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The Crosiers respond

The Crosiers recognize that full and frank disclosure about sexual misconduct is important to speed the healing process and empower unknown victims to come forward and seek help. Even though this investigation has been completed, we continue to encourage individuals to report any information regarding incidents of sexual misconduct to the Provincial (651/486-7456) or a member of the <u>Crosier First Contact Team</u>.

Detailed in this section of our Web site is our response to sexual misconduct and the many steps we have taken to fulfill our commitment to accountability, ensuring the safety of the people we serve and doing all we can to earn the trust of the public.

- Letter from the Provincial
- News release
- Summary of Third-party Audit
- <u>Policy</u>
- Methodology Summary
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- Statement from the Conference of Major Superiors of Men
- Reporting



The Crosiers invite you to join us in praying for those wounded by misconduct.

Prayer of Lamentation

Prayer of Healing

Prayer for Survivors



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Provincial Letter

Greetings:

As you know, the Catholic Church in the United States has been the focus of public attention because of sexual misconduct by priests and religious. Sadly, some Crosiers, too, have sexually abused minors in the past. This news has understandably left many people of faith confused, hurt, and angry. I want to make my position clear: sexual misconduct is deplorable and is not tolerated by the Crosier Order.

While we are charting a new course in how we deal with the issue of sexual misconduct, our foremost concern remains with survivors and their families. I have spent a great deal of time with survivors, people who have been abused by our members. These people tell stories of how this deplorable behavior has burdened them for years. I am deeply sorry for these horrible acts and I sincerely apologize for the great pain this abuse has caused survivors and their families.

As an Order and as a Church, we must take critical steps to be accountable for past misconduct. Likewise, we must let people know that we are serious about changing and doing all that we can to earn the trust of the public, especially the people of God who have been deeply hurt by past sexual abuse.

We understand the profound responsibility we have to the people we serve. Our recent actions reaffirm that we:

- Do not tolerate sexual misconduct:
- Are committed to ensuring the safety of the people we serve;
- · Hold ourselves accountable to the public; and
- · Will do all that we can to earn public trust.

Last June, we commissioned a comprehensive, third-party investigation of every allegation of sexual misconduct made against a Crosier priest, brother or employee - even in cases where an initial investigation found no wrongdoing. The investigation is complete and the Summary Report of Findings and Crosier Response is published on this Web site.

As promised at the launch of the investigation, we have taken every action warranted by its findings in order to protect the public. Every Crosier who committed sexual abuse of a minor has been permanently removed from public ministry and is living under stringent restrictions. In addition, we have adopted a strengthened Sexual Misconduct Policy, based upon the principles outlined in the U. S. Catholic Bishops' Charter and the Conference of Major Superiors Statement from August 2002. We have also taken many other significant steps to ensure accountability and the safety of the people we serve.

We pray that our actions will provide survivors the strength to come forward, knowing that we will value and believe them. If you know of, or suspect that, a Crosier or one of our employees or volunteers has been involved in sexual misconduct, please contact me at (651) 486-7456 or a member of our newly formed First Contact Team.

In these difficult times, we strive more than ever to fulfill the values that have served as our foundation for 800 years: good works, hope, and dedication to the Cross of Jesus Christ. May we let the light of Christ be our source of courage, compassion, and humility. Each day I ask for the Spirit of God to empower us to listen and to hear the voice of God speaking out, especially from those who cry for justice and hope

and healing. I pray that we will respond with grace and courage.

As God keeps calling us forward into the future, I feel confident and hopeful. Be assured that each day I pray that we all may continue to live in hope and that we will be granted the wisdom to know God's will. the grace to live it faithfully, and the courage to follow it boldly.

Sincerely,





results of a comprehensive, third-party investigation of every allegation of sexual misconduct made against a Crosier priest, brother or employee. The investigation, conducted by Minnesota-based law firm Faegre & Benson, was commissioned by the Crosier Order in June to ensure accountability and the safety of the people the Order serves. The Crosiers also made public today a strengthened sexual misconduct policy. The investigation summary report and sexual misconduct policy are available online at on this site.

