
 - ι. Comprehensive Schools Safe Environment Questionnaire
 - ιι. Comprehensive Parishes Safe Environment Questionnaire
- Operative Current Guidelines for Access to Care in the Office of Pastoral Support and Outreach
- Father John Connolly, Special Assistant to the Archbishop, Letter of Authorization
- USCCB 2004 Audit Report
- Deacon Anthony Rizzuto and the IOAC, Mapping Document
- Deacon Anthony Rizzuto, Model Set of Implementation Plans in Religious Education for Both Large and Small Parishes
- Condensed Version of *Policies* in Five Languages
- USCCB Charter and Essential Norms (Revised and approved, 2005)
- Fourteen Major Recommendations of the Commission for the Protection of Children, Archdiocese of Boston (2002)

VII. Summary of Data Collected in Tables

The following “Summary of Data Collected” aligns specific tables to the articles of the published *Policies and Procedures*, summarizes data, leads to our recommendations, and suggests the next iteration of policy. Tracking the *Policies and Procedures* in this manner brings forward both the details of achievement and the *lacunae* in policy or execution. It also brings to light the historical evolution of the structure and proportional emphasis of the *Policies and Procedures* document (July, 2003), pointing a way to the future. A word of explanation on how the tables are meant to function:

- Each table incorporates the insights gained from the mapping document, the assessments of those interviewed, and the observations of the Implementation

³² Spanish, Portuguese, Vietnamese, Haitian Creole, and Korean.

and Oversight Advisory Committee and the Review Board and attempts a synthesis.

- The tables assess implementation in the categories of 1) strengths/weaknesses, 2) accomplishments/challenges, 3) communications, and 4) resources, earmarking specific recommendations and providing as needed, insofar as possible, suggested drafts of textual revisions.
- Each “Summary of Data Collected” table is also numbered in the upper right hand corner (different from page numbering) to help identify particular areas of assessment.³³ To the extent possible, comments that pertain to several articles include some cross- reference.
- Obviously, where there was no article-specific commentary, there are no tables. That is, not every article has a corresponding table, but only those that received comment from interviewees and reviewers.

³³ A listing of these tables can be found in the Table of Contents, p. vi

Policies and Procedures for the Protection of Children: Summary of Data Collected 1.1

P&P Art. Ref: 1.1 Gen'l Provisions	Policy & Procedures	Implementation of Policy	Communications	Resources Special Assistant, RCAB personnel, and others, including informed laity who can offer professional skills
Art 1.1-3	strengths	Archbishop as implementer of policy Unity, authority, leadership; use of joint clergy-laity advisory committees	Needs more assistance	
	weaknesses	1) Needs to identify Special Assistant as a central agent/authority dedicated to oversight and integration of all protection, prevention, judicial, communication and formation tasks 2) Ministerial Code of Conduct (MCC) needs to be absorbed as permanent part of the <i>Policies</i> ; “acknowledgment of receipt form” of MCC needs to be made general to clergy, employees, and volunteers alike 3) Necessary dominance of legal approach in crisis response of first two years needs to make room going forward for a both/and approach and pastoral emphasis	Archbishop or delegated office needs to provide regular feedback of information to complainants about where their case is in the system/process; form letter at benchmarks; and a pastoral communication.	Delegate for Investigations and Pastoral Support Director are the likely facilitators of the communication depending on whether it is primarily legal or primarily pastoral but the two should not be merged and the Archbishop should sign the letters
	accomplishments	Settlement, sustaining of safe environment and pastoral outreach programs, application of zero tolerance, carry through on investigations and judgments; interim revision of policy in practice to appoint Special Assistant to integrate various functions of implementation		
	challenges	Enforcing safe environment compliance in some pastors; developing policies and funding going forward on pastoral outreach programs and treatment plans; staffing, development of more pastoral approach going forward	Consequences to non-compliance need to be clearly articulated and enforced	Certain financial actions cannot be taken without the Chancellor’s approval (selling property, large capital expenditures, etc.). Compliance might be enforced through denial of permission for these actions until the pastor complies – as long as the denial causes no long-term harm

Summary of Data Collected 1.1, cont.

P&P Art. Ref:1.1.1-3 Gen'l Provisions	Policies & Procedures	Implementation of Policy Archbishop as implementer of policies	Communications	Resources
	recommendations & timeframes	1) Identify and provide role description in written policies for central implementation and oversight authority delegated by Archbishop (Special Assistant/Director of Implementation and Oversight); develop new text (Art. 1.1.4 and 1.1.5) to provide this role description and new text 1.1.6 to describe role of IOAC; 2) Long-term: build clergy-laity-survivor communities in parishes on foundation of CAP teams in parishes to assimilate the crisis and address its spiritual consequences through the resources of the faith. 3) Immediate: Shift reception of all reports of actual or suspected abuse from the Secretary to Ministerial Personnel to the Special Assistant to the Archbishop	1) Text needs corresponding editing of Art 1.4 ff. to change title of Secretary for Child Advocacy, Implementation and Oversight to “Director of Child Advocacy” 2) Short-term: Develop a pastoral letter to community of faith reporting progress of Archdiocese; 3) Long-term: Build interfaith consortium in responding to socially endemic abuse	1) IOAC: draft role description and revise policies as written; draft description of role of IOAC 2) Use strengthened CAP teams in parishes as base for more lay involvement

Draft Textual Revision INSERT NEW 1.1.4 – 1.1.5: Special Assistant/Director of Child Advocacy, Implementation & Oversight

- 1.4 On behalf of the Archbishop, the Special Assistant/Director for Child Advocacy, Implementation and Oversight co-ordinates the archdiocesan integration and operation of these *Policies and Procedures* through a suitably staffed cabinet-level or special assistant level office. The Director is appointed by the Archbishop for a two-year term that may be renewed. The Director may be a member of the clergy or a lay person of outstanding integrity and good judgment, in full communion with the Church, who
- is capable of coordinating the various personnel and functions associated with implementation and cultivating a co-operative and collaborative spirit among them;
 - possesses interdisciplinary knowledge of the legal, canonical, psycho-social, theological, spiritual, management and communication resources needed to maintain oversight;
 - acts as the single funnel receiving all reports of actual or suspected abuse;
 - has expertise or access to expertise in developing instruments for assessing the implementation of these *Policies and Procedures*;
 - is capable of collaborating with directors of archdiocesan offices and their advisory committees or boards and with clergy and laity in the parishes and other professionals;

- is able to bring implementation of these *Policies and Procedures* through a centralized installation period into meaningful, coherent, transparent and productive administration through regular structures in the Archdiocese; and
- is able to foster cooperation with external civil, social service and religious agencies and support groups.

1.5 The Special Assistant/Director meets monthly with and acts as the chairperson of the Child Advocacy Implementation and Oversight Committee (CAIOC), whose membership includes i) the Chair of the Review Board, ii) the Director of Safe Environment, iii) the Director of Pastoral Support and Outreach, iv) two members of the Safe Environment and Pastoral Outreach Joint Advisory Committee; v) the Secretary for Communications, vi) a representative of the clergy, and vii) three members of the laity serving on CAP teams. As appropriate to protection and prevention responses and handling of allegations, the Director meets regularly with and sometimes includes in the CAIOC meeting i) the Secretary for Ministerial Personnel, ii) the Delegate for Investigations, iii) the Secretary for Education, iv) the Superintendent of Schools and v) the Directors of the Office of Religious Education, and others, as needed. The Director sustains direct communication and inter-office communication with each of these offices and the Implementation and Oversight Committee and receives regular reports from them. Delegated an *ex officio* member of each of the above work groups and offices by the Archbishop, the Director helps co-ordinate their internal activities in implementing policies of protection and prevention and also cultivates their intra and inter-office collaboration. As needed, the Director of Child Advocacy, Implementation and Oversight also meets with Vicars General, the Chancellor, Finance Council, College of Consultors, Director of Human Resources, Promoter of Justice, Judicial Vicar, Adjutant Judicial Vicar, judges, court officials, and canonical advocates. The Special Assistant/Director is responsible for assessing the implementation of these *Policies and Procedures* and reporting regularly and directly to the Archbishop. The Director of Implementation and Oversight will develop a rolling review process for these *Policies and Procedures* toward the attainment of continuous quality improvement (CQI). At least every two years, in collaboration with the Child Advocacy Implementation and Oversight Advisory Committee, the Director of Child Advocacy, Implementation and Oversight will deliberate with the Implementation and Oversight Committee and the Review Board, the Joint Pastoral Support and Outreach and Safe Environment Advisory Committee and consult the Secretary for Ministerial Personnel and the Delegate for Investigations in order to make explicit recommendations to the Archbishop for revision following the review of these *Policies and Procedures*. The Director will seek the observations of “consumers” of programs, including survivors, CAP teams, school principals and directors of religious education, as well as the advice of the Presbyteral Council, the Archdiocesan Pastoral Council, the Finance Council, prior to reaching final decisions on recommendations and advising the Archbishop. Through the Director of Implementation, the Archbishop will also invite civil and social agencies and interested faith communities to review the draft revision and make recommendations that he will consider before making a final determination.

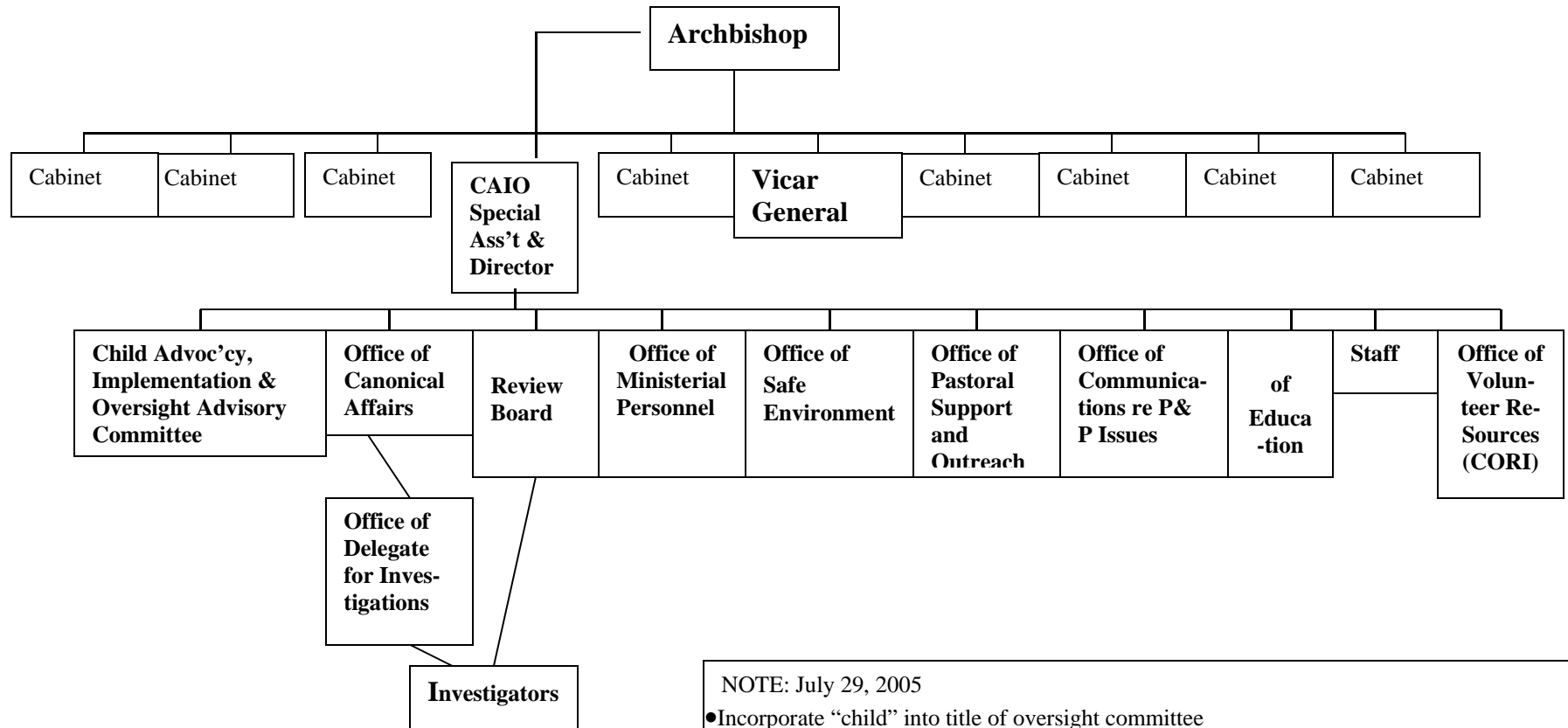
Draft Textual Revision INSERT NEW 1.1.6 The Implementation and Oversight Advisory Committee

1.6 The Implementation and Oversight Advisory Committee will meet every month with the Special Assistant/Director of Implementation and Oversight and assist in the execution of his/her responsibilities, including but not limited to:

- monitoring implementation and evaluating the efficacy of the archdiocesan prevention, protection, outreach, and education programs;
- sustaining the mutual collaboration and information-sharing of all archdiocesan protection and prevention agencies and programs
- developing future programs; and developing partnerships with public and private professional groups and organizations;

- conducting a rolling CQI review and revision of these *Policies and Procedures* and making recommendations for revision at least every two years;
- preparing periodic CQI status reports for the Archbishop, annual reports to the USCCB, and regular communications to the public.

Organizational Chart, Part I, Revised According to July 29, 2005 IOAC Suggestions to Insert CHILD ADVOCACY SPECIAL ASSISTANT & DIRECTOR into Archbishop’s Cabinet with oversight over all matters pertaining to Child Advocacy, Implementation and Oversight of the Policies and Procedures for Protection of Children, Prevention of Abuse, Pastoral Support and Outreach, Safe Environment, Handling of Abuse Allegations, and Related Communications



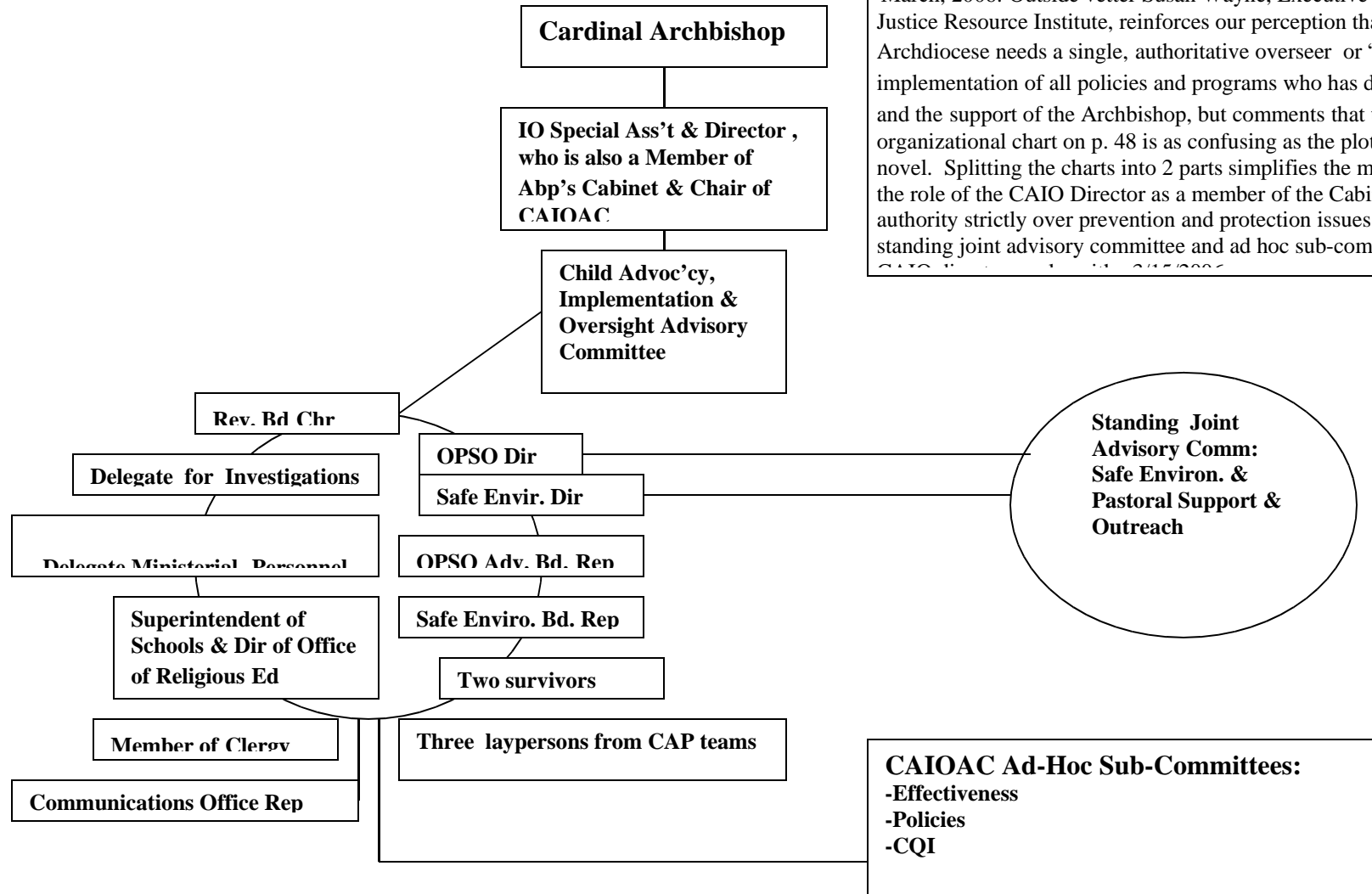
NOTE: July 29, 2005

- Incorporate “child” into title of oversight committee
- Engage special assistant in quarterly meetings with ALL functions/offices involved with protection and prevention
- Combine child advocacy and pastoral support and outreach advisory committees for regular monthly meetings

Organizational Chart

Revised According to July 29, 2005 IOAC Suggestions and Those of Outside Veters in January, 2006

Line authority *strictly* for Child Advocacy, Implementation and Oversight of the Policies and Procedures for Protection of Children, Prevention of Abuse, Pastoral Support and Outreach, Safe Environment, Handling of Abuse Allegations, and Pertinent Communications



•March, 2006: Outside vetter Susan Wayne, Executive Director of the Justice Resource Institute, reinforces our perception that the Archdiocese needs a single, authoritative overseer or “czar” for implementation of all policies and programs who has direct access to and the support of the Archbishop, but comments that the organizational chart on p. 48 is as confusing as the plot of a Russian novel. Splitting the charts into 2 parts simplifies the main points re: 1) the role of the CAIO Director as a member of the Cabinet having line authority strictly over prevention and protection issues and 2) the standing joint advisory committee and ad hoc sub-committees the

Policies and Procedures for the Protection of Children: Summary of Data Collected 1.2

P&P Art. Ref:1.2 Gen'l Provisions	Policies & Procedures	Implementation of Policy Review Board	Communications	Resources The Catholic community, educated and skilled laity
Art 1.2.1-5	strengths	Good judgment and perseverance through backlog of cases		
	weaknesses	1) compatibility of role definition of RCAB Review Board with Review Board model in Charter and Norms 2) lack of ecumenical and interfaith membership 3) need for more collateral sources in preliminary investigations 4) need for two-way channel of communication with Archbishop 5) large number of cases has, by necessity, limited the function of the Review Board to case review, narrowing its mandate	Review Board needs to be backed up in its work by having reliable notifications sent to complainants and accused persons advising them about the structure, milestones and conclusions of canonical processes	
	accomplishments	Movement through a large backlog of cases		
	challenges	Clarifying roles, process and membership		
	recommendations & timeframes	1) Clarify role definition of Review Board 2) Use openness of Charter & Norms to develop an ecumenical and interfaith membership 3) Strengthen inter-office & interdepartmental communication in reception of cases, including a) single funnel for receiving all reports of abuse; b) notification of plaintiffs, and c) notification of the Delegate for Religious if an allegation is lodged against a religious order cleric, brother or sister, employee or volunteer 4) The Review Board should get to see everything the archbishop sees as they are in service to him. Nothing in case information should be withheld from them. Review Board should get feedback on the Archbishop's decisions regarding their recommendations	3) Stages of the investigative process should be made public and communicated in a formal way to plaintiffs and the accused at the beginning, the intermediate stages/benchmarks and conclusion of a process. 4) Provide same info. to Review Board that Archbishop sees regarding cases;	Delegate for Investigations and Pastoral Support Director are the likely facilitators of the communication depending on whether it is primarily legal or primarily pastoral but Archbishop should sign the letters

Summary of Data Collected 1.2 cont.

P&P Art. Ref:1.2 Gen'l Provisions	Policies & Procedures	Implementation of Policy Review Board, cont.	Communications	Resources
	<u>Recommendations, cont. 1.2</u>	7) Revise 1.2.3 to indicate Review Board's responsibility to collaborate in review of policies every two years 8) Implement 1.2.4: quarterly reports from Delegate of Investigations to Review Board on the status of implementation of Review Board's recommendations to the Archbishop 9) Revise 1.2.2, 1.2.3 and 1.2.5 as below		

Draft Textual Revisions: Review Board 1.2.2, 1.2.3 and 1.2.5

Revision of 1.2.2 to read as follows:

The Chairperson of the Review Board will convene the meetings in consultation with the Delegate for Investigations and the Director of Implementation and Oversight. The agenda for meetings is set by the Review Board. A quorum is reached when at least five (5) members are present. The meetings will be conducted independently and in a manner that protects the reputations and good names of all persons involved.

Revision of 1.2.3 to read as follows:

The chairperson of the Review Board regularly communicates with the Special Assistant/Director of Implementation and Oversight and includes the Director in at least four special sessions a year of the Review Board while respecting issues, cases and agenda items that may require appropriate confidentiality in executive sessions of the Review Board. The Archbishop will make the names of the members of the Review Board known publicly.

Revision of 1.2.5 (see 1.1.5) to read as follows:

The Review Board will collaborate in the rolling CQI review of these *Policies and Procedures* and make recommendations for revision as necessary at least every two years, working under the direction of the Office of the Director of Implementation and Oversight and with other internal offices such as the Office for Pastoral Support and Outreach, the Office for Child Advocacy and the Delegate for Investigations.