"We regret that wrongs were committed in the past and we are deeply sorry for the pain and suffering some Crosiers have caused sexual misconduct survivors and their families," said the Rev. Thomas R. Carkhuff, osc, Provincial of the Crosier Fathers and Brothers. "Sexual misconduct is deplorable and will not be tolerated. Today, we are charting a new course in how we deal with this issue."

As promised at the launch of the investigation, the Crosiers have taken every action warranted by its findings. Every Crosier who is known to have committed sexual abuse of a minor has been removed from public ministry and will remain under stringent restrictions. Currently, there are eight Crosiers on restrictions for sexual abuse of a minor. The investigation found that the most recent incident of sexual abuse of a minor reported to the Crosiers occurred more than 15 years ago.

As a result of the investigation, the Crosiers have adopted a strengthened sexual misconduct policy, based upon the principles in the statement adopted by the Conference of Major Superiors of Men regarding sexual abuse of minors. The intent of the policy is to ensure the Crosiers are doing all they can to protect the people they serve and earn the trust of the public. The policy:

- · Requires as does the Bishops' Charter the removal from public ministry of anyone who has been found to have committed sexual abuse of a minor;
- Authorizes the Provincial to impose other restrictions, including initiating procedures for removal from the Order;
- Mandates the notification of civil authorities if there is suspicion that a child or vulnerable adult has been abused; and
- Directs the Crosiers to conduct background investigations on those seeking membership in the Order.

To further ensure accountability, the Crosiers have taken the following additional steps.

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- The Personnel Board, which is responsible for the housing and ministry assignments of all Crosiers, will be expanded to include non-Crosiers who have expertise in fields including psychology, sociology and law. The board will also review and evaluate the results of all investigations of sexual misconduct and provide advice to the Provincial.
- The Crosiers are in the process of assembling an advisory panel to assist the Provincial in making difficult decisions. The Provincial has consulted with victims in identifying members of the panel, which will include non-Crosiers.
- The Crosiers are creating a "First Contact Team," comprised of men and women, clergy and lay
 persons, Catholics and non-Catholics, who will receive reports of sexual misconduct from victims.
- The Crosiers will voluntarily report to the review boards of the Conference of Major Superiors of Men.

"We are acting to ensure we do not look back some day and think there was more we could have done," said Father Carkhuff. "We are shedding light on these issues to renew our Order and our commitment to our mission—through these actions we hope to earn the trust of the public."

Father Carkhuff added, "Even though this investigation is complete, we continue to encourage anyone who knows or suspects that a Crosier, or one of our employees or volunteers, has been involved in sexual misconduct, to contact me or a member of our newly formed First Contact Team."

Minnesota-based law firm Faegre & Benson, who conducted the investigation, has extensive background in advising religious denominations and professional organizations in sexual misconduct prevention and response.

The Crosier Fathers and Brothers, officially known as the Canons Regular of the Order of the Holy Cross, is a religious community of men founded nearly 800 years ago in Belgium. Crosiers established a presence in the United States in 1910. The U.S. Province is headquartered in St. Paul, Minnesota, with Communities located in Phoenix, Arizona, Riverview, Michigan, and Anoka, Onamia and Shoreview, Minnesota. The Province also supports a mission in Papua, Indonesia. The international headquarters of the Crosier Order is in Rome. In addition to the United States, Crosiers live and serve in Europe, Indonesia, Brazil and the Democratic Republic of the Congo.

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Other Findings

- While new victims and new incidents surfaced during the course of the investigation, no new perpetrators of sexual abuse of minors were discovered.
- The most recent incident of sexual abuse of a minor that has been reported occurred more than 15 years ago.
- There have been no reported incidents of sexual abuse of a minor by a Crosier after he has been placed on restriction.
- Five of the eight Crosiers on restriction for sexual abuse of a minor had been removed from public ministry prior to the beginning of the investigation. The remaining three of these Crosiers were removed from public ministry during the course of the investigation.