Policies and Procedures for the Protection of Children: Summary of Data Collected 1.3

P&P Art. Ref: 1.3 Gen'l Provisions	Policy & Procedures	Implementation of Policy Office of Pastoral Support & Outreach	Communications	Resources
	strengths	Use of over 400 independent therapists; development of clinical-pastoral conference in 2003 beyond the requirements of policy		
	weaknesses	Lack of standing independent advisory board		
	accomplishments	1) Over 230 clients moving through program and an additional 130 having completed treatment plans; 2) development of group programs for survivors and families of survivors; dialogue between survivors and priests 3) early adjustment of communication major glitch with regard to confidentiality		
	challenges	1) Development of community outreach programs 2) Need to develop human and fiscal resources for ongoing treatment plans, particularly chronic cases 3) Guidelines for care in 3.5	OPSO needs notification to deal with the ramifications of RCAB actions in the victim/survivor community.	Reflect avenues and framework for sustained funding articulated by Chancellor to support therapeutic treatment plans
	recommendations & timeframes	1) Revision of 1.3.4 as below; 2) Find and establish a standing independent advisory board as required by 1.3.6 3) Clarify role and use of Clinical Consultation Board in 1.4.7	Work with Special Assistant and Delegate for Investigations to determine how Pastoral Support can appropriately facilitate pastoral but not legal communication regarding canonical processes.	RULE OF THUMB: Legal communication belongs to another office; OPSO needs defined comm. channel, letter templates and staffing

Draft Textual Revision for 1.3.4

1.3.4 The Director of OPSO will meet regularly with the Archbishop to keep him informed and to communicate to him the concerns, needs, and requests of the persons who have requested assistance from the Office for Pastoral Support and Outreach. The Director of the Office of Pastoral Support and Outreach also regularly reports to the Special Assistant/Director of Implementation and Oversight and includes the Director of Implementation and Oversight in at least four meetings a year of the Pastoral Support and Outreach Advisory Board while respecting issues, cases and agenda items that may require appropriate confidentiality. Additionally, the Director of Pastoral Support and Outreach will serve on the Implementation and Oversight Advisory

Committee and collaborate with the Director of Implementation and Oversight and other offices in the rolling CQI review of these policies making recommendations for revision as necessary at least every two years.

Policies and Procedures for the Protection of Children: Summary of Data Collected 1.4

P&P Art. Ref: 1.4 Gen'l Provisions	Policy & Procedures	Implementation of Policy Safe Environment	Communications	Resources
	strengths			
	weaknesses			
	accomplishments	Major rollout of safe environment programs across the Archdiocese. See statistical charts 1 and 2 and Appendices B,C, H, and I		Reflect avenues and framework for sustained funding articulated by Chancellor to support maintenance of CORI, education, training and safe environment initiatives
1.4.4	challenges	Sustainability of periodic safe environment training for adults	Explore avenues/mechanisms for instituting bi-annual “refresher” material or training ³⁴	
	recommendations & timeframes	1)Text needs editing throughout Art 1.4 ff. to change title and role description of Secretary for Child Advocacy, Implementation and Oversight to “Director of Child Advocacy” or “Director of Safe Environment and Child Advocacy” 2) Rewrite 1.4 to provide job description of Director of Child Advocacy 3) Define and implement lay advisory committee comprised of members of CAP teams and representatives of schools	Information & Communication: Need to develop a data base for each parish and school and comparable comprehensive data bases in central offices RCAB	

Draft Textual Revision for 1.4. 1-4 to read as follows:

1.4. The Office for Child Advocacy and Safe Environment will oversee the implementation of the safe environment programs instituted by the Archdiocese. The Office is also responsible for participating with other offices under the Special Assistant/Director of Implementation and Oversight in a rolling review (CQI) assessment of the implementation of these *Policies and Procedures*, as necessary, and recommending revisions in policy at least every two years. Additionally, the Director of Child Advocacy and Safe Environment will serve on the Implementation and Oversight Advisory Committee and collaborate with the Director of Implementation and Oversight and other offices in the rolling CQI review of these policies making recommendations for revision as necessary at least every two years.

³⁴ William Lyttle of the Key Program in comments made as an external vetter during January, 2006.

Draft Textual Revision to be added to 1.5 to read as follows:...The Office for Child Advocacy will develop and establish a lay advisory committee of up to eleven (11) but no fewer than six (6) active members of parish CAP teams and school representatives drawn from all five regions of the archdiocese, with parents, religious education directors, professional consultants and survivors making up the balance of the committee

Policies and Procedures for the Protection of Children: Summary of Data Collected 1.6

P&P Art. Ref:1.6 Gen'l Provisions	Policy and Procedures	Implementation of Policy	Communications	Resources
Article 1.6.2		Secretary for Ministerial Personnel	Need more effort at restoring the good name of a priest when he is found not guilty or an allegation against him is proven false.	
	recommendations	Single funnel for receiving all reports of actual or suspected abuse should shift from Secretary for Ministerial Personnel to Special Assistant for Implementation and Oversight (See also Chart 1.1 on Special Assistant)	Although RCAB has good working relationships with DSS and with District Attorneys, RCAB does not necessarily learn of all allegations. Some effort at inter-agency communications should be developed. TQM/Compliance: Look into how RCAB can get information about all 51A reports filed with DSS	Establish a proper baseline for longitudinal analysis by asking for and obtaining historical information from DSS regarding 51A filings from the parishes/schools ³⁵
Article 1.6.9		Delegate for Investigations (See also Chart 1.2 on Review Board)		
	recommendations	<ol style="list-style-type: none"> 1) Clarify role definition and boundaries 2) Enable Review Board to see all documents that the Archbishop sees regarding cases 3) Implement 1.2.4 on quarterly reports on Archbishop's reception of and implementation of Review Board's recommendations 4) Strengthen two-way communication between Archbishop & Review Board 		

³⁵ Paula Stahl, Children's Charter Inc., Trauma Clinic, in comments made as an outside vetter during January, 2006.

Policies and Procedures for the Protection of Children: Summary of Data Collected 1.7

P&P Art. Ref:1.7 Gen'l Provisions	Policy and Procedures	Implementation of Policy Institutes of Consecrated Life	Communications	Resources
Article 1.7	recommendations	Protocol with Institutes of Consecrated Life 1) Develop and implement a protocol for religious	1) Notify the Delegate for Religious if an allegation is lodged against a religious order cleric, brother, sister, employee or volunteer. 2) Notify the Delegate for Religious when religious order priests or deacons come into the archdiocese and request faculties.	

Policies and Procedures for the Protection of Children: Summary of Data Collected 2.1

P&P Art. Ref: 2 Safe Env.	Policy & Procedures	Implementation of Policy Safe Environment: Schools & Parishes Mandated Prevention & Education Programs	Communications	Resources
Art 2.1-3	strengths	1) See statistical data charts and appendix on safe environment in parishes and schools 2) Training/TQM: Personal safety/abuse prevention program for children in the elementary schools doing well.		
	weaknesses	1) Data collection needed – standard, annual questionnaire to gauge compliance, and progress 2) Compliance: Consequence for not implementing program in schools does not exist	Communication: Confusion and concern about competing child safety programs	
	accomplishments	1) See statistical data charts and appendix		
	challenges	1) Compliance/Accountability: A small number of schools not complying and a larger number of parish Religious Education programs not complying. Any consequences? 3) Complete roll-out of protection and prevention education in religious education programs across the Archdiocese (See Appendix) 4) Complete installation of protection and prevention programs in upper grades (work-in-progress as of summer, 2005. Pilot program developed and implemented in a number of schools and parishes. See Appendix E. 5) Assess protection and prevention education for high schools. ³⁶	1) Demographics on 51a reports not compiled by the Office of Catholic Schools; who should compile it? 2) Communication/Training/Organization: Would it be easier to get teachers trained in PGC if there was a stronger link between the schools and the parish/cluster CAP Teams? 3) As of 2/24/06, the Archbishop has sent a letter to all pastors whose parishes and parish schools have not implemented the personal safety/abuse prevention curriculum for children in either the school classroom or religious education program directing immediate implementation without	Major problem of inadequate staffing going forward

³⁶ See Appendix E for an update on this task and cf. comments made by outside vetter, Alice Moore, of the Office of Attorney General, in her letter of February 27, 2006.

	recommendations & timeframes	1) Edit text to accommodate oversight shift to Special Assistant 2) Develop and enforce means of compliance with authorization of the Archbishop	exception. Clarify expectations of the Archbishop that parishes and schools must comply with the mandated programs. 2) Create mechanisms that will ensure his directives are being followed. ³⁷	
--	------------------------------	---	---	--

³⁷ Joe Leavey, Communities for People, Inc., in comments made as an external vetter during January, 2006, suggests that in order to ensure compliance with the mandated programs, line authority over the parishes must be reinforced so that directives will be followed.

Policies and Procedures for the Protection of Children: Summary of Data Collected 2.4

P&P Art. Ref 2: Safe Environment	Policy & Procedures	Implementation of Policy Safe Environment: Mandatory Background Checks (CORIs)	Communications	Resources
	strengths	CORIs (criminal background checks) taken across the board for clergy, employees, volunteers and repeated at regular intervals		
	weaknesses	1) Lack of standard intake package for clergy, employees, and volunteers 2) Standard intake package for volunteers has been developed but no direction has been given that it be used. 3) CORI currently limited to Massachusetts information only	1) Listings of priests in RCAB databases (Clergy Personnel, Ministerial Personnel, Mailroom) different – need one consistent, updated list available to all 2) Explore options concerning national companies that have emerged following 9/11 to provide US-wide background checks ³⁸	
	accomplishments	1) Change of policy putting all CORI information intake in one office 2) As of the 2005 USCCB Audit, all priests on active ministry in the archdiocese have undergone a CORI check as well as employees and volunteers whose employment or ministry puts them into contact with minor children.	Policy update needs to reflect the capacity for positive, immediate change coming through communication and review processes: during interviews discussions took place that resulted in the CORI for priests being processed and evaluated by Volunteer Resources.	
	challenges			
	recommendations & timeframe	1) Develop and suggest a standard intake package for clergy, employees and volunteers to be implemented across the board via Human Resources (Various offices such as Pastoral Ministries, Religious Education, Human Resources appear to be using separate packets, forms, procedures but need consistency)	1) Vicariate-level meetings have been planned to address this issue. 2) The Archdiocese needs to develop compliance measures and consequences for non-compliance for new personnel (clergy and laity alike) coming into RCAB	

³⁸ William Lyttle of the Key Program in comments made as an external vetter during January, 2006.

--	--	--	--

Policies and Procedures for the Protection of Children: Summary of Data Collected 2.5

P&P Art. Ref 2: Safe Environment	Policy & Procedures	Implementation of Policy Safe Environment: Seminary Screening & Formation	Communications	Resources
	strengths	Screening: Entry and formation processes at the Seminaries seem well in hand. Good strong practices described. Coursework on celibate chastity, etc. part of the formation process. National certifying agencies assess the process as exemplary in terms of admissions screening and ongoing formation		
	weaknesses	We need ongoing education on boundary issues as part of priestly formation in the seminary and ongoing formation for those already ordained.		
	accomplishments	Training/Organization: Another testimony to positive change effected by the assessment process: both Rectors have asked for annual training in Protecting God's Children prior to the seminarians being placed in the parishes for field work.		
	challenges	Do seminary personnel differentiate the roles of the vocation director, academic advisor, and spiritual director regarding levels of confidentiality and required transparency, or does shortage of personnel blur boundaries on the different roles?	Formation, information and communication: develop ongoing formation and periodic performance evaluations for post-ordination clergy	
	recommendations & timeframe	Continue to arrange regular dialogues between victim/survivors and parents/family members and		

		seminarians/ priests)		
--	--	-----------------------	--	--

Policies and Procedures for the Protection of Children: Summary of Data Collected 3

P&P Art. Ref 3	Policy & Procedures	Implementation of Policy Pastoral Support & Outreach	Communications	Resources
Art 3.1.1-5	strengths	TQM: Good, strong best practices work has gone on with the academic and clinical professional communities. Early on there was a helpful adjustment of a reporting mechanism to correct a communications glitch in record copying that was adverse to clients		
	weaknesses		Compartmentalization – internal communication needed between OPSO, Delegate, Review Board, Child Advocacy	
	accomplishments	Over 230 active treatment plans; 130 treatment plans completed, parent/survivor groups, dialogue between survivors and priests (See Chart 1.3)		
	challenges	TQM: Client satisfaction and outcomes measurement are a work-in-progress 1) Implementation of suitable boundaries and financial plan for treatment plans: policy calls for six-month standard but practice is toward lifetime plan (3.2.1) 2) Continue to emphasize pastoral care as well as legal process in settlements so as to avoid re-victimization.	3.1.1 Need to support regular and sustained flow of offers to survivors to meet with the Archbishop. Because of an overloaded schedule, the Archbishop's meetings with survivors reached a standstill during the winter of 2004-2005 but resumed effectively in the following three months (Mar-June, 2005)	Reflect avenues and framework for sustained funding articulated by Chancellor to support therapeutic treatment plans
	recommendations & timeframes	1) Assess principles of confidentiality in 3.3.1-6 and make sure good principles are being followed and are accurately stated in the policy revision 2) Shift reporting of allegations, known or anonymous, in 3.4.2 and 3.4.4 from the Director of Ministerial Personnel to the Special Assistant /Director of Implementation and Oversight Re-assess goals set out in .3.5.1-4 regarding guidelines for care and best practice and either develop a plan to meet those goals as stated or develop a new set of guidelines for policy	OPSO needs notification from Delegate or Review Board to deal with the ramifications of RCAB actions in the victim/survivor community. Feedback to victim survivors about the legal status of their cases is needed from Review Board or Delegate; OPSO can provide parallel pastoral communication	1) Develop a lay advisory board 2) Develop outreach and support to parishes and archdiocesan institutions (schools, hospitals) as needed for community outreach with improved staffing and resources

Policies and Procedures for the Protection of Children: Summary of Data Collected 4

P&P Art. Ref 4	Policies & Procedures	Implementation of Policies Principles for Communication	Communication	Resources
Art	strengths		Development of updated website bulletins after the initial phase of the crisis (2002) and through early 2005 was a great help for a time	
	weaknesses	Lack of adequate staffing, planning and go ahead inhibited communications about safe environment programs from reaching the public; Organization: Internal controversy about what you can say about a priest who is removed (dismissed) from the clerical state through canonical process vs one who voluntarily requests laicization.		Lack of ancillary publications explaining programs such as CAP teams
	accomplishments	Good relationship with media established during Father Christopher Coyne’s tenure as Secretary for Communications. Some legal constraints on what he could release.		
	challenges	With appointment of new Secretary for Communications in the Spring, 2005, came plans for facilitating workshops in inter-departmental collaboration and communications; RCAB also needs structures to communicate better with parishes, laity, clergy. Coordination of announcements about restrictions placed on a priest’s ministry, or restoring a priest back to ministry have been satisfactory for the most part – but it is very difficult to restore reputation in the current climate.	Create mechanisms and assign responsibility for regular public reporting, including release of USCCB Audits, announcements of new effectiveness measures, and periodic reports on CQI efforts.	Get the word out on all the work that has been done in Archdiocese and how much it needs to continue
	recommendations & timeframes	Art. 4.2.1.Notify plaintiff and accused at beginning of canonical process about process, at midstream stages and at conclusion Art 4.3.1 Supply Review Board with all information re: any		Develop necessary and appropriate channels for these communications

case that the Archbishop sees

Policies and Procedures for the Protection of Children: Summary of Data Collected 5

P&P Art. Ref 5	Policies & Procedures	Implementation of Policies Reporting Child Abuse and Neglect to Civil Authorities	Communication	Resources
Art 5 5.4	strengths	Reporting activity is going on and system of mandated reporting is working Training for mandated reporting is going on, with new sessions for new personnel regularly scheduled and in partnership with state agencies	The role of OPSO in reminding people of the services available is extremely important in the work of healing. Good feedback from law enforcement, public authority and DA communities about how complaints are now filed. They also now tell us when they receive complaints even though they are not required to. Significant inroads have been made here and with DSS investigators.	Must use every means to continue to reinforce the training on the state laws concerning mandated reporting: Whenever there is reasonable cause to believe that a child is or may be a victim of abuse, DSS must be notified immediately – even before the Church authority if the suspected abuser is an agent of the Archdiocese. ³⁹
	weaknesses	Designated “single funnel” Secretary for Ministerial Personnel does not get reports of any kind from Catholic hospitals, high schools, etc. Assumes they have their own reporting chain. Hard for RCAB to know how much and what is being reported, so hard to check fully whether system is working	Lack of single funnel for receipt of allegations. Secretary for Ministerial Personnel or designated funnel does not necessarily see allegations coming from schools and parishes that do not involve RCAB personnel. If they do involve school employees or volunteers, they are sent upstairs to Human Resources and Chancellor – and there is no knowledge of what happens at that point. Secy Min Pers is more	

³⁹ Joe Leavey, Communities for People, Inc., in comments made as an outside vetter during January, 2006.

			involved when allegations about priests are received.	
--	--	--	---	--

Policies and Procedures for the Protection of Children: Summary of Data Collected 5, cont.

P&P Art. Ref 5	Policies & Procedures	Implementation of Policies Reporting Child Abuse and Neglect to Civil Authorities	Communication	Resources
	accomplishments	The reporting process is working well – a result of all the training in the parishes and schools. Archdiocese getting high marks from the police, DAs, etc. about reports being made in a timely fashion and cooperation during criminal investigations. Few current allegations are coming forward and when they do, we report immediately – we’re getting at abuse/neglect situations at the first opportunity.	Organizational: CORI process for priests should come under one office. That office will notify Sec’y for Min. Pers if any problems concerning priests/deacons are revealed.	
	challenges	Timing of administrative leave for accused priests There is an issue regarding the amount of information necessary before placing an accused priest on administrative leave (anticipated in Canon law at the end of an investigative process that has established probable cause). The archbishop has chosen to remove accused priests from ministry <i>during</i> the preliminary investigation. When the current Vicar General/Moderator of the Curia was Apostolic Administrator, he stopped removing priests automatically upon receipt of a claim letter or lawsuit. The Archbishop decided (as is his right) that even this minimal information was sufficient and changed the practice.		
	recommendations & timeframes	1) Change 5.3.2 from Secretary for Ministerial Personnel to Special Assistant/Director of Implementation and Oversight 2) Require mandated reporters to send a copy of 51a to a central office – or for Archdiocese to send out a form asking for numbers, types, situation, actions taken, timelines.	Compliance/TQM: Record-keeping of numbers and types of 51a reports filed across the organization, would be helpful for longitudinal study about efficacy of training, and whether reporting timelines and state reporting requirements are being observed by CAP Teams, etc.	

Policies and Procedures for the Protection of Children: Summary of Data Collected 6

P&P Art. Ref 6	Policies & Procedures	Implementation of Policies Reporting Child Abuse and Neglect to Church Authorities	Communication	Resources
Art	strengths	Reporting activity is going on		The Archdiocese has an agreement with the AG not to destroy any case files pertaining to an investigation of sexual abuse against minor children.
	weaknesses			
	accomplishments	Movement through many preliminary investigations		
	challenges	Procedures: The Policies need to reflect a serious preliminary investigation. Universal settlement paid victims before investigations were complete – little incentive for complainants to continue to talk to us. Where are the priests in all this? Need better communication – Archbishop changed the process but has not explained to Presbyterate. Process outlined in the policies is good – if we follow it.		
	recommendations & timeframes	<ol style="list-style-type: none"> 1) Change 6.1-3 from Secretary for Ministerial Personnel to Special Assistant/Director of Implementation and Oversight 3) Edit 6.3 to instruct Special Ass't to notify Sec. Min Pers 4) Edit 6.3.2 to “Special Assistant will communicate the complaint to the Delegate for Investigations” 5) Develop and encourage boundary/ sensitivity/ sexual harassment training for clergy and RCAB personnel 	It’s clear that the Secretary for Ministerial Personnel has not acted as the exclusive “central clearing house” as originally intended. Notice comes to other people as well (OPSO, Investigators, Counsel, Spec. Ass’t). Revisit and change system.	



Policies and Procedures for the Protection of Children: Summary of Data Collected 7

P&P Art. Ref 7	Policies & Procedures	Implementation of Policies	Communication	Resources
Art	strengths	Principles for Investigating Complaints of Child Abuse Licensed investigators, several of whom had specialized training in sexual assault, conducted investigations with attention to both civil and canonical issues; experts in each field took the lead for that aspect of the work	Good working relationships with DAs and DSS	
7.3 7.4	weaknesses	DUE PROCESS ISSUES 1) Procedures: Serious issues among priests re. rights to due process in the Archdiocese. No written report (as stated in <i>Policies</i>) is required before a preliminary investigation begins and priests put on administrative leave almost immediately – some out now for years. Significant challenge for the Archbishop – massive morale issues. Many feel they are one phone call away from total destruction of reputation. Little/no justice in the current process. 2) Due notice of investigations and proceeding in a timely fashion may be lacking or inadequate 3) Allegations are made with complainants refusing to provide a written and signed complaint yet wanting an investigation. Even if treated as an anonymous allegation, investigations cannot proceed without a written and signed complaint OTHER ISSUES 1) Diverting some investigators to assist counsel in responding to subpoenas and to compile data for the John Jay Report hampered their ability to investigate cases in a timely manner		No collaborative tracking system on all 51As so as to ascertain success of system, kinds of cases (clergy, family, neighbors, strangers, other children, etc.)

Policies and Procedures for the Protection of Children: Summary of Data Collected 7, cont.