CROSIER RESPONSE

As promised at the launch of the investigation, the Crosiers have taken every action warranted by its findings. In addition to removing offenders from public ministry and placing them under stringent restrictions, the Crosiers have taken many additional steps to ensure accountability and the safety of the people the Order serves.

Strengthened Sexual Misconduct Policy

As a result of the investigation, the Crosiers have adopted a strengthened sexual misconduct policy, based upon the principles in the statement adopted by the Conference of Major Superiors of Men regarding sexual abuse of minors. The intent of the policy is to ensure

the Crosiers are doing all they can to protect the people they serve and earn the trust of the public. The policy:

- Requires as does the Bishops' Charter the removal from public ministry anyone who has been found to have committed sexual abuse of a minor;
- · Authorizes the Provincial to impose other restrictions, including initiating procedures for removal from the Order;
- · Mandates the notification of civil authorities if there is suspicion that a child or vulnerable adult has been abused;
- Authorizes the Provincial to create an advisory panel, which will review investigation results and assist the Provincial in making decisions about an offender;
- Directs the Crosiers to conduct background investigations on those seeking membership in the Order;
- · Provides ongoing education about sexual health and sexual misconduct to members, employees and volunteers;
- Requires disclosure of incidents of sexual misconduct; and
- · Defines clear procedures for dealing with a victim and the accused when an allegation is received.

Additional Actions

To further ensure accountability, the Crosiers have taken the following additional steps.

- The Personnel Board, which is responsible for the housing and ministry assignments of all Crosiers, will be expanded to
 include non-Crosiers who have expertise in fields including psychology, sociology and law. The board will also
 review and evaluate the results of all investigations of sexual misconduct and provide advice to the Provincial.
- The Crosiers are creating a "First Contact Team," comprised of men and women, clergy and lay persons, Catholics and Non-Catholics, who will receive reports of sexual misconduct from victims.
- The Crosiers will voluntarily report to the review boards of the Conference of Major Superiors of Men.
- The Crosiers will continue to work with the dioceses in the areas where we are located to discuss how we can ensure further accountability.

METHODOLOGY

The methodology used in the investigation is described in a report from Faegre & Benson, LLP, the Minnesota-based law firm hired to conduct the audit. That report is available in another location on this Web site. <u>Click Here to see that report</u>.

Full and frank disclosure about sexual misconduct is important to speed the healing process and to empower unknown victims to come forward and seek help. Even though this investigation has been completed, we continue to encourage individuals to report any information regarding incidents of sexual misconduct to the Provincial (651/486-7456) or a member of the <u>Crosier First Contact Team</u>.



3/1/2014

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From the beginning, humankind was created in the image and likeness of God, and God saw all creation as good. Our sexual identity as male and female persons is an intimate part of the original and divine plan of creation. The mystery of what it means to be human -- incarnate and, therefore, sexual -- embodies and is bound up in the mystery and purpose of God, Who is the Author of all life and love itself.

Human sexuality is a gift, and so we approach the topic with a deep and abiding sense of appreciation, wonder, and respect. When human sexuality is integrated with the other gifts possessed by an individual, each man or woman's personality is enriched and enhanced. Sexual integration fosters human communication and encourages human relationships and love. When this happens, there is sexual health in persons and society. The sexual health, morality, and well being of God's people also advance the work of building God's kingdom here and now.

Consistent with the teaching and example of Jesus, the Crosier Province is concerned with the well being of all people, particularly those who are most vulnerable and who cannot care for themselves. Therefore, in fulfillment of this pastoral responsibility, the Crosier Province has established this Statement of Policy Regarding Sexual Misconduct by Members of the Crosier Province.

I. INTRODUCTION

The Crosier Province is strongly committed to preventing sexual misconduct by its members and to responding with justice and compassion when such misconduct occurs. This Statement of Policy describes how the Crosier Province will act upon these commitments. This policy will take effect on the date of its release.