P&P Art. Ref 7	Policies & Procedures	Implementation of Policies Principles for Investigating Complaints of Child Abuse	Communication	Resources
	accomplishments	Most cases with multiple allegations have been investigated; data has been organized, coded and archived		
	challenges	1) Universal settlement paid off victims before investigations were complete – no incentive for complainants to continue to talk to us. 2) Suitable maintenance of multiple investigators, as needed, who are appropriately trained in civil investigations and handling of sexual assault, as well as use of investigators trained in canonical processes. 3) <i>Policies and Procedures</i> were written with future cases in mind but were implemented with a very large number of outstanding cases that needed to be resolved		
	recommendations	1) Address due process issues 2) Address investigatory process issues. No real policy language that covers scope, depth and method for evidence-gathering during an investigation. It is important that the delegate assigned to the Office of Canonical Affairs have trained investigators available as resources. RCAB needs to develop most promising practice standards for investigations. RCAB particularly needs to have an investigator trained in handling complaints of sexual assault so that the victim's voice is represented in the investigatory process. 3) Perhaps the Rev. Board could help develop a timeline for administrative leave and guidelines for restricted ministry. 4) In practice, the decrees opening preliminary investigations are signed by the Vicar General and not the Archbishop. The policies either need to be rewritten to reflect this or their implementation needs to be changed in practice to reflect the appropriate signatory.		

Draft Textual Revision for Article 7.1.1

Add sentence at the end: “The investigation will be completed by licensed investigators with specialized training in sexual assault.”

Draft Textual Revision for Article 7.2.1

Add: “with parental permission” at the end of the second sentence.

Draft Textual Revision for Article 7.3.2

Add: “The interviews will be conducted by licensed investigators with specialized training in sexual assault.”

Policies and Procedures for the Protection of Children: Summary of Data Collected 8

P&P Art. Ref 8	Policies & Procedures	Implementation of Policies Complaints against Archdiocesan Personnel and Volunteers	Communication	Resources
Art	strengths	<p>There have been two complaints, but with no real opportunity yet for Chancellor to fully exercise his policy role with respect to allegations about employees or volunteers.</p> <p>One allegation was received about a former male parish employee and the complainant was not a minor. Another complaint came in about a 21 year old male volunteer youth minister with a teenage girl, but both claimed it was consensual and he was dismissed. It was clearly a case of improper conduct. The previous parishes in which the youth minister served, HR and Volunteer Services were all notified in the event he might try to gain employment in the archdiocese or volunteer in another parish.</p>		
8.2.1	weaknesses	The rights to due notice of proceedings and rights to know the results of the investigation are not being observed in a timely fashion		
	accomplishments			
8.2.2	challenges	<p>Since this Article refers to personnel and volunteers (who are not clergy), “investigation” refers to other rights than are required in canonical “preliminary investigation” for priests and deacons. Ambiguities need to be removed: Which written records of proceedings and decisions may be examined and when? Are there any rights for the complainant or the accused to examine material gathered for a preliminary investigation? Issue has pastoral, canonical and legal dimensions. Need to look at better mechanisms to determine what RCAB <i>can</i> share with victims/survivors and then how.</p>	Care must be taken in communicating case information to complainants. Also points to communication <i>within</i> the system and including OPSO, Promotor <i>et al.</i> in the loop.	
	recommendations & timeframes	<ol style="list-style-type: none"> 1) Edit Article 8 with regard to roles of Chancellor, Human Resources, Secretary of Min. Pers. and Special Assistant. 2) Account for single office looking at all CORIs 3) Account for having a single funnel receiving all allegations of abuse (Special Assistant) and therefore needing to communicate to other offices involved. 		

Policies and Procedures for the Protection of Children: Summary of Data Collected 9

P&P Art. Ref 9	Policies & Procedures	Implementation of Policies Complaints against Clergy – The Preliminary Investigation	Communication	Resources
Art	strengths	<p>1) Investigations have continued to go on. The practice of the past 2 years has been to use the <i>Policies</i> as guidance rather than as a document to be strictly followed. Two-year point is a good time to “re-tool” based on experience.</p> <p>2) Most of the case backlog has been cleared – “fast tracked” to the Review Board for assessment and recommendation to the Archbishop. Delegate for Investigations is phasing out staff as a result, but investigators will be on retainer for future work if needed. This may be a weakness in the midst of an accomplishment. 3) Regarding the backlog of cases, there are very few in preliminary investigation currently. There has been only one case involving a current minor in the past year. The case was immediately reported to DSS and the police.</p>	<p>Code of Ministerial Conduct is good. Some violations have occurred, mostly involving boundary issues. Boundary violations usually point to larger issues like alcoholism.</p> <p>The documents given to the Review Board are redacted with complainants and accused names and parishes anonymous</p>	
9.2.1-2	weaknesses	<p>1) Many priests feel a lack of rights to due process in the Archdiocese. The probable cause threshold was set very low, resulting in priests being removed from ministry in most instances. If time, place and names match – the priest was asked to step down. Necessary, but is this right for the future?</p> <p>2) Procedures: The <i>Policies</i> need to reflect a serious preliminary investigation Process outlined in the policies is good – if we follow it. No written report (as stated in <i>Policies</i>) is required before a preliminary investigation begins and priests are put on administrative leave almost immediately – some out now for years. Significant challenge for the Archbishop – massive morale issues. One phone call away from total destruction of one’s life and reputation</p> <p>3) How can we care pastorally for victims and priests if we aren’t aware of the whole cloth? No one at the table understands the whole process from start to finish. Is that best for this process and for justice for all?</p>	<p>1) Need better communication – Archbishop changed the process but has not explained to Presbyterate;</p> <p>2) The Review Board does not see all of the information available to the Archbp and the Del. for Invest.</p> <p>3) Neither the canonical Delegate nor Promoter meets with complainants. How does the process represent the victim if the investigators who have spoken with victims are not there?</p> <p>4) Need a flow chart for members of the Rev. Bd and OPSO to outline the different outcomes and explain them</p>	<p>USCCB</p> <p>The question of the Review Board’s independence (initiated by the Board’s request to review procedurally a case and being denied) depends on the Archbishop’s (and the Delegate’s) interpretation of the Board’s consultative role in relation to him. Do Boards in other dioceses function differently according to the prerogatives of their bishops?</p>

Policies and Procedures for the Protection of Children: Summary of Data Collected 9, cont.

P&P Art. Ref 9	Policies & Procedures	Implementation of Policies Complaints against Clergy – The Preliminary Investigation	Communication	Resources
	accomplishments	Investigations completed and recommendations made with a number of cases sent to Rome, and sent back with decisions		
9.5	challenges	<p>1) Canon law is complicated and not common knowledge. It needs to be explained to the public.</p> <p>2) Delegate for Investigations should have the assistance of a trained investigative team; the investigative team should be available to assist in the investigation of new cases where the priest has not previously been known by previous claims and a first-time allegation has been received. Review Board wants access to investigators.</p> <p>3) Current Delegate’s responsibilities (after July 1, 2005) center on case management from the canonical perspective and office is being subsumed under Canonical Affairs. Job experience has not included much contact with complainants or investigatory training but has focused on contact with accused priests and their canonical representatives. This argues the need for/availability of other delegates with additional experience in civil/criminal investigation.</p> <p>4) Currently when the RB renders its decisions about a case, there is little/no feedback to Rev Bd. on the Archbishop’s actions going forward.</p>	<p>1) There was a time when the Review Board had access to priest’s files, and some on the current Review Board still want access as a matter of course. Others are comfortable with the redacted synopsis of cases presented by Delegate to Review Board.</p> <p>2) After the investigation is done and the Delegates render their recommendations, one Delegate now prepares a brief summary of the case and presents it to the Review Board. Other delegates’ recommendations do not go forward, but are summarized in the one report. The Rev. Board renders an independent decision which the Delegate summarizes and forwards to the Archbishop. The Rev. Board does not usually see what goes forward. This is a change in practice under the current Delegate. Previously the Board wrote its own decision by voting on the language. Any difference of opinion between</p>	<p>Aftercare: The state-of-the-art in aftercare of priests is a “flaw” in the system – no good answer. We don’t have a good model. Outside of electronic monitoring neither does the civil criminal system. The task is easier when priest’s ongoing support is tied to compliance, but more difficult or impossible when the priest has been laicized or removed from clerical state. In concert with the ongoing USCCB national effort, need to explore practical ways to define and implement a viable oversight and monitoring program for priests found to have engaged in child sexual abuse.⁴⁰</p>

⁴⁰ See comments elsewhere in this document regarding monitoring and cf. the February 27, 2006 letter of Alice Moore as an outside vetter from the Attorney General’s Office

				the Delegates is communicated.	
--	--	--	--	--------------------------------	--

Policies and Procedures for the Protection of Children: Summary of Data Collected 9, cont.

P&P Art. Ref 9	Policies & Procedures	Implementation of Policies Complaints against Clergy – The Preliminary Investigation	Communication	Resources
	recommendations & timeframes	1) Edit Article 9 with regard to role of Secretary for Ministerial Personnel and role of Special Assistant/Director of Implementation and Oversight. 2) Annual training in Code of Min Conduct would be good, along with a resource list of services for those who need further individual training in boundaries/professional conduct. 3) Let Review Board run its own meetings rather than have the agenda set and run by the Delegate. 4) Develop a clear channel of communication so complainants know where their case is in the canonical process	1) Proceedings of prelim investigation (all material gathered) and report of Delegate to go to Review Board and Review Board to issue an independent report 2) Archbishop provides direct feedback to the Board regarding their recommendations on cases.	3) Expanding Review Board membership is something the Abp wants to do. Current Rev Bd members are divided with regard to inclusion of non-Catholics or non-Christians on the Review Board. Most Rev. Bd. Members don't care as long as new members have a professional contribution to make.

Draft Textual Revision Article 9.5

Replace “conduct” with oversee. Remove the word “normally” from the first sentence. Add “made up of licensed investigators with specialized training in sexual assault.”

Draft Textual Revision Article 9.9

Following the first sentence add: “The Review Board shall have access to all of the information available to the Archbishop and the Delegate for Investigations, including the investigators themselves.”

Draft Textual Revision Article 9.9.2

As another bullet add: “Any additional services which could be offered to the complainant”

Policies and Procedures for the Protection of Children: Summary of Data Collected 10

P&P Art. Ref 10	Policies & Procedures	Implementation of Policies Complaints against Clergy – Penal and Administrative Processes	Communication	Resources
Art	strengths	Investigations have continued. Role of Promoter of Justice seems to be working as planned – participates in preliminary investigations, works with Delegate and reviews all documentation going to archbishop and CDF. Sits on Review Board to ensure procedural integrity. Does not have to agree with their recommendations. Nor do the Review Board and Delegate for Investigations need to agree on recommendations – as long as both views go forward to the archbishop for decision.	The process of a judicial penal trial is spelled out in Canon Law and the current archdiocesan policies are in compliance with it. No changes required.	
	weaknesses	The <i>Policies</i> requirement that the Archbishop consult with the Promoter before imposing precautionary measures is not being followed as a rule. His primary contact is with the Vicar General/Moderator of the Curia. Priests' advocates have a role in strictly providing pastoral support to the accused priests – not monitoring or supervision. They have no knowledge about the status of the investigations concerning the priests they support. There are a number of priests in this category but advocates are not in touch with all of them. The universal settlement directly affected how cases could be resolved. Complainants paid are reluctant to further cooperate with the archdiocese and the priests who were accused have little recourse. There are about 35 priests in this category. A group of priest advocates provide services to them. They do not monitor or supervise.	There needs to be better communication and coordination between the Offices of Ministerial Personnel and Clergy Personnel. Information about a change in a priest's ministerial status (because of an allegation) is not shared or updated quickly in the clergy personnel database. Clergy personnel would not necessarily know about a change in status unless the Office of Ministerial Personnel advises them. If they do not communicate, inaccurate information is the result.	Where do accused priests go when they are asked to leave their rectories? Most impose on families and that has set up other burdens. Suggest some thought be given to making provision for living arrangements. Perhaps some access to a central fund or an interest free loan modeled after the Clergy Medical Trust – which is a mechanism for loans to priests to cover needed medical care.
	accomplishments	Investigations completed and recommendations made		

Policies and Procedures for the Protection of Children: Summary of Data Collected 10, cont.

P&P Art. Ref 10	Policies & Procedures	Implementation of Policies Complaints against Clergy – Penal and Administrative Processes	Communication	Resources
	challenges/ recommendations	If and when a protocol is established for the monitoring of accused priests, it would have to take into account that it applies only to those priests admitting to a canonical crime or found guilty through canonical process.	Either the Promoter or the Delegate, who see feedback on cases that comes back from the CDF, should present it to the Review Board	

COMPREHENSIVE RECOMMENDATIONS

VIII.A Categories of Recommendation

- 1. Recommendations in areas having dominant or overall concern at this time in order to go forward**
- 2. Recommendations where practice is working, but *Policies* (2003) needs textual change**
 - 3a. Recommendations of re-definition of policy statement to address misconceptions, weaknesses or failures of present practice**
 - 3b. Recommendations addressing implementation of existent policies that have not yet been implemented**
- 4. Recommendations to strengthen or clarify existing policies with communication and education**
- 5. Recommendations to develop new policies and procedures for new issues in**
 - A. Implementation Review Process**
 - B. Compliance**
 - C. Notification and Record-Keeping**
 - D. Communication**
 - E. Training and Education**
 - F. Review Board**

VIII. B Recommendations

VIII. Comprehensive Recommendations

VIII. A. CATEGORIES OF RECOMMENDATION

A recommendation for change in the *Policies and Procedures* falls into one or more of the following categories:

1. It

directs attention to the overall response of the Archdiocese at this time with regard to quality of implementation or special areas of concern needing to be addressed in order to go forward.

2.

It r

eflects a pattern of practice that is working successfully, but has evolved in practice in a way that departs from or is contrary to what is written;

3. It addresses misconceptions, weaknesses or failures of implementation in a functional area and makes it more effective or efficient;

4. It strengthens and/or clarifies policy sections or procedures; or

5. It develops other policies and procedures for new issues that emerge from the analysis but are not in the existent text.

VIII. B. OUR RECOMMENDATIONS ARE THE FOLLOWING:

1. Areas having dominant or overall concern at this time in order to go forward:

Under the leadership of the Archbishop, the Archdiocese needs to:

- Centralize all efforts at protection, prevention of abuse, and handling of allegations under one authoritative office having a direct link to the Archbishop
- Sustain, strengthen and extend safe environment programs across the Archdiocese and in every parish/faith community until they have become assimilated and routine;
- Address the design, role definitions and boundaries, processes, operations, and communications of the Review Board as an independent body and re-structure or re-define as needed, particularly around use of material for preliminary investigations, independent reports, trained investigators and direct communication with the Archbishop⁴¹
- Develop, articulate and carry out consequences to non-compliance of existent policies
- Continue to balance the legal action of the settlement process with a pastoral emphasis.
- Develop a plan and provide resources for improved Office of Pastoral Support and Outreach work to heal parish communities

⁴¹ See sub-section I.5 of the report section called “Immediate, Stabilizing, Long-Term and Comprehensive Needs: The Problem of Completing and Sustaining Implementation,” in the Executive Summary and Tables 1.2, 7, 8, 9, and 10 in “Summary of Data Collected” for a specific list of recommendations.

- Develop specific channels for internal communication among archdiocesan offices to encourage transparency, openness and collaboration, and strengthen for the public good external communication regarding archdiocesan programs for protection, prevention and handling allegations
- Compose a written report and plan before July 1, 2006, responding to the recommendations made for revisions to the *Policies and Procedures*. The report should include an outline for priorities as to how policies and practice will be changed or developed, and what resources will be allocated to ensure adequate delivery of service.
- Dedicate significant financial and human resources to ensure adequate implementation of *Policies and Procedures*. Work with IOAC to develop funding needs and priorities to ensure appropriate delivery of services.
- Create an effective aftercare and monitoring process for clergy offenders and a tracking system for those who have been dismissed from the clerical state
- Address due process issues for priests related to the amount of information needed before a priest is removed from ministry pending the preliminary investigation, and clearly articulate them
- Complement canonical policies and procedures with a pastoral statement on protection and prevention responses and handling of allegations as part of the social mission of the Church in a society afflicted with abuse

2) Practice is working, *Policies (2003)* needs textual change

- Articulate role of Special Assistant/Director of Implementation and Oversight as a centralized authority with direct link to Archbishop and responsible for all aspects of the archdiocesan response (Child Advocacy, Pastoral Support, Review Board, Ministerial Personnel, Delegate for Investigations, Communications) to issues of protection, prevention, and allegations
- Develop interoffice communication of all protection, prevention and allegation offices through this Director and in an Oversight and Implementation Advisory Committee including office directors and chairs of lay advisory boards and Review Board and others
- Develop a standing lay advisory board for the Office of Child Advocacy/Safe Environment because of the shift of the Implementation and Oversight Advisory Committee to the Director of Implementation and Oversight
- Incorporate the Ministerial Code of Conduct in the *Policies and Procedures*
- Redefine requirements regarding Archbishop's consultation with the Promoter of Justice before imposing precautionary measures either to reflect actual practice of consultation with the Vicar General/Moderator of the Curia, or to redirect that function

- Redefine requirements regarding the Archbishop's signing of the decrees opening preliminary investigations to either reflect the actual practice of their being signed by the Vicar General/Moderator of the Curia, or to redirect that function

3a) Re-define policy statement to address misconceptions, weaknesses or failures of present practice

- Shift receipt of all allegations of sexual misconduct or abuse and abuse reports and allegations from Director of Ministerial Personnel to Special Assistant/Director of Implementation and Oversight
- Place collaborative work of the Office of the Delegate for Investigations and the Review Board under the Director of Implementation and Oversight; distinguish and separate it from the work of the Delegate for Investigations in the Office for Canonical Affairs
- Retain and strengthen the co-delegate system, particularly in regard to having investigators trained in sexual abuse available to complainants; Expertise in both civil investigations and in canon law is necessary for the preliminary investigation to be effective and to carry any legitimacy
- Assign and carry out the responsibility for notification of complainants and the accused at the inception, intermediate stages, and conclusion of canonical processes
- Develop a strategy, as part of ongoing formation, to better prepare clergy to respond appropriately to suspected as well as actual disclosures of abuse, particularly around issues of initial response and the mechanics of reporting and facilitating pastoral support. Equally important is having clergy learn to address the unique spiritual needs and support required by those abused by a person affiliated with the Church.
- Incorporate dialogue between seminarians, clergy and abuse victims/survivors as a component of both seminary training and ongoing formation
- Process all CORI (clergy, employees, volunteers) without distinction through a central office (Volunteer Services) including the assessment of CORI for clergy (This change has taken place as of July, 2005)
- Resolve controversy about what can/should be said publicly about a priest who is removed (dismissed) from the clerical state through the canonical process as distinct from one who voluntarily requests laicization. Instruct the Office of Communications and provide the public with a clear understanding of these determinations.
- Resolve controversy about what can /should be said publicly about a priest who is returned to ministry when the allegations were determined to be unfounded but whose complainant received a settlement as part of the universal settlement. Distinguish such cases from those in which there was not enough evidence to support a finding against an accused priest.

- Insert language that indicates the archdiocese will permanently retain any case files pertaining to an investigation of sexual abuse against minor children

3b) Implement existent policies that have not yet been implemented:

- Re-evaluate and re-state the policy description of “Guidelines for Care” for the Office of Pastoral Support and Outreach and develop a written and public statement of OPSO’s guidelines for care
- Develop a standing lay advisory board for the Office of Pastoral Support and Outreach
- Develop and write a protocol (called for in the *Policies*) with institutes of consecrated life
- Notify and involve the Delegate for Religious if an allegation is lodged against a religious order cleric, brother, sister, employee or volunteer, and notify the Delegate for Religious whenever a religious order priest or deacon comes into the Archdiocese and requests faculties.

4) Strengthen or clarify existing policies with communication and education:

- Develop a mechanism that provides feedback to victim survivors about the nature of canonical processes and determine clearly what can be shared with complainants and the accused and when it can be shared, particularly regarding the status of their cases, investigations, and proceedings and where they are in the process
- Provide Office of Pastoral Support and Outreach with notification concerning process outcomes and decisions on accused clergy to enable OPSO to deal with the ramifications of RCAB actions in the victim/survivor community.
- Office of Child Advocacy needs to
 - i. encourage a stronger link between the schools and the parish/cluster CAP Teams
 - ii. clear up confusion and concern about competing child safety programs in the Catholic elementary schools
 - iii. develop a standard, annual questionnaire for the personal safety/abuse prevention program for children in the elementary schools to gauge compliance and progress
 - iv. provide stronger and ongoing support and linkage to CAP Teams for the purpose of monitoring and reporting training, sustaining awareness of the services and resources they provide to the parishes and schools, and gauging and supporting their needs as liaison back to Child Advocacy⁴²
- Office responsible for in-processing of Religious Order priests needs to notify and coordinate with the Delegate for Religious

⁴² This suggestion came from the public during the Autumn, 2005, invitation on the RCAB website to send in comments about the current *Policies and Procedures*.