This Statement of Policy describes how the Crosier Province intends to fulfill these commitments. The Crosier Province recognizes that responding to allegations of sexual misconduct requires determination, sensitivity, flexibility, and respect for all persons affected, including the victim, the member of the Crosier Province, their families and friends, the congregation, and the whole church. This policy is intended to provide a framework for guidance in dealing with these cases while preserving the discretion of the Crosier Province to treat each person and each case in the manner necessitated by differing facts,

circumstances, and needs of those affected. This policy cannot be imposed as rigid law, binding the Crosier Province and others to its dictates; it must be interpreted and applied compassionately in accordance with the theological and biblical principles of the Gospel.

A. Definitions

1. "Sexual Misconduct." The civil law makes distinctions among various types of sexual misconduct, such as "sexual harassment," "sexual abuse," and "sexual assault." These distinctions should not

concern a person who is troubled about the sexual conduct of a Crosier member. The Crosier Province is concerned about all sexual misconduct by its members, regardless of whether that misconduct also violates secular civil or criminal law. Any sexual misconduct committed by a member of the Crosier Province should be reported to the Crosier Province, including, but not limited to, any sexual contact between a priest or brother and a congregant, counselee, employee, or volunteer, whether an adult or a minor.

2. "Victim." As used in this Statement of Policy, "victim" means a person who reports sexual misconduct to the Crosier Province. This Statement of Policy will assume that the victim is also the victim of the alleged sexual misconduct.

3. "Member of the Crosier Province." As used in this Statement of Policy, "member of the Crosier Province" refers to all of the following: (a) priests, deacons, and brothers professed for the Crosier Province; (b) novices who seek profession of vows with the Crosier Province; (c) all postulants who seek admission to the Crosier Province during their live-in experience.

4. "Pastoral Care of Souls." As used in this Statement of Policy, "pastoral care of souls" refers to the public ministry to which a Crosier member is assigned by a bishop involving direct contact with members of the church.

The Crosier Province is also concerned about the sexual misconduct of others who work as employees or volunteers in parishes or other organizations affiliated with the Crosier Province. However, it will usually be appropriate for the parishes or other organizations to assume primary responsibility for such cases. The Crosier Province will forward reports of sexual misconduct as appropriate and be available to provide counsel and guidance as necessary.

B. Role of entities with whom the Crosier Province is affiliated.

This is the Statement of Policy for the Crosier Province, and therefore it says little about the important role played by the dioceses, parishes, seminaries, and other entities with whom the Crosier Province is affiliated in preventing and responding to reports of sexual misconduct by clergy or religious. This should not obscure the fact that these other entities also have a vital role to play.

C. Role of Crosier Province.

The role of the Crosier Province is essentially two-fold. First, the Provincial is responsible for providing pastoral care and leadership to persons served by members of the Crosier Province. Reports of sexual misconduct by a member of the Crosier Province invariably create an acute need for such care and leadership. Second, a Crosier member who commits sexual misconduct will be disciplined, as specified in subsection I below. The Provincial is primarily responsible for overseeing the disciplinary process.

When the Crosier Province provides pastoral care and leadership in the wake of sexual

misconduct by one of its members, it is performing acts of ministry. The freedom of the Crosier Province to decide for itself how God has called it to minister to those harmed by sexual misconduct is a precious one that is constitutionally protected from governmental interference. The same is true of its freedom to decide who will be a member of the Crosier Province, and of the freedom of the Crosier Province to decide who will preach and teach on its behalf. Nothing in this Statement of Policy is intended to diminish these freedoms in any respect or to create any legal rights or responsibilities.

In every sexual misconduct case, the Provincial and his staff will provide pastoral care as appropriate to the victim of the misconduct, the victim's family, the Crosier who committed the misconduct, the Crosier's family, his local community, the members of the institution served by the Crosier in cooperation with the appropriate (arch)diocese, the Crosier's colleagues, and others. However, the Provincial and his staff cannot themselves function as a pastor, counselor, advocate, attorney, or other "fiduciary" to any of these people. The ultimate responsibility of the Provincial and his staff is to the Crosier Province and not to any individual within the Crosier Province. If a conflict arises between what is in the Crosier Province's interests and what is in the interests of someone else. the Provincial and his staff are

obligated to act on the Crosier Province's behalf.

II. PROVINCE POLICY

A. Prevention of Sexual Misconduct by a Member of the Crosier Province

The best way of addressing sexual misconduct is to prevent it from occurring. Among the steps that the Crosier Province is taking to prevent sexual misconduct by its members are the following:

First, the Crosier Province will not tolerate sexual misconduct by one of its members. Such conduct violates Christian morals and principles, the Crosier Constitutions, the religious vow of chastity, as well as the doctrines, teachings, and canon law of the Roman Catholic Church. The Crosier Province will make its position clear in educational opportunities that it provides, in the manner in which it responds to reports of sexual misconduct by one of its members, in discussions that it has with those seeking membership in the Crosier Province, and in its public and private statements regarding this issue.

Second, the Crosier Province will provide ongoing educational opportunities about sexual health and sexual misconduct to its members, employees, and volunteers. Those efforts will focus on such subjects as the dynamics of sexual misconduct by religious and clergy and the impact of such misconduct on its victims. The Crosier Province will also provide its members the care and assistance they need to maintain healthy, celibate lives.

Third, the Crosier Province will do background investigations of those who seek membership with the Crosier Province. The Crosier Province will try to determine whether such persons have any known history of sexual misconduct. Those who have proven themselves unfit for ministry by acts of sexual misconduct will not be accepted for membership.

Fourth, the Crosier Province will do its best to prevent its members who have committed sexual misconduct from victimizing others. As described below, the Crosier Province will openly and honestly disclose incidents of sexual misconduct of which it becomes aware (see section J). Also, if the Crosier Province learns that one of its former members who committed sexual misconduct in the Crosier Province is attempting to begin ministry elsewhere, the Crosier Province will notify the prospective superiors or employers of this person of past sexual misconduct.

Finally, the Provincial and his staff will continue to take advantage of educational opportunities that are available to them. The Crosier Province recognizes that society generally, and churches particularly, have much to learn about sexual misconduct by religious and clergy. As the Crosier Province's understanding of this problem changes, its Statement of Policy and educational efforts may change as well.

These preventive efforts are intended to complement similar efforts that have been or will be undertaken by dioceses, parishes, seminaries, and other entities with whom the Crosier Province is affiliated.

B. Receipt of Report of Sexual Misconduct

Even the best preventive measures cannot completely eliminate sexual misconduct by members of the Crosier Province. The Crosier Province must be prepared to respond to reports of misconduct. The more open it is to receiving such reports, the earlier sexual misconduct by one of its members will be reported.

Anyone who knows or suspects that a Crosier may have been involved in sexual misconduct is strongly encouraged to report that knowledge or suspicion to the Provincial or to one of the Councilors of the Crosier Province. Their names, addresses, and telephone numbers are attached to this Statement of Policy. If a victim does not wish to contact the Crosier Province directly, then the victim can do so indirectly by contacting one of the members of the Crosier Province's "First Contact Team." The Team includes volunteers -- men and women, clergy and laypersons, Catholics and non-Catholics -- who have agreed to be available to receive

reports of sexual misconduct from victims who are uncomfortable contacting the Crosier Province directly. However, it must be stressed that these people are acting on behalf of the Crosier Province, and any information that they are given will be shared with the Provincial.

A contact may be made with the Provincial or other authorized person by mail, by telephone, or in person. The victim need not identify herself or himself when she or he first contacts the Crosier Province. The victim may anonymously ask questions about how the Crosier Province would respond to a particular complaint of misconduct. However, the Crosier Province can do little about a report of sexual misconduct until the victim identifies herself or himself and the Crosier member involved in the misconduct.

C. Initial Response to the Report

The Provincial or other person contacted by the victim will (1) assure the victim that the Crosier Province does not tolerate sexual misconduct and takes seriously all reports of such misconduct; (2) explain the Crosier Province's process for responding to reports of sexual misconduct and offer to provide a copy of this Statement of Policy; (3) answer the victim's questions about the policies and procedures of the Crosier Province; (4) express care and concern for the victim; and (5) when the victim is anonymous, encourage the victim to identify herself or himself and the Crosier member involved in the misconduct.