- Provide staffing, resources and support for the Offices of Child Advocacy, Pastoral Support and Outreach, and the two seminaries to collaborate in the development of presentations by victim/survivors and their parents in the annual seminary and diaconate training in “Protecting God’s Children” before any seminarians and deacon candidates are placed in the parishes and elsewhere for field work.
- Develop and follow specific protocols and timelines for all written communications between the office of the Archbishop and appointed authorities indicated in the *Policies and Procedures*
- Ensure greater coordination of efforts to avoid poor communication and/or duplication of activities. (e.g. personal safety program activities for older grades)

5) Develop new policies and procedures for new issues in implementation review process

- Develop a continuous quality improvement (CQI) process for reviewing implementation of policies and write it into the policies

Compliance

- Develop, articulate and carry out consequences to non-compliance of existent policies
 - i. for priests who have not filled out CORI
 - ii. for pastors/principals not implementing personal safety programs for children in the Catholic schools
 - iii. for parishes not implementing personal safety programs for children in parish religious education programs
- Insert compliance language that indicates that the Chancellor and Archbishop will receive regular reports about the parishes/schools that are not in compliance with safe environment policies and that he will deny approval for various financial actions until the pastor complies with the policies

Notification and Record-Keeping

- Develop new policy language to reflect a mechanism requiring the archdiocese to be notified whenever an abuse or neglect report is filed, including reports concerning non-RCAB personnel
- Compile demographics on 51a reports (to be done by the Office of Catholic Schools or other central agency or department)
- Use standard intake packet developed for volunteers in other offices as well, such as Human Resources, Pastoral Ministries, Religious Education, Parishes as a standard process and package to encourage consistency
- Co-ordinate, update, and make consistent the listings of priests in RCAB databases (Clergy Personnel, Ministerial Personnel, Mailroom) and make them available to all offices
- Develop a mechanism for RCAB to get reports concerning abuse and neglect filings with DSS from Catholic hospitals, high schools, and other RCAB-affiliated institutions
- Create a requirement for and a mechanism to collect numbers and types of 51a reports filed across the organization, no matter the category, to assess efficacy of training, and

whether reporting timelines and state reporting requirements are being observed by CAP Teams, and other personnel

Communication

- Develop outreach protocols to engage with complainants and their legal counsel. There has been some outreach with positive result to use as a model
- Develop a protocol for an effective way to provide support to victims/survivors when they talk with an archdiocesan official or board
- Provide feedback on case disposition to investigators who conduct case investigations and prepare all materials going forward but never get any feedback on cases they have investigated.
- Clarify and communicate publicly the differences between the canonical process and due process in civil law
- Develop new policy language to reflect the requirement for directors and staff to attend communications courses
- Reflect the avenues and framework for sustained funding (as articulated by the Chancellor) to support therapeutic treatment plans, maintenance of CORI, education and training programs, and overall implementation of safe environment initiatives

Training and Education

- Select and implement annual personal boundary/ sensitivity/ sexual harassment training for clergy and RCAB personnel
- Add language that stipulates that investigations should only be accomplished by individuals with the proper training and expertise – particularly in light of the departure of the only Delegate with a police/investigative background
- Develop and strengthen plans for a) ongoing, required post-ordination formation programs in and standards of emotional maturity and b) regular performance evaluations with client input for priests, deacons and employees with regard to the health and well being of those in ministry
- Develop and institute in-service training and education courses on inter- and intra-departmental communications (Secretary for Communications)

Review Board

- Allow the Review Board to advise the Archbishop on cases involving employees and volunteers, as well as cases involving allegations of misconduct with adults
- Allow the Review Board to advise the Archbishop on all aspects of cases including procedural, ethical, and systemic issues
- Task the Review Board to develop and maintain a timeline for administrative leave and guidelines for restricted ministry
- Task the Review Board to develop guidelines for other duties to which a priest might be assigned if the Archbishop determines he must be removed from ministry pending the outcome of a preliminary investigation

- Task the Review Board to participate in an *ad hoc* committee with archdiocesan personnel and experts in the fields of sexual offenders and probation/parole to develop guidelines for monitoring priest offenders
- Task the Review Board, in consultation with the Delegate(s) for Investigations and the Promoter of Justice, to develop a flow chart of the different stages of the canonical process and the various outcomes at each stage. This chart should be made available to the Office of Pastoral Support, the Director of Implementation and Oversight, and to any new members of the Review Board.
- Task the Review Board to participate in a joint committee with the Director of Implementation and Oversight and the Implementation and Oversight Committee in order to clarify roles so that each board functions in accordance with the Essential Norms, the roles are clearly defined, and any duplication of work is intentional and collaborative. The process should include a written description defining purpose and role of each Board, which would be inserted into the Policies.

DISCUSSION & CONCLUSIONS

- A. The Challenge of Organizational, Cultural & Social Change**
- B. The Canonical Genre of the *Policies and Procedures*
& the Need for a Both/And Approach Going Forward**
- C. Specific Accomplishments & Challenges
in Handling Complaints of Child Abuse**
- D. The American Church As a Whole
& a Strength-Based Community Approach**

DISCUSSION & CONCLUSIONS

IX. Seeking Justice

IX.A. The Challenge of Organizational, Cultural and Social Change

From every side, the data we have gathered shows that the Archdiocese has made a solid beginning, but continuity and assimilation are serious tasks ahead. It is a notable organizational achievement that twelve out of the fourteen major recommendations of the Commission for the Protection of Children (2002) have been implemented in some way in the past three years and that the canonical interface (2003) has laid a foundation for the difficult work of coordinating civil and canon law. In other respects the Boston *Policies and Procedures*, while fulfilling requirements of the USCCB Charter and Essential Norms, are already more developed and precise than the Charter and Norms. Going forward in the conscious evolution of policy and implementation, the Archdiocese should take care to preserve all that is good and working well and to revise anything that is not working well.

The preamble to the US Conference of Catholic Bishops *Charter for the Protection of Children and Young People* offers to the people of the Catholic Church and the world an acknowledgement of the profound damage caused by the abuse of children in its care and the Bishops' acceptance of personal responsibility for their part in its occurrence:

Since 2002, the Church in the United States has experienced a crisis without precedent in our times. The sexual abuse of children and young people by some deacons, priests, and bishops, and the ways in which these crimes and sins were addressed, have caused enormous pain, anger, and confusion. As bishops, we have acknowledged our mistakes and our roles in that suffering, and we apologize and take responsibility again for too often failing victims and the Catholic people in the past. From the depths of our hearts, we bishops express great sorrow and profound regret for what the Catholic people have endured.

In their document, the Bishops outline the 17 Articles that they hope will "make effective our goals of a safe environment within the Church for children and young people and of preventing sexual abuse of minors by clergy in the future."

Likewise, the Essential Norms accompanying the Charter turns the bishops' promises into particular canon law for the United States in the context of the larger, universal law by which the global Church governs itself. The Preamble to the Essential Norms explains the relationship of the Norms to the Charter and comments that the bishops have stated

that they would be as open as possible with the people in parishes and communities about instances of sexual abuse of minors, with respect always for the privacy and the reputation of the individuals involved. They have committed themselves to the pastoral and spiritual care and emotional well-being of those who have been sexually abused and of their families.

In addition, the bishops will work with parents, civil authorities, educators, and various organizations in the community to make and maintain the safest environment for minors. In the same way, the bishops have pledged to evaluate the background of seminary applicants as well as all church personnel who have responsibility for the care and supervision of children and young people.

Therefore, to ensure that each diocese/eparchy in the United States of America will have procedures in place to respond promptly to all allegations of sexual abuse of minors, the United States Conference of Catholic Bishops decrees these norms for diocesan/eparchial policies dealing with allegations of sexual abuse of minors by diocesan and religious priests or deacons.¹ These norms are complementary to the universal law of the Church, which has traditionally considered the sexual abuse of minors a grave delict and punishes the offender with penalties, not excluding dismissal from the clerical state if the case so warrants.

It is upon the national foundation of the Charter and the Essential Norms, as well as the local psycho-social recommendations of the Commission for the Protection of Children, that the Archdiocese of Boston recognized that abuse had occurred in the environments of the Church and built the *Policies and Procedures* that have been the subject of this review. Beyond this recognition, Church leadership and community must steadily continue to break through the social denial that inevitably attends scandal and shame.⁴³

As readers of this first comprehensive evaluative effort of the new work of the Archdiocese of Boston during 2003-2005 now understand, this review carries a profound awareness both that a great deal has been accomplished in a short time and that implementation of policies is still evolving and can be practically improved.

So we recognize that, overall, simply by acknowledging poor record-keeping and the lack of transparency that led to past governance errors, simply by striving to correct the mistaken course of protecting the Church from scandal by moving offending clergy, simply by publicizing and addressing allegations, and simply by installing safe environment and pastoral outreach programs, the Archdiocese of Boston has begun in many ways, and in a short time, a major cultural and organizational change, one that other private and public organizations have not yet been asked to match in the Commonwealth of Massachusetts. Tens of thousands of children in the Commonwealth of Massachusetts have been given a chance, through training in TAT, to resist molesters. From the standpoint of social service experts on child abuse, this in itself is a remarkable accomplishment to have achieved in so short a time.

Yet organizational change is slow, and diminished fiscal and human resources present the Archdiocese with a strong and long lasting challenge.

⁴³ Paula Stahl of Children's Charter, Inc., Trauma Clinic, in comments to IOAC made as one of the outside vetters in our consultation of January, 2006.

Inevitably, therefore, this review of policy implementation reveals points of direct collision between efforts to install and practice child protection and abuse prevention and an existing organizational structure that is over-compartmentalized and discrete. Also, in a social climate of distrust of episcopal authority, clerical and lay individualism allows existing tendencies toward non-communication and non-compliance to flourish and to retard the complete and simple implementation of policies in several areas.

The Archdiocese of Boston needs to break out of divisive cultural molds of the past and develop an emphasis on strength-based ecclesial community (lay-integrated) as well as a new organizational integration and spiritual sensibility. Until this happens, even the best policies of protection and prevention will be impeded in practice by constant confrontation with an outmoded design and separateness that does not yet allow clergy, religious and laity to live up to the Church's own universal call to holiness, fulfilling different vocations but in the same Spirit.

However, it is not enough to cleanse the "temple." The "forum" and "marketplace" must also be straightened. While the Church must cleanse its own house, it cannot be asked to carry the entire burden of a society endemic with sexual abuse. Civil authorities and state agencies must also make a concerted effort according to principles of the common good to create safe environments in public school education; to co-ordinate and unify the efforts of fragmented child advocacy agencies now forced to compete for a piece of the state budget; and to develop mechanisms to track criminal sexual offenders who have been released from prison.

IX.B. The Canonical Genre of the *Policies and Procedures* & the Need for a Both/And Approach Going Forward

The outcomes of the review process and the experience of those carrying out policy have led both the IOAC and the Review Board to weigh the canonical genre of the last developmental phase of policy, that which produced the current *Policies and Procedures*, as the stand-alone expression of the Archdiocese on child protection and abuse prevention. We emphatically note that the canonical interface is an achievement but that, going forward, it is inadequate by itself.

We understand and respect several historical realities in which the canonical interface of policies of child protection and abuse prevention were brought forward after the Commission for the Protection of Children made its psycho-social recommendations in 2002. These realities include the ongoing adaptive use and interpretation of canons to address a crisis of this scope; an application of universal law that has required creative evolution of channels of practice in the past three years; the efforts of every diocese, as well as the Vatican, to track and work out the design and effectiveness of these procedures; the importance of having rigorous and clear canonical norms stated in a unified document of particular law in the local diocese to provide continuity in practice and a just response to both complainants and the accused; the value of achieving conformity to a national ecclesial standard in the Essential Norms; and considerations of first amendment rights and the separation of Church and state.

Yet the choice of canonical promulgation of the policies as their single appropriate genre has been a double-edged sword. On the positive side, it has brought about a certain

appearance of rigor and unity through compatibility with the national canonical Norms and it has drawn attention to local enforcement of the policies. But, on the negative side, it has often left the lay faithful, including survivors, in ignorance of processes affecting them directly, and it has sometimes reinforced separate treatment of bishops, priests and deacons as a canonical class to their detriment as well as their apparent protection. And, in general, since current canon law more fully spells out the rights of clerics, its legitimate application inevitably suggests an unbalanced treatment or non-application of Church law to those members of the Church who have suffered at the hands of clerics.

The issues are both/and not either/or. No good cause is advanced when victims or accused priests are vilified, ignored, or banished from the Catholic community – or treated unevenly in the law, civil or canonical.

Even more deeply, the legal approach alone is not adequate to the deeper expression of our faith or to clear communication.⁴⁴ Any refinements of archdiocesan policy must improve and not suppress its original intention of transparency, develop community-based action, and share out authority with the laity and not contain it under closed diocesan management.

Therefore, with the foundation of both civil and canonical legal approaches already in place and being refined, we emphatically express the need for *an additional* approach to policy that strongly incorporates *other* knowledge besides law, including psycho-social best practices and pastoral knowledge, theological anthropology, and communal spiritual wisdom. That is, going forward, we argue inclusion of an approach compatible with a Catholic sense of sacrament in the world.

Boston is living out, perhaps better than many dioceses, the requirements of the USCCB decisions in 2002, including zero tolerance, which were absolutely socially necessary to break through decades of secrecy, silence, organizational mismanagement, non-accountability, and the confusion of psychotherapeutic and pastoral responsibilities. As the recent affirmation of the Charter and Norms by the USCCB in June, 2005, suggests, if zero tolerance seems severe, many in the Church will nevertheless say that, until we form a more judicious practical response and get it right, it is better to risk some injustice to an ordained adult than to risk the lifetime of a child.

IX.C. Specific Accomplishments & Challenges in Handling Complaints of Child Abuse

Our review has brought to light some significant accomplishments in rolling out Section II of the Policies and Procedures, “Handling Complaints of Child Abuse,” Articles 5 through 10. Several aspects of these policies have been working very well and the Archdiocese has received positive feedback on its efforts from the larger community. For example:

⁴⁴ Outside vetter Susan Wayne, Executive Director of the Justice Resource Institute, comments that, for the general public, the current *Policies and Procedures* is a very “dense” and legalistic text. She was pleased to learn that an abbreviated and simplified form in several languages – the Pocket Guide to the Policies -- already existed.

- Mandated reporting is working across the Archdiocese, with high marks from DAs and representatives of DSS.
- The Code of Ministerial Conduct has been effective.

As often happens, the success itself reveals the challenge and the ways in which the operation can be improved. Mandated reporting is working well from the direction of different archdiocesan offices/agencies/ institutions. However, the Archdiocese itself would benefit if it could partner with external agencies and develop a central internal data-gathering function for all allegations. Some channel for interagency communications should be developed so that the Archdiocese can get information about all 51A reports filed with DSS and be able to track its own system's effectiveness.

Similarly, the Code of Ministerial Conduct has been working, and it has brought to light that ministerial personnel would benefit from annual reinforcement of its terms, i.e., training, and training in boundary issues.

Although Section II of the *Policies* was written "going forward" with only a few cases in mind, the *Policies* had to be used initially to process many cases and to do so in short order. Very often, therefore, the *Policies* were treated as "guidelines" rather than strict requirements. But policies going forward must be regarded as genuine policies mandating compliance in practice. Likewise, canon law is complex, and even educated Catholics are not familiar with its standards; so the Archdiocese must undertake better public communication of the significance of its policies and procedures.

Archdiocesan personnel have been candid and very helpful in this review by noting where the policy and the practice most diverged or felt most unwieldy. At the risk of repetition, reviewers want to state how much different angles of inquiry have yielded a similar kind of response, validating the perception that certain key areas are the ones that need the most attention if the Archdiocese is to go forward. Thus the experience of two years has shown how important it is, in order to really go forward in good faith, to re-visit the following issues and define them more precisely and communicate them better to the general public as well as to the clergy and the laity.

- General authoritative oversight of programs of protection and prevention and the handling of complaints
- A single working funnel for reception of allegations
- Internal communication between offices/agencies
- Definition of material needed for preliminary investigation
- Availability, as needed, of more than one delegate for investigations and distinction of roles with regard to a) investigators trained in civil and psycho-social standards for handling complaints of sexual abuse and b) investigators trained canonically
- Independence of Review Board and distinction of roles from that of the canonical Delegate of Investigations in the Office of Canonical Affairs
- Due process rights of complainants and the accused
- Notification of complainants and the accused in a timely fashion at the beginning of canonical processes regarding their structure; at intermediate stages; and at the conclusion of process when a determination has been made.

IX.D. The American Church As a Whole & a Strength-Based Community Approach

Since 2002, the Church in the United States has scrambled – to different degrees in different dioceses – to meet the demands of law and the challenges of the culture regarding the crime of sexual abuse of minors. To date, working through models of management, law, and communications, the Church as institution has provided some social, therapeutic and spiritual outreach to individual victims and their families but, with rare exceptions, has not conceived of explicit communal reincorporation or steady spiritual accompaniment of or “walking with” victim-survivors in the ordinary faith community of the parish.

Likewise, for accused clergy, as Cardinal Avery Dulles pointed out in an article in *America* in June, 2004, most dioceses have not yet creatively designed programs of a) aftercare of the guilty, b) monitoring of the suspected against whom allegations are deemed credible, c) pastoral rehabilitation and reintegration in the community of the once accused whose charges are deemed not credible and whose condition is judged not guilty.

The crisis of 2002 and responses to it through 2005 offer the Church an opportunity to grow it must not miss in 2006. The development of strong community-based programs and clear minded spiritual accompaniment for both the survivors and the accused in the parish and analogous communities of faith may be a next step and one enabling the faithful who participate to grow in charity and in justice.

Here, then, is another approach and another list of suggestions to strengthen the Charter and Essential Norms and the policies of the Archdiocese of Boston according to some deeper standards of our faith. This effort would support the rights both of the accused and of plaintiffs and the use of law to effect social change, but it primarily seeks to engage bishops, priests, victim-survivors and faith communities in a larger cause for the sake of the whole body of Christ.

- Emphasize a redemptive theological standard as well as the canonical one.
- Encourage the development of a revised canon law that attends more specifically to the rights of the laity, especially minors who have been damaged in the Church by members of the clergy or by the application of Church law itself, but also young people and women.
- In a doubly traumatized regional community of faith, gently challenge and change cultural tendencies toward passivity. Adoption of a passive identity inhibits authentic accountability and puts obstacles in the path of healing. Good pastoral decisions take down such obstacles and open up the paths of co-responsible communion, even where there are deep wounds and seemingly irreconcilable differences.
- Systematically build strength-based programs that cultivate individual and communal co-responsibility in dioceses and parishes across the land and that allow different communities to share their specific skill sets and strengths with other

communities. Where one parish may have an excellent religious education program but a weak CAP program, for example, while another parish nearby lacks a strong religious education force but has dedicated CAP team members, let the two parishes share their strengths and build up one another's weaknesses. This provides a creative way to develop mutuality and achieve social change. . Development of general community outreach programs across a set of parishes in a given town or region also builds up the consciousness and faith of the members of those parishes.

- The building of meaningful programs of co-responsibility includes radical episcopal support of proven safe environment educational programs in Catholic schools and religious education curricula. Even if some adults are uncomfortable with the lessons, children learn to protect themselves. Strengthening of CAP teams in each parish also informs groups of people in each parish and lays the foundation for understanding across the Archdiocese. Abuse is socially endemic, and the Church has an opportunity through education to make a big difference for the future in a large segment of society.
- Learn from twelve-step programs like AA and develop a network of sponsors, meetings, inventories and communities to accompany individual victim-survivors along paths of recovery, if they ask for such companionship, while other processes (such as investigations, administrative leave, therapy, pastoral counseling, legal settlements) go on. These programs should provide more of a personal and social setting than an institutional one and should be proportioned to the kind of need that presents itself.
- Develop a similar network of sponsors, meetings, inventories and communities to accompany accused priests while other processes (such as investigations, administrative leave, therapy, pastoral counseling, legal settlements) go on and until the final outcome of an allegation is known. If not in prison, diagnosed pedophiles (and those technically considered ephebophiles) need strong behavioral boundaries that are established, kept and routinely socially reinforced. Cases in which perpetrators have been diagnosed with bipolar or substance use disorders require yet other approaches. Cases of psychosocial immaturity need reliable groups, genuine relationships and meaningful work through which to grow and change. Still other persons (victims and those falsely accused) will benefit if only the most sensitive moral support is tendered by a few faithful companions.
- Find a just and charitable pastoral avenue to respond to a priest who voluntarily comes forward saying that he has not actively molested anyone but recognizes a tendency towards or an attraction toward children. Does the Church currently encourage such a man to report, remove him from access to children, keep him a priest and provide financial and therapeutic support? In other words, the man is not yet an offender and has done nothing wrong. Yet in the current climate he would probably lose much of what he has if he came forward and would therefore be reluctant to do so. It would be better to provide him with a place to live, a stipend or salary so he does not become destitute, and provide treatment – perhaps for a prolonged period. A policy like this would certainly promote safety because people

would be more likely to report themselves if they knew the Church would support them and not “kick them out.”⁴⁵

- These programs would, in essence, provide the spiritual companionship of members of the household of faith both to victim-survivors and the accused and, in the long social tradition of the Church, may also develop into concrete works of mercy, as appropriate, such as the provision of housing, new and meaningful temporary jobs for those financially dislocated because of the experience of abuse and those on administrative leave, and sustained avenues for therapeutic, health care, or financial support, and a community to belong to while intense periods of healing or investigations go on.
- Continue to broaden the base by sharing episcopal authority, responsibility, and accountability with wise hearts and educated professionals in the Catholic laity and among other faiths. Abuse is socially endemic, and making partnerships for social change, where possible, expresses part of the social mission of the Church and benefits both members of the household of faith and our nation.⁴⁶ A sense of community will grow both internally and externally through interfaith collaboration.
- Let bishops also reach out humbly to other bishops and help them develop needed policies and programs. *Auctoritas auget*: “Authority makes grow,” not shrink. Bishops are the symbols of unity who must actively open up the paths of unity in a divided Church and secularized nation. Bishops will gain spiritual stature by following the advice of Saint Benedict and summoning the whole community of faith to ask for counsel, including the youngest and the least, and letting the laity companion them in the carrying of the burdens of office. Then different vocations will flourish in the one Spirit.

Reaching out in these ways through a genuinely sacramental vision of life can yet turn the crisis and initial efforts at response into an occasion of outward good and broad social benefit. Good practice and good example work.

In conclusion, we recall the wisdom of Archbishop Oscar Romero:

It helps, now and then, to step back and take the long view. The kingdom is not only beyond our efforts, it is beyond our vision. We accomplish in our lifetime only a tiny fraction of the magnificent enterprise that is God's work. Nothing we do is complete, which is another way of saying that the kingdom always lies beyond us. No statement says all that could be said. No prayer fully expresses our

⁴⁵ This paragraph and suggestion reflects the comments of outside vetter Susan Wayne of the Justice Resource Institute.

⁴⁶ Already, on a national plane, there are efforts to share information from diocese to diocese. The national annual audits of the USCCB on incidence, prevalence, program implementation; the commissioned and awaited current John Jay School study of causes, and the safe environment coordinator national Listserve are some of the developments helping the Church in the United States become aware of what is working and what is not working.

faith. No confession brings perfection. No pastoral visit brings wholeness. No program accomplishes the church's mission. No set of goals and objectives includes everything. This is what we are about: We plant seeds that one day will grow. We water seeds already planted, knowing that they hold future promise. We lay foundations that will need further development. We provide yeast that produces effects beyond our capabilities. We cannot do everything, and there is a sense of liberation in realizing that. This enables us to do something, and to do it very well. It may be incomplete, but it is a beginning, a step along the way, and opportunity for God's grace to enter and do the rest. We may never see the end results, but that is the difference between the master builder and the worker. We are workers, not master builders, ministers, not messiahs. We are prophets of a future not our own.