In all meetings with Provincial personnel, the victim may be accompanied by another person of her or his choice. The Provincial or other person contacted by the victim may also offer to provide the victim with a list of trained support persons who are available to provide support and to help interpret the Crosier Province's policies and procedures. This list will include trained support persons who are not affiliated with the Crosier Province in any way. The victim will be invited to contact a trained support person and to be accompanied by that person through the reporting and investigative process, and, if necessary, disciplinary processes. If the victim requests, the Crosier Province will contact a trained support person for her or him. The victim is welcome to use a support person who does not appear on the list -- such as a friend or family member -- or to decline to use a support person altogether.

D. Initial Meeting with the Victim

Promptly after a report of sexual misconduct by a Crosier has been received from an identified victim, the Provincial and/or Provincial's designee will interview the victim in person or, if that is not possible, by telephone. In this and all meetings with Province personnel, the victim may be accompanied by another person of her or his choice. The Provincial or Provincial's designee will ask the victim to provide as much information about the sexual misconduct as the victim is comfortable sharing. The victim may be asked to reduce the information to writing or to sign a written statement prepared by the Crosier Province. The Provincial or Provincial's designee will also ask the victim what she or he is seeking in coming forward. The victim will be given a copy of this Statement of Policy if she or he has not already received it.

The Provincial or Provincial's designee will discuss with the victim how she or he feels about the possibility that her or his identity may become known to the accused or others. Insofar as possible, the Crosier Province will respect the wishes of the victim regarding confidentiality. However, at some point, the Crosier Province may be legally required to disclose the identity of the victim. Also, in unusual circumstances, the fact that the Provincial or Provincial's designee is responsible to the Crosier Province may require that he or she act contrary to the wishes of the victim. Finally, the identity of the victim may become known despite the best efforts of the Crosier Province to protect it. The Crosier Province cannot guarantee confidentiality to any victim.

If the Provincial or Provincial's designee learns that a child or vulnerable adult may have been neglected or physically or sexually abused, the Provincial or Provincial's designee will report that information in writing to law enforcement authorities and child protection services in the state, in accord with that state's law, where the offense is believed to have occurred. If possible, the victim will be notified before such a report is made.

The Provincial or Provincial's designee will discuss with the victim her or his needs for pastoral care or professional counseling. If the victim requests, the Provincial or Provincial's designee will help to put the victim in touch with persons who can provide such care or counseling. In appropriate cases, the Crosier Province will help to defray the costs of any professional counseling. Under no circumstances, in order to avoid a conflict of interests, will any member or employee of the Crosier Province function as the victim's advocate, pastor, spiritual director, or counselor.

The Provincial or Provincial's designee will appoint a contact person within the Crosier Province. That contact person (who may be the Provincial or Provincial's designee) will keep in regular contact with the victim and will inform the victim of significant developments. That contact person will also be available to respond to the victim's questions and concerns about the process.

E. Preliminary Review

After interviewing the victim, the Provincial and/or Provincial's designee will carefully review the information provided by the victim. If the report appears credible and involves sexual misconduct for which a Crosier might be disciplined, the Provincial or Provincial's designee may conduct a preliminary review to determine whether information either supporting or contradicting the report exists. This preliminary review may include (1) further discussions with the victim; (2) an examination of the records of the Crosier Province or other entity affiliated with the Crosier Province; or (3) interviews of various people who know or have worked with the accused Crosier or the victim.

This review will be conducted as quickly and as discreetly as is possible under the circumstances. Often, the review will be concluded within a day or two. All of those contacted will be asked to keep the contact in strictest confidence. If the Crosier Province later determines that the member did not commit sexual misconduct, that conclusion will be communicated to those who were contacted by the Crosier Province in the course of its review.

F. Initial Meeting with the Member of the Crosier Province

The Provincial will usually meet with the Crosier member after the review is concluded. (The Provincial should be accompanied by the Provincial's designee or another person.) In some cases -- such as when the member may pose an immediate danger to members of his parish -- the Provincial or Provincial's designee may meet with the member immediately after or perhaps even before meeting with the victim. If the Provincial meets alone with the member, the Provincial will clarify that the meeting is not confidential and that the Provincial may disclose anything that he is told.

At their meeting, the Provincial will provide the Crosier member with information regarding the complaint and ask him to respond. The Provincial may ask the member to reduce his response to writing. The Provincial will also (1) assure the member that, while the Crosier Province does not tolerate sexual misconduct, the Crosier Province will give any member who denies an allegation of sexual misconduct a full and fair opportunity to contest it; (2) explain the Crosier Province's process for responding to reports of sexual misconduct and provide a copy of this Statement of Policy; (3) answer the member's questions about the policies and procedures of the Crosier Province; (4) express care and concern for the member; (5) direct the member not to have any contact with the victim, either directly or indirectly, unless arrangements are made to have a third party present for the meeting; and (6) invite the member to contact a support person to accompany him through the process and inform the Provincial who the support person is. If the member requests, the Crosier Province will assist him in finding a support person. The member may decline to use a support person.

The Provincial or Provincial's designee will discuss with the member his needs for pastoral care or professional counseling. If the member requests, the Provincial or Provincial's designee will help to put him in touch with persons who can provide such care or counseling. Under no circumstances will the Provincial or a member of his staff function as the individual

Crosier's advocate, pastor, or counselor with respect to the sexual misconduct allegation.

The Provincial or Provincial's designee will appoint a contact person within the Crosier Province. That contact person (who may be the Provincial or Provincial's designee) will keep in regular contact with the member and will inform him of significant developments. That contact person will also be available to respond to the member's questions and concerns about the process.

In cases involving credible allegations of sexual misconduct, the Provincial may remove the Crosier member from pastoral care of souls, place restrictions on his ministry, or request that the religious take a leave of absence from pastoral care of souls, until the Crosier Province's investigation is concluded. This action should not be construed as an indication that the Crosier Province has concluded that the allegations are true.

G. Assessment of the Information

After meeting with the Crosier member, the Provincial will review the information provided by the victim, discovered during the preliminary investigation, and provided by the member. The Provincial will then decide upon a course of action. Among options available to the Provincial are the following: no further action; further investigation; requesting the member to undergo a psychodiagnostic evaluation; removing him from pastoral care of souls; or, other canonical processes.

H. Provincial's Advisory Panel

Reports of sexual misconduct often present the Provincial with a difficult decision. For example, the Provincial may be confronted with "one person's word against another's" -- that is, a situation in which both the victim's report and the Crosier member's denial of the report appear credible, and no one but the victim and the Crosier can know for certain who is being truthful.

To assist him in making these difficult decisions, the Provincial may, at his sole discretion, appoint an advisory panel or consult with an existing review board.

An advisory panel is essentially a small group of clergy and laypersons who are asked to recommend a course of action to the Provincial. Before making that recommendation, the panel may interview the victim, the Crosier, the Provincial, the Provincial's designee, and/or others. The recommendation may be communicated verbally or in writing, and the Provincial may or may not choose to share the recommendation with the victim and/or the Crosier member. The purpose of the advisory committee is merely to give the Provincial -- and, at the Provincial's choice, the member and the victim -- the benefit of an outside perspective on the matter before the Provincial makes a final decision.

I. Final Decision

After the investigation is concluded and the advisory panel or review board has made its recommendation, the Provincial will make a final decision regarding the status of the Crosier member.

If the Provincial determines that the allegations of sexual abuse of a minor or vulnerable adult are more likely than not true, he will remove the individual from any pastoral care of souls. He may also take one or more of a wide range of additional actions against the member, including initiating canonical procedures against him to remove him as a member of the Crosier Province.

If the Provincial determines that the allegations of sexual misconduct of a person who is not a minor are more likely than not true, the Provincial will take one or more of a wide range of actions against the member, including initiating canonical procedures against him to remove him as a member of the Crosier Province.