Whoever does not receive the kingdom of God as a little child will never enter into it. May God, whose integral justice (*sedeq*) shines on everyone without distinction, bless the people of the Church of Boston, give the Archbishop strength and courage, complete our work, and bring us all together to eternal life as the children of God.

APPENDICES

- ✎👉 Booklet edition of *Policies & Procedures* (July, 2003)
- ✎👉 Committees Conducting This Review
- ✎👉 Fourteen Major Recommendations of the Commission for the Protection of Children, Archdiocese of Boston (2002)
- ✎👉 Ministerial Code of Conduct (Available in Five Languages)
- ✎👉 Safe Environment Statistics from Parishes & Schools:
An Overview of Current Archdiocesan Response with Some Reference to Work-in-Progress & Ongoing Training of Clergy
- ✎👉 Operative Current Guidelines for Access to Care in the Office of
Pastoral Support and Outreach
- ✎👉 Letter of Authorization
- ✎👉 USCCB 2004 Audit Report and 2005 Audit Report (if delivered)
- ✎👉 Condensed *Policies and Procedures*

APPENDIX A

Booklet edition of *Policies & Procedures* (July, 2003)

For web version, see:

<http://www.rcab.org/Administration/Policy/HomePage.html>

APPENDIX B

COMMITTEES CONDUCTING THE REVIEW

1. The requirement of a two-year review of implementation of policies, like the requirement that there be an “implementation and oversight committee” following the Commission, originated in a recommendation of the Commission for the Protection of Children in 2002.
2. Article 1, Section 2.5 of the *Policies* states that “The Review Board will review these *Policies and Procedures* at least every two years, in collaboration with the Office for Child Advocacy, Implementation and Oversight, the Implementation and Oversight Advisory Committee, the Office for Pastoral Support and Outreach, and the Delegate for Investigations. Following its review of these *Policies and Procedures*, the Review Board may make recommendations to the Archbishop for modification.”
3. This requirement provides the impetus for the present assessment.
4. The *Policies* specifically designate the Secretary of the Office of Child Advocacy as “assisting the Review Board in the review of these *Policies and Procedures*” (Article 1 Section 4.2), and state further that “The Implementation and Oversight Advisory Committee (IOAC) will assist the Secretary of the Office for Child Advocacy, Implementation and Oversight in his/her responsibilities, including ...collaborating with the Review Board to review and modify these *Policies and Procedures*” (Article 1, Section 4.3).
5. In the Fall of 2004, as the planning process for this task began, it became clear that, at least for the present assessment, the Review Board would require significant assistance to accomplish the tasks of data collection, interviews, analysis and writing necessary to produce the report. At that time, the Review Board was working under a deadline, set by the Vatican, that any case requesting a dispensation from prescription (waiver of the statute of limitations) must have been processed through the Review Board by December 1, 2004. Review Board members felt that their priority, on behalf of the victim/survivors, and the Church as a whole, was to focus on processing cases to the exclusion of everything else. Consequently, a joint strategy meeting between the Review Board and the IOAC was held in November, 2004, during which it was agreed that the IOAC, in consultation with the Review Board, would take the lead in conducting the review and undertake the tasks of structuring the assessment process, creating data collection instruments, distributing and collecting them, conducting interviews, coordinating with other directorates, folding in the results of the 2004 USCCB audit effort, analyzing the data, and drafting a report to the Archbishop.⁴⁷ Two individuals from the Review Board volunteered, and were designated by the Board’s Chair, to assist with the effort and provide liaison between the Board and the IOAC.⁴⁸

⁴⁷ See **Appendix G**, Letter of Authorization, for an explanation of the adjustment of policy that allowed Implementation and Oversight Advisory Committee to take the lead in conducting this review of policy. The Review Board worked in collaboration with IOAC while occupied with reviewing numerous cases. Also cross-reference this authorization with requirements of the Review Board in the revised and approved USCCB Charter and Essential Norms (2005)

⁴⁸ Maureen McGettigan, LICSW, and Wilfred Pilette, M.D. Special thanks to Maureen McGettigan for her active role in helping to compose this report.

VOLUNTEER MEMBERS OF THE IMPLEMENTATION & OVERSIGHT ADVISORY COMMITTEE

Chair: Mary Jane Doherty, Ph.D., Special Assistant to the President, Regis College

-*Suzin Bartley, LICSW, Executive Director, Children's Trust Fund, Member of the Commission for the Protection of Children (2002), Administrative/Clinical Experience in Child Abuse

-Rev. Arthur Coyle, Archdiocesan Secretary of Pastoral Services, Secretary and Cabinet Member of Archdiocese of Boston, Former Director of the Pastoral Institute at St John Seminary, Brighton

-Cynthia Crosson, EdD, LICSW, MDiv, Educator, Psychotherapist, Consultant, Author, Clergy in United Church of Christ, Professor *Emerita* of Behavioral Sciences and Director, Child Protection Institute, Fitchburg State College, Adjunct Faculty, Andover Newton Theological School, Licensed Clinical Social Worker & Former Training Specialist in DSS

-*Susan Getman, LICSW, Deputy Commissioner, Department of Social Services, Administrative/Clinical Experience in Child Abuse, Former VP and COO of the Wayside Youth and Family Support Network, Former Regional Administrator of the MA Society for the Prevention of Cruelty to Children for Central Massachusetts

-Robert Gittens, Esq., Vice President Public Affairs, Northeastern University, Former Secretary, MA Dept of Health and Human Services, Former Commissioner, Department of Youth Services, Former First Assistant, Suffolk County District Attorney's Office

-Craig Alan Latham, Ph.D., Private Practice Clinician and Consultant, Certified Forensic Psychologist, Diagnostician, and Juvenile Court Clinician, Former Clinical Instructor in Psychology Department Psychiatry, Harvard Medical School

-Ginny Lucey, R.N., Family Outreach Coordinator, Office of Pastoral Support and Outreach

-*Jack Miller, Director of Programs, Massachusetts Children's Trust Fund, Experience in Family Support Programs, Founder of Fathers and Families Network

*** These members of the IOAC participated in and contributed to the year-long review process and composition of the report, but resigned from the IOAC after three years of service early in 2006, before the final copy of the report was completed.**

INTERNAL ARCHDIOCESAN STAFF FOR IOAC

-Rev. Deacon Anthony P. Rizzuto, Ph.D., Director, Office of Child Advocacy, Implementation and Oversight

-Robert H. Kelley, LICSW, Special Assistant to Director, Office of Child Advocacy, Implementation and Oversight (Consultant, Family and Child Welfare Services, Former Regional Director, Department of Social Services)

MEMBERS OF THE RCAB REVIEW BOARD

Chair: The Honorable Mary Fitzpatrick, L.L.B., J.D., Retired Chief Justice of Probate & Family Court, Former Chair of Judicial Conduct Committee

- Jeffrey Bradley, LICSW, Clinical Social Worker in private practice (clinical experience)

- Paul Connelly, Vice-President Longwood Security Services, Inc., licensed to conduct investigations
- Rev. Michael J. Doyle, Pastor, St. John the Evangelist Parish, Canton, Commander, U. S. Naval Reserve
- Maureen McGettigan, LICSW, Psychotherapist and consultant in private practice, Experience in assessment and treatment of child sexual abuse and psychological trauma
- Rose Perard, R.N.C., Nursing Clinical Coordinator, Former Board Chair, Advisory Board O.B.C.
- Wilfrid L. Pilette, M.D., Board Certified Psychiatrist, thirty years experience in adult and adolescent psychiatry in a variety of academic, administrative and clinical positions, as well as private practice.
- Carola Pontone, Marian Association, Treasurer and Promoter of Marian Consecration, mother of two children
- Barbara F. Suojanen, R.N., mother of three children

INTERNAL ARCHDIOCESAN STAFF FOR REVIEW BOARD

- Rev. Rodney J. Copp, J.C.L., Pastor, St. Charles Borromeo Parish, Waltham, Promoter of Justice
- Amy J. Strickland, J.C.L., Delegate for Investigations

APPENDIX C

Fourteen Recommendations of the Commission for the Protection of Children (2002)

MAJOR RECOMMENDATIONS: WHAT WE HAVE DONE

What follows is a brief summary of the major policy recommendations of the Commission, with notations on the current status of implementation initiatives in the Archdiocese of Boston of which the Commission is aware as of October, 2002:

1) Mandatory reporting to civil authorities for all clergy, staff, volunteers, or other agents of the church within 24 hours, when they have reasonable cause to suspect that a child has been abused either recently or in the past.

COMMENTARY: This policy has been adopted by the Archdiocese, and archdiocesan staff have been notified. Training on mandated reporting is currently being planned and scheduled in conjunction with VIRTUS.

2) Full cooperation with civil investigating authorities, and the development of protocols to implement this cooperation. No independent interviewing by church personnel of juvenile victims.

COMMENTARY: Protocols for co-operative involvement still need to be drafted.

3) A separate, independently-incorporated, advocacy program to serve those harmed by church related sexual abuse (including families and parishes), separate from any other church identified institution, staffed by advocacy professionals and overseen by a board that includes experts in victim advocacy and victim needs and services.

COMMENTARY: Appointments to the Advisory Board need to be completed. A clinical director needs to be hired. Referral networks need still to be established.

4) Establishment of "child abuse prevention teams" in each parish to advise people who need help in reporting an allegation or a suspicion.

COMMENTARY: Planning has begun.

5) Immediate removal from duties of both clergy and staff in the wake of a credible allegation. No return to ministry or work capacity for anyone who engages in sexual activities with a minor. No exceptions to this rule will be allowed.

COMMENTARY: This policy has been adopted by the Archdiocese. Question: [Has this actually been implemented in any specific case? DF]

6) Creation of a system to supervise on an ongoing basis individuals who have been removed from ministry because of credible allegations.

COMMENTARY: Still to be developed.

7) Disclosure to future employer or volunteer organization of all relevant information regarding former clergy, staff, or volunteers who have sexually abused children.

COMMENTARY: Still to be developed.

8) Proposal of a regional and ultimately national registry of persons removed because of credible allegations.

COMMENTARY: Still to be developed.

9) Comprehensive prevention education for children, parents and parishes, required for staff and volunteers prior to assuming duties, and required annually for priests, deacons and religious.

COMMENTARY: Substantial progress has been made with VIRTUS and the Committee for Children in planning implementation.

10) Psychological screening, background checks, and specific inquiries of candidate and referees about inappropriate physical and sexual contacts with children as part of the selection of clergy, staff and volunteers.

COMMENTARY: Status unknown.

11) Code of conduct that specifies inappropriate forms of physical contact and unsupervised activities between clergy, staff and children.

COMMENTARY: Code still needs to be developed.

12) Independent Review Board with professional experts in the area of child abuse to examine and make recommendations about actions to take in the wake of allegations and to review the effectiveness of existing policies.

COMMENTARY: Still needs to be developed and appointments to the Board made. [Put closing date of Oct. 7 on achieving appointments]

13) No requirement of nondisclosure or confidentiality binding on complainants as part of any agreement.

COMMENTARY: Status unknown.

14) Committee to oversee the implementation of these policies, which will be reviewed and revised within three years.

COMMENTARY: The Child Advocacy, Implementation and Oversight Committee is in the process of being established.

APPENDIX D

RCAB *Ministerial Code of Conduct* (2003)

For Web Version See:

<http://www.rcab.org/Administration/Codes/CodeofMinisterialBehavior.html>

CODE OF MINISTERIAL BEHAVIOR**for the****ARCHDIOCESE OF BOSTON****CONTENTS:****On Ministerial Behavior**

- 1. Responsibilities**
- 2. Code of Pastoral Conduct for Priests, Deacons, Pastoral Ministers, Administrators, Staff, Employees and Volunteers**
 - **Conduct with Children and Youth**
 - **Sexual Conduct**
 - **Harassment**
 - **Conduct for Pastoral Counselors and Spiritual Directors**
 - **Confidentiality**
 - **Conflicts of Interest**
 - **Reporting Ethical or Professional Misconduct**
 - **Administration**
 - **Staff/Volunteer Well-being**
- 3. Acknowledgement and Signature Sheet**

CODE OF Ministerial Behavior

On Ministerial Behavior

Priests, deacons, pastoral ministers, administrators, staff, employees and volunteers in our parishes, religious communities, institutes, and organizations must uphold Christian values and conduct. The following Code of Pastoral Conduct provides a set of standards for conduct in pastoral situations.

1. Responsibility

- The public and private conduct of clergy, staff, and volunteers can inspire and motivate people, but it can also scandalize and undermine people's faith. Clergy, staff, and volunteers must, at all times, be aware of the responsibilities that accompany their work. They must also know that God's goodness and grace support them in their ministry.
- We have a responsibility to witness in all relationships the chastity appropriate to our state in life, whether celibate, married or single. We must avoid any covert or overt sexual behaviors with those for whom we have a professional or pastoral responsibility. This includes seductive speech or gestures as well as physical contact that sexually abuses, exploits or harasses another person. We are to provide safe environments in parishes, schools and institutions where children and others can be assured that their boundaries will not be violated.
- We should be aware of our own and other persons' vulnerability, especially when working alone with another, and be particularly aware that we bear the greater responsibility for maintaining sexual boundaries in a pastoral relationship, for we hold the greater power. We must not initiate sexual behavior, and must refuse it when another invites or consents to it. We must give preference to the perspective and judgment of those who are vulnerable and dependent on us in order to determine whether touching would be an appropriate expression of pastoral care.
- We must show prudent discretion before touching another person, since we cannot control how physical touch will be received. We strive for greater self-awareness in order to recognize the sexual dynamics at work for us in pastoral relationships and to heed the warning signs in our lives that indicate when we are approaching boundary violations. We assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all our relationships with others.
- We should satisfy our needs for affection, intimacy, attraction, and affirmation outside the pastoral relationship. We should seek supervision, spiritual direction or

other professional help to remain focused on our professional responsibilities and to hold firm to the sexual boundaries of the pastoral relationship.

- We must intervene when there is evidence of or have reasonable cause to suspect that children are being abused in any way.

- We must report any suspected abuse or other violations of sexual conduct to the appropriate civil and ecclesial authorities, and then do what we can to see that justice is done for the victim, the offender, and the community from which the victim and minister come.

-

Responsibility for adherence to the Code of Pastoral Conduct rests with the individual. Clergy, staff, employees and volunteers who disregard this Code of Pastoral Conduct will be subject to remedial action by Archdiocese. Corrective action may take various forms—from a verbal reproach to removal from the ministry/employment—depending on the specific nature and circumstances of the offense and the extent of the harm.

2. Code of Pastoral Conduct For Priests, Deacons, Pastoral Ministers, Administrators, Staff, Employees and Volunteers

Conduct With Children and Youth

Clergy, staff, employees and volunteers working with children and youth shall maintain an open and trustworthy relationship between them and their adult supervisors. All must be aware of their own and others' vulnerability when working alone with children. Always consider a team approach when working with children.

Physical contact with children can be misconstrued and should occur only when completely nonsexual and otherwise appropriate, and never in private. One-on-one meetings with a young person are best held in a public area, or if that is not appropriate, then the door to the room is left open, and someone on the parish staff is notified about the meeting.

Clergy, staff, employees and volunteers should refrain from the a) the illegal possession and/or illegal use of drugs and/or alcohol at all times, and b) the use of alcohol when working with youth. Adults should never buy alcohol, drugs, cigarettes, videos, or reading material that is inappropriate and give it to young people.

Clergy should not allow any young people to stay overnight in the cleric's private accommodations or residence. Youth ministers and all adults should always meet with young people in areas that are visible and accessible. It is always a safe practice to have two adults in the area where youth are present or when driving children home.

Parish staff, employees and volunteers should not provide shared, private, or overnight accommodation for individual young people including, but not limited to, accommodations in any Church owned facility, private residence, hotel room, or any other place where there is no other adult supervision present.

In rare, emergency situations, when accommodation is necessary for the health and well-being of the youth, the clergy, staff, or volunteer should take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm. Use a team approach to managing emergency situations.

Sexual Conduct

Clergy, staff, employees and volunteers must not, for sexual gain or intimacy, exploit the trust placed in them by the faith community. Clergy, religious, staff, and volunteers who are committed to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times.

Those who provide pastoral counseling or spiritual direction services must avoid developing inappropriate relationships with minors, other staff, or parishioners. Staff and volunteers must behave in a professionally supportive manner at all times. No clergy, employee, staff, or volunteer may exploit another person for sexual purposes.

Allegations of sexual misconduct should be taken seriously and reported to the appropriate civil and ecclesial authorities according to the policies and procedures of the Archdiocese of Boston. Clergy, staff, employees and volunteers should review and know the contents of the child abuse regulations and reporting requirements for the Commonwealth of Massachusetts and should follow those mandates.

Harassment

Clergy, staff, and volunteers must not engage in physical, psychological, written, or verbal harassment of staff, volunteers, or parishioners and must not tolerate such harassment by other Church staff or volunteers (reference the current Sexual Harassment Policy of the Archdiocese of Boston).

Clergy, staff, and volunteers shall provide a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment.

Harassment encompasses a broad range of physical, written, or verbal behavior including, but not limited to: physical or mental abuse, racial insults, derogatory ethnic slurs, unwelcome sexual advances or touching, sexual comments or sexual jokes, requests for sexual favors used as a condition of employment, or to affect other personnel decisions, such as promotion or compensation, and the display of offensive materials.

Harassment can be a single severe incident or a persistent pattern of behavior where the purpose or the effect is to create a hostile, offensive, or intimidating work environment.

Allegations of harassment should be taken seriously and reported immediately to the Secretary for Ministerial Personnel. The policies and procedures of the Archdiocese of Boston will be followed to protect the rights of all involved.

Conduct for Pastoral Counselors and Spiritual Directors

Pastoral Counselors and Spiritual Directors are any clergy, staff, or volunteers who provide pastoral, spiritual, and/or therapeutic counseling services to individuals, families, or other groups. Pastoral Counselors and Spiritual Directors must respect the rights and protect the welfare of each person.

Pastoral Counselors and Spiritual Directors shall not step beyond their competence in counseling situations and shall refer clients to other professionals when appropriate, and should carefully consider the possible consequences before entering into a counseling relationship with someone with whom they have a pre-existing relationship (i.e., employee, professional colleague, friend, or other pre-existing relationship).

Pastoral Counselors and Spiritual Directors must never engage in sexual intimacies with the persons they counsel. This includes consensual and nonconsensual contact, forced physical contact, and inappropriate sexual comments. Nor should Pastoral Counselors and Spiritual Directors engage in sexual intimacies with individuals who are close to the client—such as relatives or friends of the client.

Pastoral Counselors and Spiritual Directors assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships. Physical contact of any kind (i.e., touching, hugging, holding) between Pastoral Counselors or Spiritual Directors and the persons they counsel can be misconstrued and should be avoided.

Sessions should be conducted in appropriate settings at all times. Sessions should not be held at places or times that would tend to cause confusion about the nature of the relationship for the person being counseled. Pastoral Counselors and Spiritual Directors should maintain a log of the times and places of sessions with each person being counseled.

Confidentiality

Information obtained in the course of sessions shall be confidential, except for compelling professional reasons or as required by law. If there is clear and imminent danger to the client or to others, the Pastoral Counselor or Spiritual Director may disclose only the information necessary to protect the parties affected and to prevent harm. Before disclosure is made, if feasible, the Pastoral Counselor or Spiritual Director should inform the person being counseled about the disclosure and the potential consequences.

Pastoral Counselors and Spiritual Directors should discuss the nature of confidentiality and its limitations with each person in counseling. Knowledge that arises from professional contact may be used in teaching, writing, homilies, or other public presentations only when effective measures are taken to absolutely safeguard both the individual's identity and the confidentiality of the disclosures.

While counseling a minor, if a Pastoral Counselor or Spiritual Director discovers a reasonable cause to believe that there is a serious threat to the minor's health or welfare, including sexual abuse or neglect, or a disclosure is made indicating that the minor child is being abused in any way, the Pastoral Counselor or Spiritual Director should contact the appropriate civil and ecclesial authorities and make a report according to these Policies and Procedures.

These obligations are independent of the confidentiality of the Sacrament of Confession. Under no circumstances whatsoever can there be any disclosure of information received solely through the Sacrament of Confession.

Conflicts of Interest

Clergy, staff, employees and volunteers should avoid situations that might present a conflict of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question. Clergy, staff, employees and volunteers should disclose all relevant factors that potentially could create a conflict of interest.

Clergy, staff, employees and volunteers should inform all parties when a real or potential conflict of interest arises. Resolution of the issues must protect the persons involved in these relationships. No clergy, staff, or volunteer should take advantage of anyone to whom they are providing services in order to further their personal, religious, political, or business interests. Pastoral counselors should not provide counseling services to anyone with whom they have a business, professional, or social relationship. When this is unavoidable, the client must be protected. The counselor must establish and maintain clear, appropriate boundaries. When pastoral counseling or spiritual direction services are provided to two or more people who have a relationship with each other, the Pastoral Counselor or Spiritual Director must clarify with all parties the nature of each relationship, anticipate any conflict of interest, take appropriate actions to eliminate the conflict, and obtain from all parties written consent to continue services.

Conflicts of interest may also arise when a Pastoral Counselor's or Spiritual Director's independent judgment is impaired by prior dealings, becoming personally involved, or becoming an advocate for one (person) against another. In these circumstances, the Pastoral Counselor or Spiritual Director shall advise the parties that he or she can no longer provide services and refer them to another Pastoral Counselor or Spiritual Director.

Reporting Ethical or Professional Misconduct

Clergy, staff, employees and volunteers have a duty to report their own ethical or professional misconduct and the misconduct of others.

The Archdiocese requires that clergy, staff, employees and volunteers contact the Department of Social Services when they have knowledge or reasonable cause to suspect that a person under 18 years of age is being or has been abused or neglected, and to follow that oral report with a written report within forty-eight hours.

Clergy, staff, employees and volunteers must hold each other accountable for maintaining the highest ethical and professional standards. When there is an indication of any illegal action by clergy, staff, or volunteers, the proper civil authorities should be notified immediately. Also notify the Secretary for Ministerial Personnel.

When an uncertainty exists about whether a situation or course of conduct violates this Code of Pastoral Conduct or other religious, moral, or ethical principles, consult with your supervisor, peers, others knowledgeable about ethical issues, or the appropriate Chancery office as listed above.

Administration

Employers and supervisors shall treat clergy, staff, and volunteers justly in the day-to-day administrative operations of their ministries. Personnel and other administrative decisions made by clergy, staff, and volunteers shall meet civil and canon law obligations and also reflect Catholic social teachings and this Code of Pastoral Conduct.

No clergy, staff, or volunteer shall use his or her position to exercise unreasonable or inappropriate power and authority.

Each volunteer providing services to children and youth must read and sign the Volunteer Code of Conduct before providing services.

Clergy, Staff or Volunteer Well-being

Clergy, staff, employees and volunteers have the duty to be responsible for their own spiritual, physical, mental, and emotional health. They should be aware of warning signs that indicate potential problems with their own spiritual, physical, mental, and/or emotional health, and seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.

Clergy, staff, and volunteers must address their own spiritual needs. Support from a Spiritual Director is highly recommended.

Ministry Volunteer's Code of Conduct

As a ministry volunteer, I promise to strictly follow the rules and guidelines in this Ministry Volunteer's Code of Conduct as a condition of my providing services to the children and youth of the Archdiocese of Boston.

As a ministry volunteer, I will:

Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity, and consideration.

Never be alone with children and/or youth at Church activities.

Use positive reinforcement rather than criticism, competition, or comparison when working with children and/or youth.

Maintain confidentiality in all matters related to normal parish business.

Comply with the mandatory reporting regulations of the Commonwealth of Massachusetts and with the Archdiocesan Policies and Procedures to report suspected child abuse. I understand that failure to report suspected child abuse to civil authorities is against the law.

Cooperate fully in any investigation of abuse of children and/or youth.

As a ministry volunteer, I will not:

Touch or speak to a child and/or youth in a sexual or other inappropriate manner

Inflict any physical or emotional abuse such as striking, spanking, shaking, slapping, humiliating, ridiculing, threatening, or degrading children and/or youth.

Smoke or use tobacco products while engaging in volunteer activities with children and/or youth.

Accept or give gifts to children or youth without the knowledge of their parents or guardians.

Possess, or be under the influence of alcohol at any time while volunteering.

Possess, or be under the influence of illegal drugs at any time.

Use profanity in the presence of children and/or youth at any time while volunteering.

I understand that as a ministry volunteer working with children and/or youth, I am subject to a criminal history background check. My signature confirms that I have read this Code of Conduct and that as a volunteer ministering to children and youth I agree to follow these standards. I understand that any action inconsistent with this Code of Conduct or failure to take action mandated by this Code of Conduct may result in my removal as a volunteer with children and/or youth.

Ministry Volunteer's Printed Name

Ministry Volunteer's Signature Date

Witness Signature Date

APPENDIX E

Deacon Anthony Rizzuto

Safe Environment Statistics from Parishes & Schools: An Overview of Current Archdiocesan Response with Some Reference to Work-in-Progress and Ongoing Training of Clergy

Introduction:

There are currently 107 elementary schools in the Roman Catholic Archdiocese of Boston (RCAB) system, and 100% of them sent one or more staff (principals, teachers, school nurses or guidance counselors) to be trained in the “Talking About Touching” (TAT) curriculum from the fall of 2002 to the spring of 2003. As they were trained, their task was to return to their schools and train the rest of the teaching staff, host one or more parent information evenings to familiarize parents with the curriculum, develop take home letters and the parent education components of the training, coordinate the logistics of the curriculum rollout with their administration, and begin teaching the students.

The 2004-2005 academic year marks the third year since the curriculum was introduced, so a survey questionnaire was developed by the Office of Child Advocacy and coordinated with the Superintendent of Catholic Schools (Sr. Kathleen Carr) and the archdiocese’s Implementation and Oversight Committee. The survey instrument was mailed to each principal on August 24, 2004 with a return requested by mid-September. These data were augmented by additional reports that came in during the beginning of the 2005-2006 school year. As of this date 80 principals - representing a return rate of almost 75% - returned the completed questionnaire by fax or mail.

Results:

The first four questions concerned teacher training and staff turnover. The Catholic Schools Office had previously reported a fairly significant turnover in teaching staff as well as 16 new principals this year. The majority of respondents (71%) report that all of their Pre-K to Grade 4 teachers have been trained in the curriculum. Thirty percent (29%) of the schools report that they have not trained all staff as yet due to the presence of one or more new (2004) hires in those grades, and 36% report that turnover has also resulted in the loss of one or more staff members who were trained as in-house trainers of the program. However, the majority of schools (78%) report that they do not need RCAB to train additional trainers, and can bring the new staff up to speed quickly with the trainers who remain on staff. Only 17 schools would like RCAB to provide additional training opportunities for new staff (40 individuals) to be trained as facilitators of the program. This was easily arranged in a single, 3-day session with the support of the Massachusetts Children’s Trust Fund from March 30 - April 1, 2005.

The next set of questions concerned the logistics of when and how frequently the lessons were taught in the past two academic years, and whether or not (and when) the curriculum will be taught during the current year. Significantly, 76% of the schools report that the course was taught during both the 2002-2003 and the 2003-2004 school years. Another

18% report that it was taught in the last academic year only, and 5% report it was taught in the first year only. In combination, this results in 99% of the schools reporting that the curriculum has been taught in one or both of the last two academic years. One school reports that it was not taught in either year.

As to when the curriculum will be taught during the current (2004-2005) academic year, the questionnaire split the year into the Fall, Winter and Spring semesters and respondents selected all that applied. Ninety-seven percent (97%) of the schools reported that the curriculum will be taught during the current academic year. The preponderance of schools report that it will be taught in the Winter semester (December – February) with a lesser number reporting that it will be taught in the Fall and Spring semesters. Some report that the curriculum will be spread across all three semesters, and others across two. In answer to this question, one school reports that the curriculum is under review by the parish council, and another reports that it will not be taught. Finally, respondents were asked how frequently the curriculum was taught in the classroom. Ninety seven percent (97%) of the schools report that the curriculum is taught once per week or more: 56% once per week, 26% twice per week and 15% vary depending on grade level and teacher preference.

In order to ascertain reaction to the program by the populations most affected (teachers, parents and students), several questions next asked the principals to rate whether or not the general reaction to the program was positive in their school communities on a 5-point scale (strongly agree, agree, not sure, disagree, and strongly disagree). In terms of the results, an aggregate 86% of the schools either agreed or strongly agreed that the teachers' reaction to the program was positive. Elaborative comments given in the space provided point out the ease of use of the curriculum, the parent letters included in the curriculum that inform parents about the lessons being taught and encourage them to work in partnership with the teachers, the thoroughness of the lesson plans, the easy adaptation to the different grade levels, and its positive approach to a difficult subject. Nine of the principals (12%) report being unsure about the teachers' reactions to the program because the respondent was a new principal. Two of the principals (3%) disagreed – one citing concerns over the legality of teaching the curriculum, and the other expressing concern that the program was repetitive of an existing program.

In addition, 91% of the schools either agreed or strongly agreed that the children's reaction to the program has been positive. Comments point out that the children feel comfortable with the material; respond positively to the lessons; enjoy the activities, practice, role play and songs; participate enthusiastically and are easily engaged by the content of the curriculum's multi-media lessons. Seven of the principals (9%) report that they were unsure because they are new principals. None of the respondents disagreed or strongly disagreed that the children have reacted positively to the curriculum lessons. Further, the questionnaire asked if the children were learning the skills the curriculum is intended to teach. Ninety five percent (95%) of the schools replied "yes" to this question and 5% replied that they were unsure because of being a new principal. None of the respondents replied "no." Principals reported examples of how the children demonstrate their knowledge of the material, have grown more respectful of each other's personal space, and are more aware of safe and unsafe touch as well as general safety and boundary issues.

Several principals also pointed to the fact that children have used the skills to come forward and report issues related to violence and personal abuse.

The final question in this series asked about the parents' reaction to the program in general. Seventy eight percent (78%) of the schools agree or strongly agree that the parents' reaction has been positive. Comments indicate that parents are appreciative of the schools' efforts to keep their children safe, have increased their trust as a result, agree that it's a good program and teaches the subject matter in an appropriate way, augments what they try to teach their children at home, appreciate the "heads up" provided by the materials that are sent home, and are thankful about the archdiocese's pro-active approach to abuse prevention. Nineteen percent (19%) report that they are unsure – mostly because they are new principals – and a few report that they have not heard any particular parental comments about the program. One principal strongly disagreed because several parents wrote letters objecting to the program.

Illustrating that the schools' support of the parents has been strong – and related to support of the program by a majority of parents as reported above – is the fact that 85% of the schools report that they hosted one or more parent information evenings and gave parents a chance to look at the curriculum and get their questions answered. Many schools also presented some sample lessons as they would be taught, introduced parents to the take-home letters designed to keep them regularly informed about what is being taught, and showed the curriculum's parent video "What Do I Say Now?" as part of the evening. Another dimension generating strong parental support for the curriculum is the widespread use of the parent information letters to introduce the curriculum to those parents who typically do not, or could not attend a parent information evening, and using them regularly to keep parents informed. Ninety two percent (92%) of the schools report that they used the parent information letters included in the curriculum.

Most telling for parent support for the program is the evidence presented by the data representing the number of parents who have *not* opted their children out of the program when given the opportunity to do so. Eighty one percent (81%) of the schools report that no child has been opted out of the program. In total, only 48 children (less than one tenth of one percent of the total number of children in the affected grades in the responding schools) have been opted out. Of the 107 Catholic elementary schools in the archdiocese, only three (3) schools account for 30 of the children who have not been given permission to attend class while the curriculum is being taught.

The next few questions asked for more quantitative information about abuse reporting protocols and the number of reports filed with DSS. One hundred percent (100%) of the schools indicated that they have an abuse reporting protocol in place and 52% of the schools report filing one or more of a total of 120 reports (using the 51a Massachusetts abuse and neglect reporting form) with the Department of Social Services in the past two years. The number of reports was split evenly – 60 in the 2002-2003 academic year and 60 in the 2003-2004 academic year. In this section, the questionnaire also gave principals the opportunity to express their opinion about how often mandated reporter training should take place for staff in the schools. The majority (65%) felt that the training should be offered as part of the orientation program for new teachers. Thirty one percent (32%) expressed a preference for offering the training once per year or every other year (14% and 18% respectively), and 4% replied that the training could take place every 4-5 years.

The final two questions looked to the future programs envisioned for the upper grades and tried to gauge principals' interest in collaborating in the selection/implementation process, as well as a series of regional meetings designed to discuss implementation experiences, program strategies, feedback and the need for ongoing technical support. Twenty six percent (26%) of the schools indicated that they would be interested in helping to select a curriculum for the upper grades, and 33% were interested in the regional discussions.

Conclusions and Recommendations:

As a result of this study, there is compelling evidence that the TAT program has been accepted in the schools of the archdiocese and is functioning as part and parcel of Catholic education at the elementary level. Given the fact that the selection of the program was made in the midst of the abuse crisis and was implemented in an accelerated fashion, without much time for the desired amounts of collaboration, this is an extraordinary accomplishment that attests to the professionalism and dedication of the administration, principals and teachers of the Catholic school system, and their commitment to keep children safe from abuse and neglect.

What we have learned is that the overwhelming majority (99%) of schools responding to the survey have taught the curriculum in its entirety over multiple academic years, and have experienced positive reactions and experiences from the majority of teachers, children and parents (86%, 91% and 78% respectively). Ninety seven percent of the schools (97%) intend to teach it this year as well with the same percentage (97%) intending to teach the curriculum once or twice a week or more. We have also learned that the vast majority of schools (92%) keep their parents regularly informed about the program by using the materials the curriculum provides. We can speculate that it is due to these efforts (augmented by 85% of the schools hosting one or more parent information evenings) that significantly less than 1% of students have been opted out of the program system-wide.

The vast majority of parents continue to allow their children to participate in the program. The majority of school principals (95%) also believe that the children are learning the skills the curriculum is designed to teach, and have demonstrated those skills through, for example, increased sensitivity to and awareness of personal boundaries and skill utilization in everyday situations. Most significantly, children have used the skills to articulate and report abusive situations to school personnel – resulting in contact with and 51a reporting to the appropriate civil authority.

The questionnaire also pointed out some problem areas that need additional attention. The fact that three schools account for most of the children who have been opted out of the program calls for contact with these school administrators in an effort to understand the causative factors in those communities and how the Offices of Child Advocacy and Catholic Schools could be of help. There also are a small number of schools that have not instituted the program at all, and continue to ignore the mandate to do so. These will also need to be addressed from a compliance perspective. Future analysis efforts should also focus on collecting information directly from parents and children about the program:

general and specific reactions to the curriculum material, whether and how it is practiced in the home, the response to the parent materials, instances of skill usage, etc.

From the school perspective, it would be interesting to get more detailed reporting information in terms of the types of abuse and neglect reports filed, the disposition of the cases from DSS, how the children disclosed and to whom, and particularly if the numbers of abuse reports increase or decrease over time. It would also be important to talk with parents who have opted their children out of the program to get a sense of why, and to understand how these children are being handled by the school. It also seems clear that a small number of schools account for the majority of children opted out of the program (3 schools account for 30 of the 48 children not allowed to participate) and it would be important to better understand the dynamics of this phenomenon in order to determine how best to assess their needs.

It is important to note that through the efforts described above, approximately 52,000 children in the Catholic elementary schools have received personal safety and abuse prevention training. However, we cannot be complacent in our success regarding implementation of this program. There is more work to do to ensure that 100% of our school children are being offered the opportunity to participate in this important personal safety and abuse prevention program. Also, regular assessment of the curriculum and its methods of implementation – and the development of more robust effectiveness measures – will be required as the schools continue to move forward. The lessons learned in this process will also help us in integrating the program material more fully into the religious education curricula in use throughout the archdiocese.

Safe Environment Statistics from Parishes

In response to an initial call in the fall of 2002 for volunteers to be trained in the safe environment and abuse prevention and awareness curriculum for adults (VIRTUS® “Protecting God’s Children”) over 2000 adult volunteers from every parish and cluster in the archdiocese responded. The focus of the training was on prevention, protection and creating a safe environment; awareness of the signs and symptoms that children exhibit if they are being abused; how to talk with children if they disclose abuse; how perpetrators of this crime operate in families and communities; the responsibilities of mandated reporting; and the safe environment policies and procedures of the archdiocese. The strategy was to have at least five people from each parish or cluster – persons with appropriate skills and fluency in the predominant language of the parish – to serve as trainer/facilitators of the program and to act as liaison back to the Office of Child Advocacy. After training, they went back to their parishes and clusters constituted as a Child Abuse Prevention (CAP) Team charged with the responsibility to train parish clergy, administrative staff, employees and volunteers (especially those who work with children and youth in any way). All clergy, staff, employees and volunteers whose employment or ministry puts them into contact with minor children are mandated by the archdiocese to receive this training. The CAP Teams also provide support to parishioners and mandated reporters and coordinate parishioner information and training evenings. Ongoing training and annual re-certification is provided through VIRTUS on-line services.

A multi-question questionnaire was sent to all parish pastors in early 2005 with a request to return the instrument to the Office of Child Advocacy by March. Of the 305 questionnaires sent, we have heard so far from 277 pastors – a 92% return rate. The results are as follows:

Two hundred and thirty seven (237) parishes – almost 90% of those responding – report that all clergy, employees and volunteers who are mandated to attend the Protecting God’s Children safe environment/abuse prevention training program attended the training by the date required in the Policies and Procedures for the Protection of Children (June 2004).

In the past year and a half, the training sessions have been attended by 621 priests and deacons (95%), 3074 parish employees (95%) and 31,466 parish volunteers (86%) in the responding parishes. 229 parishes (83%) report that no one who was required to take the training, and did not, is still in ministry. The majority of the remainder of the parishes have not yet trained new clergy, employees and volunteers who have come into the parish this year. 196 parishes (71%) have ongoing training courses scheduled and will continue to offer them until all new personnel are trained (estimated completion in 1Q CY2006).

Ninety-one (91) parishes (33%) have lost CAP Team members due to turnover and have requested a sum total of 262 new CAP Team personnel. Training was scheduled in Sept/Oct of this year to meet this requirement. 85 parishes (31%) indicate that they have implemented the Talking About Touching curriculum in their parish religious education programs. 186 parishes (67%) have not. However, 91 of these parishes indicate that they plan to complete the curriculum in the next academic year.

Twenty-two (22) parishes (9%) report that they filed one or more 51a reports with DSS in the last 2 years. The total number of reports filed from these parishes was 53. 6 cases (11%) were also reported to the archdiocese.

It is important to note that through the efforts described above, and including training that took place prior to promulgation of the policies in 2003, approximately 46,000 adults and 43,000 children have received safe environment, mandated reporting, personal safety, and abuse prevention training.

Regional Meetings with Religious Education Leadership to Address TAT Compliance:

The Archdiocese of Boston has approximately 405 Directors of Religious Education, 14,836 catechists, and 135,477 children in religious education programs. In the Spring of 2003, after the teachers in the schools were trained in TAT and prior to introducing this curriculum to the children in religious education, the Office of Child Advocacy, Implementation and Oversight sought consultation from, and worked for several months with the Archdiocese’s Secretary for Education, members of the staff of the Archdiocesan Office of Religious Education, the Archdiocesan Religious Education Leadership Advisory Committee, other catechetical leaders who volunteered to help, representatives from the Catholic Schools Office, the Committee for Children in Seattle and the Massachusetts Children’s Trust Fund to address the issues of adapting the TAT curriculum to the religious education environment. This was done by 1) reducing the number of lessons, 2) aligning the curriculum content with the Religious Education Curriculum Guidelines of the archdiocese, 3) providing multiple options for how the program could be integrated into

the religious education program, and 4) soliciting an implementation plan from parish religious education leadership.

Initial training for parish religious education leadership in the modified TAT program took place during ten, 2-day sessions in June and July of 2003, and the majority of parishes were represented. A series of four makeup sessions was run in October of 2003 and the majority of the remainder attended. At this time, approximately 80 parishes have implemented TAT since the Fall/Spring of 2003. Many have had difficulties crafting implementation plans specific to parish needs and asked for help and ongoing technical assistance. Regional meetings were planned with religious education leadership to gather the implementation experiences represented in the 80 “pilot” parishes and use them to help the other parishes with their planning process.

The Offices of Child Advocacy and Religious Education produced an 11-model set of implementation plans in religious education for both large and small parishes. These were circulated at the Five Regional Best Practices Sessions that were held throughout the archdiocese in May and June, 2005:

1. West Region May 26th 2005
2. South Region June 22,nd 2005
3. Central Region June 27th 2005
4. North Region June 28th, 2005
5. Merrimack Region June 29,2005

Copies of the models are available upon request to the Office of Child Advocacy.

The sessions were attended by 254 individuals representing 163 parishes. The sessions were structured to center around a peer-to-peer panel presentation from the Directors of Religious Education (DREs) in the region who had implemented the program in various ways. It was hoped that their implementation strategies and experiences would help DREs and other parish religious educators who were having difficulty formulating a viable parish strategy. Question and answer times were built into the agenda and were lively and constructive. The victim community was also invited to be present and gave compelling testimony to the importance of good, solid prevention education and personal safety skills. A presentation by the Assistant Director of Religious Education for Catechetical Leadership put the day in the proper context. A presentation on Best Practices from the psycho-social and educational perspective was given by a representative of the Committee for Children – the authors of the TAT curriculum. The afternoon was focused on separating into groups to work on parish implementation plans, and the day ended with a general feed back session.

Each session covered issues that were specific to particular parishes but also focused on common themes of implementation and practice. Challenges discussed were the amount of time religious educators have children in the classrooms, the various models of religious education, the skills of the volunteer teachers, the differences in implementation practices between large and small parishes, issues of reporting child abuse, etc. The overall feeling of the meetings was much more positive than when we first began almost 3 years ago. At the conclusion all parishes were asked to submit their implementation plans to the Office

of Child Advocacy and Religious Education September 2005. The expectation is that the program will begin as soon as possible in the 05-06 academic year.

A TAT training session for Religious Educators who are new to the parishes, or who missed the initial rounds of training, was held on July 11 and 12, 2005 for 45 individuals representing 29 parishes.

Finally, the Offices of Religious Education and Child Advocacy, Implementation, and Oversight have been in communication with the publishers of the 5 major national religious education curricula and have discussed the need to integrate personal safety education material into their texts. We also asked them about the possibility of partnering with the archdiocese and working together to promote child safety. These preliminary discussions culminated in planning for a late Summer 2005 summit meeting in Boston to discuss in more depth the past, present, and future of child safety programs within religious education across the United States, to share our experiences of “contextualizing” and integrating and this kind of material into the religious education classroom, and to hear the publishers thoughts on how this will impact the next editions of their religion texts. All five publishers (Benziger, Sadlier, Harcourt, Silver-Burdett and RCL) were represented at the meeting and declared themselves in support of the initiative. The results of these discussions were presented to a joint meeting of bishops at the most recent (November 2005) meeting of the US Conference of Catholic Bishops in Washington, DC. Present at the meeting were Sr Glenn Anne McPhee (USCCB Secretary for Catechesis), Monsignor Daniel Kutys (her Deputy Secretary), Bishop Gregory Aymond (Chair of the Bishops Committee for the Protection of Children), Bishop William Lori (Member of the Bishops Committee for the Protection of Children and the previous Bishops Ad Hoc Committee on Sexual Abuse), Teresa Kettelkamp (Director, USCCB Office of Child and Youth Protection), and Sheila Kelly (Deputy Director). Again, support for the initiative was given along with a request for the archdiocese to work with the Office of Child and Youth Protection to create a proposal to identify guiding principles, best practices, tasks and a timeline for the project. A meeting with Teresa Kettelkamp and Sheila Kelly was subsequently held in Boston in December 2005 and a proposal is underway. If successful, the integration of child personal safety education into the major Religious Education texts used in the United States would have national implications for the American Church.

Training on the Requirements for Reporting Child Abuse in Massachusetts:

Procedures for reporting instances of sexual abuse by a member of the clergy, church employee, or volunteer – from the perspectives of both the Massachusetts General Laws and of reporting allegations to Church personnel – were created in conjunction with the training sessions for RCAB adults in the Fall of 2002. Prior to those training sessions, the Office of Child Advocacy formed a unique partnership with the Commissioner of the Massachusetts Department of Social Services (Harry Spence) and the Executive Director of the Massachusetts District Attorneys Association (Geline Williams) who collaborated to create a presentation about the responsibilities of mandated reporters. Personnel from each of these organizations (most frequently Assistant DAs and DSS Area Directors) have been present at every training session to date (over 40) and have provided their hardcopy

briefing to every participant. With their help, the Office of Child Advocacy also compiled a list of area DSS and DA offices with phone numbers, contact names and reporting instructions and provided them to each participant. DSS brochures concerning preventing and reporting child abuse were provided by the thousands – not only in the packets distributed at training sessions, but also mailed in bulk to every parish, school and institution. DSS support continues to the Office of Child Advocacy by means of the Deputy Commissioner (Susan Getman) who sits on the office’s Implementation and Oversight Advisory Committee.

Further, a condensed version of the *Policies and Procedures for the Protection of Children* was created in an effort to provide a “pocket version” that focused essentially on reporting suspected or actual abuse to both civil and Church authorities. The condensed version, which was translated into five languages,⁴⁹ reduced the 118 page Policies to only 11 pages and included an abuse reporting flow chart with the steps to follow, timelines, and the persons to contact along with their telephone numbers. In an effort to get a copy of this material into the hands of all parishioners, parents, employees and volunteers in the archdiocese, almost 100,000 copies were produced. A copy of the condensed version is in Appendix I.

Finally, multiple pamphlets were created about the archdiocese’s safe environment programs, including tips for creating safer environments and preventing abuse; and pamphlets containing information about reporting child abuse from the MA Department of Social Services, the MA Children’s Trust Fund and the National Center for Missing and Exploited Children were purchased by the tens of thousands and distributed in a series of bulk mailings to the parishes and schools as part of the Office of Child Advocacy’s “April is Child Abuse Prevention Month” campaign. These materials are also handed out at all training sessions.

Selecting a Curriculum for the Upper Grades:

In the effort to select a personal safety education program for children in the upper grades, we employed a collaborative process involving representation both from the Catholic elementary schools and parish religious education programs. In addition to religious education leaders and teachers, representatives from the Offices of Catholic Schools, Religious Education and Child Advocacy were also present at a series of meeting held in the Spring and early Summer of 2005.

The strategy was to research and gather whatever available programs were available nationally to teach personal safety/abuse prevention to older children and eventually present those that seemed most viable to the group for review, adaptation and implementation.

The Office of Child Advocacy put out a “call for programs” and consulted with various people and agencies: the Committee for Children, MA Children’s Trust Fund, MA Department of Public Health, State Department of Education, the National Center for missing and Exploited Children, David Finkelhor, etc., and eventually received over 30 different packages to review.

⁴⁹ Spanish, Portuguese, Vietnamese, Haitian Creole, and Korean.

Dr. Michelle Montavon from Boston College's Lynch School of Education and Dr. Cynthia Crosson from the Implementation and Oversight Committee were asked to review and take a first cut through the programs to narrow the selection to those they considered most appropriate. The criteria they applied to their review was basically that:

- The program builds on the concepts of TAT
- Was developmentally appropriate for children in grades 5-8
- Had fairly complete lesson plans, could be done in somewhere in the vicinity of 2-4 lessons over the course of the year (as an adjunct program to the comprehensive TAT) and a "bridge" program to the personal safety and abuse prevention material in the high schools.
- Would lend itself to adaptation to the needs of the archdiocese
- Was basically in a form that could be given directly to trainers for implementation, and presented the basic elements and concepts of safety and prevention that the children needed.

The basic desired concepts of safety and prevention were:

- A review of the safety rules
- Increased emphasis on the ability to judge risks
- A discussion of power and when it is appropriate for others to have power over them and when it is not
- Discussion of peer pressure and power
- Discussion of babysitting and appropriate touch (as this age group might be beginning this task)
- Discussion of internet and online safety (as this age group would have more unrestricted use of the internet)

After the work of this "first cut," it was hoped that we would end up with 2-3 programs out of the 30 that seemed most viable. The plan was next to convene a group of principals, teachers, religious educators and others to receive a presentation on the programs from their respective developers, select a program, and then use the raw materials present in the program to begin the work of adapting it to our needs.

After the review was completed, the process identified two programs that were viable for the next level of review: "Kids and Company" from the National Center for Missing and Exploited Children and the "Michigan Model for Comprehensive School Health Education" developed by the Michigan Department of Education under a grant issued by the Michigan Department of Community Health. Representatives from both programs were invited to Boston to meet with the committee in May and June 2005 and the Michigan Model was selected to go into the next phase.

The Michigan Model is a good comprehensive presentation of personal safety. It is teacher friendly in that the lessons are "scripted" allowing for easy use by both people who require this accommodation and those who do not. Lessons are structured in a way that allows for

fluid presentation. Materials for each lesson are listed, and are simple enough to be used in just about any program. The model also presents a strong parent component.

For our purposes, however, the program will have to be modified. The first modification will have to be made to suit the needs of the Catholic schools. This modification will be made by reducing the number of lessons suggested in each phase to create an appropriate continuum from the *Talking About Touching* program which is already in use. For Religious Education, due to constraints of time and resources, the program will have to be further modified. Initially, the lessons to be taught will have to be viewed according to a “bull’s eye” model. Central will be that information which is critical to our focus. Outer “rings” will represent information that: 1) should be known, and 2) would be nice to know. The lessons will be designed to run for about 45 minutes with an additional parent component. It will be the task of a committee to refine the lessons to meet the needs of two basic implementation models: 1) adding time to each weekly lesson and 2) presenting the material in a component separate from the standard curriculum. Our goal is to complete the adaptations and modifications by late Summer 2005, begin training teachers in a “pilot” set of schools and religious education programs, and begin teaching it in a number of schools and parishes in the winter of 2005, with a more complete program during the latter half of the 2005-2006 academic year, and full implementation by the beginning of the 2006-2007 academic year. (Note: Training for teachers and religious educators in the pilot program took place in February, 2005, and the program is underway).

High Schools:

The archdiocese currently has 16,155 high school students dispersed over 35 high schools. High school personnel were trained in “Protecting God’s Children” in a 2-day training session in September 2004. Most high schools reported that programs in personal safety, dating behavior, and violence prevention are already in place. A survey instrument was created and sent to all high school principals in 2005 in an attempt to document the various programs in use. The surveys indicate that high schools have several programs in place. Most have incorporated sex abuse prevention in their health, morality or religion/theology curriculum. Several also host an annual “awareness day” and require all students to attend. In others, the guidance staff handles the subject in either group or individual sessions. Still others have utilized or created a separate curriculum module (i.e., the “Love and Lifestyles” program, “Romance Without Regret”, SADD, etc.) and integrate its topics of healthy and unhealthy sexuality, abusive relationships, and the importance of making healthy personal decisions as opposed to destructive ones. Other issues incorporated into the programs include stress, depression, date rape, dating violence and expressing sexuality with integrity. The Implementation and Oversight Committee and the Catholic Schools Office will help the Office of Child Advocacy in reviewing these varied program implementations, and advising the schools of any necessary action.

Training for Clergy:

There are 774 diocesan priests in the archdiocese – 511 active and 263 senior priests. As of January, 2005 we had not received the training records of about 150 individuals. Names

and addresses of all were obtained from the Office of Clergy Personnel and letters were prepared along with two compliance acknowledgement forms – one for priests serving within the archdiocese and another for those serving in ministries outside of the archdiocese. The forms asked if they had already taken the mandated Virtus Protecting God’s Children program and asked for a date and a copy of the certificate of attendance if they had, or a date by which it would be completed if they had not. Corroboration of attendance was also sought from the CAP teams at the parishes in which they serve. Added to the questionnaire for those priests serving outside the archdiocese (i.e., in the military, in other dioceses, or in the missions) were questions about similar programs offered and taken in their location. If there was no program available in the location, a final question asked the priest to acknowledge that he would attend the Virtus program as soon as they returned to the archdiocese. There are also 213 deacons assigned to the archdiocese, and similar letters and acknowledgement forms were sent to those for whom we had no record of attendance.

There are also 548 religious order priests in the archdiocese, but those in active ministry in archdiocesan parishes or schools number only 126. Letters of invitation were sent to all religious orders notifying them of upcoming training sessions for clergy and several orders – including the Eastern Rite churches – spontaneously asked for assistance in training their clergy and staffs.

To assist those priests and deacons in the local area, the Office of Child Advocacy scheduled two training sessions for clergy in April and May 2005 on the grounds of St John’s Seminary. Through these efforts training records were established for 95% of priests and 94% of the deacons. Two additional training sessions were held in December 2005 and all remaining priests and deacons in active ministry were trained.

Training for Teachers:

A three-day TAT training session was held for new teachers in the archdiocese from March 30 – April 1, 2005. This training qualified them to function as facilitator-trainers and enabled them to fill slots vacated by teacher turnover in the schools.

Effectiveness Assessment:

The focus of our overall effectiveness assessment strategy will take several forms, not only attempting to assess the efficacy of the safety education and training programs for adults and children in terms of knowledge retention or skill utilization, but also attempting to gauge the effects of the massive organizational changes made to the archdiocese as a whole. With policies and procedures in place, an organizational structure adapted to respond more quickly and efficiently to reports of abuse, stronger relationships with law enforcement and child protection, increased awareness of how abuse occurs in our society, tens of thousands of adults trained in the signs and symptoms of abuse and what to do if it is suspected or observed, tens of thousands of children trained in safe/unsafe touch, boundary violations, and the rules to follow and the language to use if assaulted,

successfully gauging the effect with a single measurement instrument at a specific time is doubtful. What is required is more than simple measures of compliance, or whether a 3rd Grade student can repeat the safety steps, but a way to measure the overall combined effect of the interventions in total.

Since the expertise for compliance and effectiveness measurement lies principally in academia and in the corporate world, the archdiocese has undertaken an initiative to learn from both disciplines and engage them in the effort. The Office of Child Advocacy has started working with several local colleges and universities who have volunteered to provide their expertise in helping to build a methodology and appropriate effectiveness assessment tools and mechanisms for process improvement. A corporate compliance officer from Boston's financial district with international experience has volunteered to advise us on audit mechanisms and training and measurement techniques used in industry. We have met several times with educators, researchers, and mathematicians from Boston College's Lynch School of Education, and Regis College's Psychology and Social Work Departments to develop a framework for the effort. We have also been contacted by the National Center for Missing and Exploited Children who has expressed a desire to partner with the archdiocese in this effort. Ultimately, the universities will help the archdiocese develop and submit grant applications for the research that, if successful, will provide the funding necessary for them to provide faculty, staff and graduate students to the archdiocese. With the groundwork laid, we hope to be able to begin the effectiveness assessment during FY06.

We have also joined and are in frequent contact with many external organizations devoted to the protection of children including the MA Children's Trust Fund, the MA Department of Public Health Office of Sexual Assault Prevention and Survivor Services, and the Governor's Commission on Sexual and Domestic Violence in an effort to build stronger collaboration and community partnerships.

APPENDIX F

Operative Current Guidelines for Access to Care in the Office of Pastoral Support and Outreach

These current and fully operative guidelines for access should be compared to the “best practice” guidelines for care stipulated in *Policies and Procedures* 3.5.1-4 as an ideal goal set during policy-making that needs to be reassessed for functionality.

i. The Office of Pastoral Support and Outreach

Outreach to survivors of clergy sexual abuse and their families

246 Walnut Street Suite 103

Newtonville, MA 02460

Toll Free: (866) 244-9603 Local: (617) 244-9603

Fax: (617) 244-4629

The Office of Pastoral Support and Outreach (OPSO) was established in 2002 to assist those who have been sexually abused by a priest, deacon or other church personnel of the Archdiocese of Boston. It also offers outreach services to family members of survivors as well as to parishes. OPSO’s mission is to provide timely assistance, pastoral/spiritual care, support, counseling referrals and other resources.

OPSO is staffed by licensed social workers and is located in a secular office building in Newtonville.

All survivors of clergy sexual abuse are eligible for the services of OPSO regardless of any legal actions they may have initiated or are contemplating. The staff of OPSO are mandated reporters and are required to report to the Department of Social Services all suspected cases of child abuse if the person is under 18. For adults who are bringing forward a complaint of abuse that occurred when they were under 18, OPSO completes a form provided by the Attorney General’s office. This form (FORM D) is sent to the AG’s office and states the basic facts: location, date, nature of abuse and the name of the perpetrator. The survivor has the option of including their name on this form or choosing to complete it as a John or Jane Doe.

Please use the links following or to the left to find out how to access the Office, what services we provide, and information on survivor meetings with the Archbishop.

Pastoral Support and Outreach

In order to access services at OPSO, the survivor contacts one of the OPSO social workers for an intake interview. The survivor is asked to provide his/her name, date of birth, current address, phone number, name of perpetrator, years of abuse and a brief description of the nature of the abuse. The survivor may meet with the OPSO social worker at the Newtonville office or, if this is not convenient, at some other mutually agreed upon location. The survivor has a choice about whether or not they wish to participate in the Church (canonical) investigation of the person against whom they have brought a complaint. If they opt to participate, the survivor will sign a release, so that the intake information can be forwarded to the Delegate for Investigation for the Archdiocese who will then follow-up with the survivor independently. Further detailed information regarding canonical investigations can be found on this website in *Policies and Procedures for the Protection of Children*.

iii. Services

Weekly Outpatient Therapy

Any survivor of sexual abuse by a priest, deacon or other church personnel of the Archdiocese is entitled to payment of their outpatient therapy by the Archdiocese through the Office of Pastoral Support and Outreach at any time. The standard being offered is payment of psychotherapy for a one-hour session once a week by a licensed, qualified therapist, for an initial period of six months. After the initial six months, if the survivor wishes to continue in another six months of treatment, the survivor's therapist must provide the Office of Pastoral Support and Outreach with the survivor's diagnosis, treatment plan and goals. This process of six-month reviews continues as long as the survivor continues to need therapy. Requests for outpatient therapy for more than once a week are handled on a case by case basis and must be supported by the clinician. All information relating to a survivor's psychiatric treatment is kept in confidential files at the Office of Pastoral Support and Outreach and is not accessible to Archdiocesan attorneys or other attorneys.

In-Patient Services

OPSO will consider requests for inpatient hospitalizations or residential care on a case-by-case basis. Coverage for specialized services must be pre-approved by OPSO. OPSO will first ask the survivor to use their insurance to pay for this care and will consider payment of uninsured costs determined necessary by a treating clinician.

Medications

The Office of Pastoral Support and Outreach will consider requests for payment of psychiatric medications on a case by case basis. They will again first ask the survivor to use their insurance to pay for these medications. The Office of Pastoral Support and Outreach will ask survivors without insurance to consider using their recommendation for a pharmacy plan. This procedure will be carried out through a specific pharmacist. An explanation and authorization for this procedure will be provided to the survivor at the time of intake with the Office of Pastoral Support and Outreach.

iv. Survivor Meetings with the Archbishop of Boston

Survivor requests to meet with the Archbishop are facilitated and arranged through OPSO. The meeting is intended to be a pastoral opportunity for the survivor and/or family members to speak with the Archbishop in an open and frank manner that can assist his/her emotional and spiritual healing. Scheduling of meetings usually require several months notice.

APPENDIX G

Letter of Authorization

ARCHBISHOP'S OFFICE
2121 Commonwealth Avenue
Brighton, Massachusetts 02135-3193

June 30, 2005

Mary Jane Doherty, Ph.D.
Chairperson
Implementation and Oversight Committee
Regis College
235 Wellesley Street
Weston, MA 02493-1571

Dear Doctor Doherty,

I write to formally confirm the arrangement that is in place for carrying out the review of the *Policies and Procedures for the Protection of Children* being conducted currently.

Although the *Policies and Procedures* designate the Review Board as the entity responsible for undertaking this review, it became apparent that the Review Board's meeting time would be more productively spent considering the cases brought before it. Accordingly, after consultation with members of the Implementation and Oversight Committee and members of the Review Board, Archbishop Séan directed that this first two-year review of the *Policies and Procedures for the Protection of Children* be carried out by the members of the Implementation and Oversight Committee, augmented by some members of the Review Board. Deacon Anthony Rizzuto, Director of the Office of Child Advocacy, Implementation and Oversight, serves as internal Archdiocesan staff for this review.

On behalf of Archbishop Séan, please accept my gratitude for the work you, Deacon Tony and the membership of the combined Implementation Oversight Committee and Review Board group have undertaken.

With an assurance of a remembrance in prayers of Archbishop Séan, as well as my own, I am

Sincerely yours in Christ,

signed

Reverend John J. Connolly, Jr.
Special Assistant to the Cardinal

APPENDIX H

USCCB 2004 Audit Report for Boston

For Web Version See:

<http://www.usccb.org/ocyp/dioceses04/2004audit.shtml>

2004 Audit Executive Summary: Archdiocese of Boston

*Archbishop Sean Patrick O'Malley
Previous Audit Conducted 10/27-31/2003*

The information found herein represents conditions as they were found to exist during the week of October 25 to 29, 2004.

Findings

To Promote Healing and Reconciliation (Articles 1, 2 and 3)

The Archdiocese has a policy on the prevention of sexual abuse of minors by clergy. The Archdiocese provides outreach designed to offer pastoral care to victims/survivors and their families. The Archbishop or his representative has met with, or offered to meet with all victims/survivors who have reported allegations of abuse since the last compliance audit. The Archbishop or his delegate has directed outreach to the faith communities. The Archdiocese has a mechanism in place to respond promptly to any allegation where there is reason to believe that sexual abuse of a minor occurred.

The Archdiocese has a victim assistance coordinator, Barbara Thorp, who has a Masters Degree in Social Work and is a certified Licensed Independent Clinical Social Worker (LICSW). She has extensive pastoral experience and work in crisis intervention. The Archdiocese established in 1993, a Review Board which consists of nine members. The members include a clinical social worker, a licensed investigator, a priest, a retired Chief Justice of Family Court, a psychotherapist, a psychiatrist, a female parent, and two nurses. The Board serves as a confidential consultative body to the Archbishop.

The procedures for making a complaint of abuse are readily available in printed form, and are the subject of periodic public announcements. The Archdiocese has not entered into any confidentiality agreements during the audit period.

To Guarantee Effective Response to Allegations of Abuse of a Minor (Articles 4, 5, 6 and 7)

The Archdiocese reported all allegations of sexual abuse of a minor to public authorities since the last compliance audit. The Archdiocese complies with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities. The Archdiocese has established effective liaison with civil authorities, ensuring that an open dialogue regarding sexual abuse allegations will occur. The Archdiocesan policy requires cooperation with public authorities about reporting in cases when the person is no longer a minor. In all instances, the Archdiocese advises victims/survivors of their right to report allegations of abuse by a member of the clergy to civil authorities.

When an allegation of sexual abuse of a minor by a priest or deacon is received, the Archdiocesan policy states that a preliminary investigation, in harmony with canon law, would be initiated. If a preliminary investigation so indicates, the Archdiocesan policy is to notify the Congregation for the Doctrine of Faith and apply the precautionary measures mentioned in CIC, canon 1722, or CCEO, canon 1473. When accusations against a priest or a deacon are proven to be unfounded, the Archdiocese takes steps to restore the good name of the priest or deacon.

When sexual abuse of a minor by a priest or a deacon were admitted or established after an appropriate

process in accord with canon law, the Archdiocesan policies provide that the offending priest or deacon be permanently removed from ministry. The Archdiocese offers professional assistance to offending priests and deacons.

In every case involving canonical penalties, the processes provided for in canon law are observed. Accused clergy are encouraged to retain the assistance of civil and canonical counsel. When necessary, the Archdiocese supplies canonical counsel to priests and deacons.

If the penalty of dismissal from the clerical state has not been applied, the Archdiocese would direct the offender to lead a life of prayer and penance. The Archdiocese does not allow the offender to celebrate publicly, to administer the sacraments, or to present himself publicly as a priest.

The Archdiocese has established clear and well-publicized standards of ministerial behavior for priests and deacons. A communications policy is in effect which reflects the Archbishop's pledge to be open and transparent on issues regarding the sexual abuse of children. The Archdiocese assists and supports all parish communities directly affected by ministerial misconduct involving minors.

To Protect the Faithful in the Future (Articles 12, 13, 14, 15, 16 and 17)

The Archdiocese has implemented a "safe environment" education program. The educational program for children, entitled "Talking about Touching" has been altered and will be implemented in the Archdiocese. The educational program for parents has been implemented. The program the diocese is using is "Virtus: Protecting God's Children for Adults." The educational program for ministers, employees, educators, and others is "Virtus: Protecting God's Children for Adults." The Archdiocese has clear and well publicized standards of conduct for persons in positions of trust with regard to sexual abuse. The Archdiocese conducts background evaluations for all Archdiocesan personnel who have regular contact with minors using appropriate law enforcement resources where permissible. The Archdiocese employs adequate screening and evaluative techniques in deciding the fitness of candidates for ordination.

The Archdiocese has not transferred any priest or deacon who has had a credible allegation of sexual abuse made against him to another ministerial assignment since the last audit. The diocese has not transferred any priest or deacon who has had a credible allegation of sexual abuse made against him to another diocese for residence since the last audit period.

The Archbishop has coordinated with major superiors of men, on the issue of allegations of sexual abuse of minors by clergy. The Archdiocese has participated in research with other institutions in the area of sexual abuse. The Archdiocese has developed a systematic ongoing formation program in keeping with the *Basic Plan for the Ongoing Formation of Priests*.

Compliance with the Provisions of the *Charter*

At the conclusion of this compliance audit, the Archdiocese was found to be compliant with all articles of the *Charter for the Protection of Children and Young People*.

Appendix I

Condensed *Policies and Procedures*

For Web Version See:

<http://www.rcab.org/ChildAdvocacy/AbbreviatedPolicy.pdf>

A Pocket Guide to the Policies and Procedures for the Protection of Children
Archdiocese of Boston

August 25, 2004

Dear Friends in Christ,

The Archdiocese of Boston continues to be committed to the protection of children and the prevention of their abuse in all its forms. I want to thank the Office of Child Advocacy, Implementation and Oversight, the Office of Pastoral Support and Outreach, the Implementation and Oversight Advisory Committee, the Review Board and, especially, the thousands of lay volunteers in parish ministry as well as the Child Abuse Prevention teams who have worked so hard at helping to create safer environments for children in our parishes, schools and institutions.

In June 2003, the Most Reverend Richard G. Lennon, then Apostolic Administrator of the Archdiocese, promulgated *Policies and Procedures for the Protection of Children*, to take effect on July 1, 2003. Pastors, administrators, principals and directors of every parish, school and institution of the Archdiocese received a copy. A subsequent mailing was sent to all Child Abuse Prevention Teams in the parishes and in parish clusters.

To ensure social awareness of these *Policies* and to disseminate reporting procedures for suspected or actual child abuse and neglect to both civil and church authorities, the Archdiocese has produced this abbreviated form as a pocket guide. This pamphlet contains pertinent excerpts from the *Policies* (July, 2003) and provides a convenient overview of the offices and personnel involved in implementation. The full text of the *Policies and Procedures for the Protection of Children* is available at the Archdiocesan website: www.rcab.org. Like any instrument of social change, the *Policies and Procedures* undergo periodic review toward improvement. Any questions or comments about the *Policies* should be directed to the Office of Child Advocacy, Implementation and Oversight.

Betrayal of trust and abuse of power have caused enormous pain to children, their families, parish communities, and priests who have remained faithful to the mission and mandate of the Church. The Archdiocese's active participation in efforts to heal this wound out in the open, away from secrecy, will help restore the integrity of the Church. Implementation of these *Policies* engages both the clergy and the laity, and both employees and volunteers, in a concerted effort to protect the children within the community of faith. It is our prayer that the effort and mobilization of people and resources in the Church in Boston and throughout the United States will redound to an improvement in all institutions and areas of society in dealing with the endemic problem of child abuse.

Devotedly yours in Christ,

signed

Sean Patrick O'Malley, OFM.Cap.
Archbishop of Boston

Implementation of the Policies and Procedures for the Protection of Children

The Archbishop of Boston is responsible for the promulgation and implementation of these *Policies and Procedures for the Protection of Children*. Any violation of these *Policies and Procedures* is to be reported directly to the Archbishop.

The Review Board is a body of nine persons that advises the Archbishop on complaints of child abuse. The Board may offer advice on all aspects of these cases, but especially assesses the complaints of child abuse by a cleric and helps the Archbishop determine the suitability of an accused cleric for ministry.

In collaboration with the Office for Child Advocacy, Implementation and Oversight, the Review Board is also responsible for the review every two years of these *Policies and Procedures*.

The Office for Child Advocacy, Implementation and Oversight will oversee the implementation of the safe environment programs and the establishment of a Child Abuse Prevention (CAP) Team in each parish or parish cluster. CAP Teams will provide training to support mandated and non-mandated reporters in their parishes, provide guidance concerning reporting procedures, and act as a liaison from each parish to the Office for Child Advocacy. The Implementation and Oversight Advisory Committee assists the Director in all of his/her responsibilities.

The Office for Child Advocacy, Implementation and Oversight is responsible for assessing the implementation of these *Policies and Procedures* and reporting the results to the Archbishop.

The Office for Pastoral Support and Outreach is a program of the Archdiocese staffed by lay professionals that offers pastoral support, outreach, and referrals for professional assistance to persons who report having been sexually abused as children by clergy, archdiocesan personnel, or volunteers. The Office will also extend appropriate support to family members of such persons and to archdiocesan parishes, schools, and other institutions affected by a complaint of child abuse.

Safe Environment Programs

All clergy, archdiocesan personnel, and volunteers who minister, work, or serve in a capacity involving contact with children under age eighteen must:

- complete the prevention and education programs mandated by the Archdiocese.
- submit the required Criminal Offender Record Information (CORI), to be renewed annually.

All clergy, archdiocesan personnel, and volunteers must:

- complete the background checks mandated by the Archdiocese.

All persons who apply for entrance into the seminary or permanent diaconate program, who seek incardination into the Archdiocese or employment in a parish, school, or other archdiocesan institution, or who volunteer for a position involving contact with children under age eighteen must:

- complete all elements of the application process mandated by the Archdiocese.

As part of the psychological testing required in the screening process for all applicants to the seminary and the permanent diaconate program, the Archdiocese

- will conduct an assessment of the applicant's fitness for working with children and
- will require each seminarian to participate in a formation program that addresses issues related to child abuse.

The safe environment programs for adults aim to prevent child abuse by raising awareness of the nature of abuse and its prevalence in all segments of society. Adults will be trained to recognize the signs and symptoms of child abuse and how to intervene when children are at risk.

The safe environment programs for children seek to assist parents in educating and protecting their children and to assist parishes, schools, and other archdiocesan institutions to cooperate with parents in developing and maintaining safe and secure environments.

The Code of Pastoral Conduct provides a set of standards for conduct in pastoral situations. Priests, deacons, pastoral ministers, administrators, staff, employees and volunteers in parishes, religious communities, institutes, and organizations must uphold Christian values and conduct, and the Code provides specific norms on Conduct With Children and Youth; Sexual Conduct; Harassment; Conduct for Pastoral Counselors and Spiritual Directors; Confidentiality; Conflicts of Interest; Reporting Ethical or Professional Misconduct; Administration; Clergy and Staff or Volunteer Well-Being.

Pastoral Support and Outreach

Working with the Archbishop, the Office for Pastoral Support and Outreach offers pastoral support, outreach, and professional assistance to persons who report having been abused as children by clergy, archdiocesan personnel, or volunteers, to their family members, and to parishes, schools, and other archdiocesan institutions affected by a complaint of child abuse.

The Archbishop normally extends an offer to meet personally with persons who claim to have been abused as children by priests or deacons.

The pastoral support offered by the Office for Pastoral Support and Outreach includes referrals for pastoral counseling, spiritual direction, parish consultation, and retreats. The outreach conducted by the Office for Pastoral Support and Outreach will include disseminating information to increase awareness and understanding of the prevention,

identification, and treatment of child abuse. The professional assistance offered by the Office for Pastoral Support and Outreach includes referrals and funding for psychological counseling with a licensed mental health professional.

The Office for Pastoral Support and Outreach maintains information that is obtained from persons seeking support or assistance in a confidential manner. In the initial interview, the staff member who conducts the interview will discuss the nature of confidentiality and its limitations and, where required by civil law, explain the legal requirements for reporting child abuse or neglect to civil authorities.

In the initial interview of the person reporting child abuse by a cleric, archdiocesan personnel or a volunteer, the staff member will ask the person whether he/she wishes to make a formal complaint to Church authorities. The staff member will ensure that this person understands that the offer of pastoral and psychological assistance is not contingent upon willingness to file a complaint and that no information gathered by the Office for Pastoral Support and Outreach will be entered into an investigation by the Church without his/her written permission.

In cooperation with the Office for Pastoral Support and Outreach and the appropriate Regional Bishop, the Archbishop will arrange for pastoral outreach to a parish, school, or archdiocesan institution affected by a complaint of child abuse by clergy, archdiocesan personnel, or volunteers.

Reporting Child Abuse and Neglect to Civil Authorities

From the *Statutes of the Commonwealth of Massachusetts*, chapter 119, §51A

A report is to be filed with civil authorities when a mandated reporter has “reasonable cause to believe that a child under the age of eighteen years is suffering physical or emotional injury resulting from abuse inflicted upon him or her which causes harm or substantial risk of harm to the child’s health or welfare including sexual abuse, or from neglect, including malnutrition, or who is determined to be physically dependent upon an addictive drug at birth.”

That person “shall immediately report such condition” to the Department of Social Services “by oral communication and by making a written report within forty-eight hours after such oral communication.”

Mandated reporters include a “priest, . . . [a] person performing official duties on behalf of a church or religious body that are recognized as the duties of a priest, . . . [and a] person employed by a church or religious body to supervise, educate, coach, train or counsel a child on a regular basis.”

“In addition to those persons required to report pursuant to this section, any other person may make such a report if any such person has reasonable cause to believe that a child is suffering from or has died as a result of such abuse or neglect.”

Any person “so required to make such oral and written reports who fails to do so shall be punished by a fine of not more than one thousand dollars.” No mandated reporter “shall be liable in any civil or criminal action by reason of such report.” No other person who files a report “shall be liable in any civil or criminal action by reason of such report if it was made in good faith.”

From the Policies and Procedures for the Protection of Children

The Archdiocese requires all clergy, archdiocesan personnel, and volunteers to contact the appropriate civil authorities when a person has knowledge or reasonable cause to suspect that a person under eighteen years of age is being, or has been, abused or neglected. *(In addition to those persons mandated by the MA General Laws to report child abuse and neglect, the Archdiocese has elected to also require its volunteers to do the same).*

A priest who receives a disclosure of child abuse or neglect during the Sacrament of Reconciliation is exempt from the requirement.

Reporting to Church authorities does not excuse any person from the obligation to report to civil authorities, except as may be allowed by civil law.

The Archdiocese will support the right of an adult who reports having been abused as a child to make a report to the District Attorney of the place where the abuse allegedly occurred, even anonymously. The Archdiocese will not discharge or in any manner discriminate or retaliate against any person who in good faith makes a report of child abuse.

The Archdiocese will train clergy, archdiocesan personnel, and volunteers to report suspected child abuse or neglect to civil authorities. When such a report is filed concerning child abuse by a cleric, one of the archdiocesan personnel, or a volunteer, a copy of the report is to be communicated to the Secretary for Ministerial Personnel within twenty-four hours.

Reporting Child Abuse to Church Authorities

Any person may make a complaint to ecclesiastical authorities concerning child abuse by clergy, archdiocesan personnel, or volunteers. When a cleric, one of the archdiocesan personnel, or a volunteer receives a complaint of child abuse, he/she will communicate it to the Secretary for Ministerial Personnel within twenty-four hours.

In accord with civil law, an anonymous allegation of child abuse against clergy, archdiocesan personnel, or volunteers will be reported to civil authorities. It will also be reported to the Archbishop who will determine how to handle the allegation attentive to the

rights of all persons, including the right of someone who is accused to know the identity of the person who is alleged to have been abused.

The Delegate for Investigations will ensure that an appropriate report concerning the abuse has been filed with civil authorities. When appropriate, and in accord with these *Policies and Procedures*, the Delegate will consult with civil authorities concerning the coordination of an ecclesiastical investigation with a civil or criminal investigation.

Principles for Communications and Investigations

Transparency and openness will characterize Archdiocesan communications, exercised within the context of legitimate protection of the reputation and privacy of persons and the common good of the Church.

The investigation of a complaint of child abuse will be kept as confidential as the circumstances of an individual case allow, in order that the reputations of both the complainant and the accused are protected. Due care will be taken so that the good reputation of any person is not endangered by the communication of information during an investigation or canonical process.

The Archdiocese will not normally enter into confidentiality agreements, nor will it bind a complainant to confidentiality or nondisclosure as part of an agreement to provide services, support, treatment, or in settlement of financial claims.

The Vicar General/Moderator of the Curia will oversee communications with a parish, school, or other archdiocesan institution affected by a complaint of child abuse. The Secretary for Communications will offer timely and pastorally appropriate information in accord with these *Policies and Procedures*. The Secretary for Communications will also coordinate contact with the media.

The Archdiocese will investigate complaints of child abuse in accord with the principles of truth, honesty, openness, and justice while respecting confidentiality, privacy, and the reputation of persons. The Archdiocese will cooperate with civil authorities concerning investigations of a complaint of child abuse and conduct investigations with respect for civil law and the rights of individuals.

The Archdiocese will observe the norms of canon law concerning the gathering of information from children during an investigation. Children below fourteen years of age will not normally be permitted to give testimony.

When the Secretary for Ministerial Personnel or supervisor communicates a complaint to an accused person, he/she will recommend that the accused retain appropriate legal representation and will provide information on contacting an approved canonical advocate whenever a possibility exists that canonical penalties may be applied.

In order to uphold due process, a person who brings an allegation of child abuse to the Church will be informed that a written and signed complaint is normally necessary before the Church can undertake an investigation.

Handling Complaints Against Archdiocesan Personnel and Volunteers

Within twenty-four (24) hours of receiving a complaint of child abuse by one of the archdiocesan personnel or a volunteer, the Secretary for Ministerial Personnel will contact the Archbishop. The Secretary will then inform the Chancellor and the appropriate Cabinet Secretary and give the complaint to the immediate supervisor of the accused person. The supervisor will communicate the complaint to the accused; when feasible, the complaint will be communicated to the accused in person.

The supervisor will direct the accused and his/her agents to have no contact with the complainant, the complainant's immediate family, and/or the person who brought forth the complaint prior to the completion of an investigation.

If the accused is employed by the Archdiocese or one of its institutions, the supervisor will immediately place the accused person on administrative leave, as defined in the personnel policies of the Archdiocese.

When the Archbishop decrees that an investigation is to be initiated, the Secretary for Ministerial Personnel will communicate the complaint to the Delegate for Investigations. The Delegate will undertake an investigation promptly in collaboration with the Director of Human Resources. The accused person will be given sufficient opportunity to respond to the complaint.

When the Delegate for Investigations has concluded the investigation, he/she will communicate a report to the Chancellor.

No person known to have abused a child will be permitted to minister, work, or serve in an archdiocesan institution. When a person admits to child abuse or the abuse has been established by a lawful process, the Chancellor will direct the appropriate supervisor to remove the person immediately from ministry, terminate the contract of an employee or independent contractor, or dismiss a volunteer, in accord with Church law. An appeal of a dismissal can be made to the Vicar General/Moderator of the Curia within ten business days of legitimate notification of the decision.

When the Chancellor determines that the complaint is false or that it cannot be substantiated, administrative leave will be terminated promptly and every effort will be made to return the individual to employment or service in the Archdiocese.

Handling Complaints Against Clergy

Within twenty-four (24) hours of receiving a complaint of child abuse by a member of the clergy, the Secretary for Ministerial Personnel will contact the Archbishop. The Secretary will then inform the appropriate Regional Bishop and Cabinet Secretary. The Secretary or his designee will communicate the complaint to the accused cleric; when feasible, the complaint will be communicated in person.

The investigation of a complaint of child abuse by a Bishop will be guided by the directives of canon law, which reserves such cases to the Roman Pontiff.

The person who communicates the complaint to the accused cleric will also communicate a precept directing the cleric and his agents to have no contact prior to the completion of an investigation with the complainant, the complainant's immediate family, and/or the person who brought forth the complaint.

The Archbishop will decree the initiation of a preliminary investigation when a complaint of child abuse by a cleric has at least the semblance of truth, unless such an investigation is clearly unnecessary.

When the Archbishop decrees the initiation of a preliminary canonical investigation, he will offer to meet with the accused cleric. For the period of the preliminary investigation, the Archbishop may request that an accused cleric voluntarily refrain from the public exercise of sacred ministry and/or the exercise of an ecclesiastical office.

The Delegate for Investigations will conduct the preliminary investigation, normally with the assistance of an investigative team. The Delegate is to seek information that indicates whether the alleged act can be canonically proven, whether it is actionable according to the law of the Church, and whether a canonical penalty may be lawfully imposed.

When the evidence required by canon law has been collected, the Delegate for Investigations will communicate a report to the Archbishop. The Archbishop or his designee will forward to the Review Board the report of the Delegate for Investigations and the proceedings of the preliminary investigation. The Review Board will offer the Archbishop an independent report including assessment of the complaint and advice on the suitability of the accused for ministry.

When the Archbishop determines that the evidence indicates that the complaint is false, or that the evidence is not sufficient to establish the probability of a delict, he will declare the accused cleric to be acquitted of the complaint. Prior to returning the cleric to ministry, the Archbishop may consult the Review Board and request their further recommendations. In accord with Church law, every step possible will be taken to restore the good name of the person falsely accused.

When the Archbishop determines that he has at least probable knowledge that the accused cleric has committed the offense of the child abuse, he will transmit the proceedings of the

investigation to the Congregation for the Doctrine of the Faith. The communication of the proceedings to the Congregation is not a finding of guilt or a conviction of the accused cleric.

When the Archbishop transmits the proceedings of a preliminary investigation to the Congregation, he will send a *votum* to the Congregation and apply the precautionary measures of canon 1722 to the accused cleric, pending the outcome of the process.

When the Congregation for the Doctrine of the Faith directs the Archbishop to conduct a judicial penal trial, the trial will be conducted in accord with the norms of canon law. When a matter does not proceed according to a judicial penal trial, the Archbishop may institute an administrative process for declaring or imposing a penalty, in accord with the provisions of Church law. The Archbishop can exercise his executive power of governance to remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly ministry.

When even a single act of sexual abuse by a priest or deacon is admitted or is established after an appropriate process, the offending priest or deacon will be removed permanently from ecclesiastical ministry, not excluding dismissal from the clerical state if the case so warrants. If the penalty of dismissal has not been applied, the offender ought to lead a life of prayer and penance.

When an accusation has been found to be false or unfounded, every step possible will be taken to restore the good name of the cleric who was accused. Whenever a cleric is to be restored to ministry, the Archbishop will invite him to a personal meeting to discuss steps to be taken to restore him to ministry.

If a decision is rendered by a judicial sentence, an appeal may be directed to the Congregation for the Doctrine of the Faith. A person who claims to have been aggrieved by an administrative decree may seek recourse to the hierarchic superior of the person who issued the decree.

The Archdiocese will not permit any priest or deacon incardinated in the Archdiocese of Boston known to have committed an act of child abuse to be transferred for ministerial assignment to another diocese. For changes of residence, the Archdiocese will forward any and all information concerning any act of sexual abuse of a minor and any other information indicating that the cleric has been or may be a danger to children or youth. Likewise, the Archdiocese will not permit any priest or deacon who has committed an act of child abuse to be transferred to the Archdiocese of Boston for ministerial assignment.

The Office of Child Advocacy, Implementation and Oversight

617-746-5994 Fax: 617-783-0766

The Office for Pastoral Support and Outreach

Toll Free: 866-244-9603 Local: 617-244-9603 Fax: 617-244-4629

The Office of Ministerial Personnel
617-746-5750

The Office of Human Resources
617-746-5829

MA Department of Social Services
Days: 617-748-2000/2444 Evenings/Weekends: 1-800-792-5200

MA District Attorneys Offices by County:

Essex: 978-745-6610

Middlesex: 617-679-6500

Norfolk: 781-830-4800

Plymouth: 508-584-8120

Suffolk: 617-619-4300

Note: For a single-page flowchart showing the reporting sequence, reporting timelines and phone numbers see also:

<http://www.rcab.org/ChildAdvocacy/ChartReportingChildAbuse.pdf>

REPORTING CHILD ABUSE TO CIVIL AND CHURCH AUTHORITIES

A report must be filed with civil authorities concerning abuse of a child or young person who is now under the age of 18:

- **Civil law:** When a mandated reporter has reasonable cause to believe that a person under the age of 18 is suffering abuse or neglect, he/she is to report immediately to the Department of Social Services.

- **The law of the Archdiocese of Boston** requires all clergy, archdiocesan personnel, and volunteers to contact the appropriate civil authorities when a person has knowledge or reasonable cause to suspect that a person under eighteen (18) years of age is being, or has been, abused or neglected.

The Commonwealth of Massachusetts Department of Social Services
800-792-5200
617-748-2000

A person who was abused as a child but who is now an adult:

- **Civil law:** The person has the right to file a report with the local District Attorney.

See Text for List of DA Numbers

The Statutes of the Commonwealth of Massachusetts, chapter 119, §51A

The report to DSS must be made immediately by telephone and a written report submitted within 48 hours, containing:

- the names and addresses of the child and his parents or other person responsible for his care, if known;
- the child's age; the child's sex;
- the nature and extent of the child's injuries, abuse, maltreatment, or neglect, including any evidence of prior injuries, abuse, maltreatment, or neglect;
- the circumstances under which the person required to report first became aware of the child's injuries, abuse, maltreatment, or neglect;
- whatever action, if any, was taken to treat, shelter, or otherwise assist the child;
- the name of the person or persons making such report.

A report concerning child abuse by clergy, archdiocesan personnel, or volunteers may also be filed with Church authorities.

Any person may make a complaint to ecclesiastical authorities concerning child abuse by clergy, archdiocesan personnel, or volunteers.

The Secretary for Ministerial Personnel
617-746-5750

Office of Pastoral Support and Outreach
866-244-9603
617-244-9603

The law of the Archdiocese of Boston requires clergy, archdiocesan personnel, and volunteers to communicate:

- any complaints they receive concerning child abuse by clergy, archdiocesan personnel, and volunteers;

- any report filed with civil authorities concerning child abuse by clergy, archdiocesan personnel, or volunteers;

to the Secretary for Ministerial Personnel within 24 hours.

Policies and Procedures for the Protection of Children, article 7

"Persons making a complaint about child abuse to the Church will normally be asked to provide the following information:

- the name of the person against whom the complaint is made, and the name of the complainant;
- a detailed description of the alleged abuse, including relevant dates, times, and circumstances;
- the names and contact information for persons who may have knowledge of the alleged abuse.

The Archdiocese will cooperate with civil authorities concerning investigations of a complaint of child abuse and conduct investigations with respect for civil law and the rights of individuals."

NOTE: Child Abuse Prevention (CAP) Teams exist in every parish and parish cluster of the Archdiocese and have been trained in reporting procedures. The CAP Team may be consulted for help in contacting the appropriate DSS and District Attorney offices and filing a report.