If the Provincial determines that the allegations are more likely than not false, steps will be taken to restore the good name of the Crossier

J. Disclosure

Except in unusual circumstances, the Crosier Province will disclose all credible allegations of sexual misconduct by one of its members for which he can be disciplined. Although disclosure can increase the short term pain caused by sexual misconduct, experience has demonstrated that disclosure speeds the healing of the primary and secondary victims of the misconduct, empowers unknown victims to come forward and seek help, protects others from being victimized by the same person, and demonstrates the commitment of the Crosier Province to deal openly and honestly with the problem.

Decisions regarding who will make what disclosure to whom and when will vary from case to case. In general, though, the Crosier Province will abide by the following guidelines:

1. Disclosure of sexual misconduct will be made to the Crosier's most recent ministry assignment, to other members within the Crosier Province, and, in appropriate cases, to members of one or more of the priest's or brother's former ministry assignments.

2. Disclosure will be made if (a) the member admits to committing sexual misconduct; (b) the member resigns after being accused of sexual misconduct; (c) the member is removed, either temporarily or permanently, from pastoral care of souls in response to an allegation of sexual misconduct; or (d) secular legal proceedings (civil or criminal) are initiated against the member for sexual misconduct.

3. The Crosier Province will first disclose to the leaders and staff of the Crosier member's' assignment and discuss with them how disclosure to others can best be made.

4. To protect the privacy of those harmed by the Crosier member, only the following will be disclosed: (a) the fact that the member has been accused of, admitted to, or been found guilty of committing sexual misconduct with a minor; (b) the gender of the victim; (c) whether the victim was an adult or a minor at the time of the misconduct; and (d) whether the victim was a member of the accused Crosier's parish or a person to whom the Crosier was providing pastoral care at the time of the misconduct. Disclosure will almost never include the name of the victim or facts from which she or he could readily be identified. If the Crosier has denied the allegations, that fact will also be disclosed.

5. Persons who believe that they have been harmed (directly or indirectly) by the Crosier member will be invited to contact the Crosier Province either directly or through the First Contact Team or the civil authorities.

K. Follow up

The Crosier Province will work with appropriate dioceses and other entities with which it is affiliated to help ensure that care and support are available for all of those harmed by sexual misconduct by clergy and religious. As noted above, the Crosier Province cannot provide this care itself, but it will assist the primary and secondary victims of sexual misconduct to find human and material resources that might help them on their journey to healing.



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	About Us	Date: October 9, 2002	
Events Summary of Methodology Reflections Used in Audit of Sexual Misconduct Allegations Invitation to Prayer Support Crosier Life & Work Support Crosier Life & Work (Faegre & Benson, LLP, is the law firm that conducted the investigation of sexual misconduct allegations. The following are excerpts regarding the methodology used in that investigation from report to the Crosier Province.)			
			its

In June 2002 the Crosier Province hired Faegre & Benson, LLP to conduct an audit of past and present sexual misconduct allegations involving Crosier members. This Audit is being performed to provide you with an understanding of the allegations made against individual Crosiers and the Crosier Province.

Our assignment was to conduct a thorough and complete investigation, examining documents and files and interviewing individuals with knowledge of these allegations. We understand that the Crosiers will use the information contained in our audit report and the legal advice we provide along with religious considerations in order to make determinations on further action regarding sexual misconduct allegations involving Crosier members.

The methodology we used in handling this assignment has led to a thorough investigation, as documented by our final report. Mindful of the sensitive nature of these allegations and the individuals that are affected by our investigation, we have approached our investigation in a serious and detailed manner, conducting follow-up examinations whenever and wherever it seemed necessary. The methodology we followed is outlined below.

Examination of Crosier Records/Files

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We began our investigation by reviewing all Crosier files related to allegations of sexual misconduct and the personnel files of any Crosier priest, brother or employee named in a sexual misconduct allegation. As necessary throughout the investigation, we asked for additional records and files in order to follow up and supplement our findings. We were provided complete access to all files we requested.

Interviews with Crosier Members

We conducted thorough in-person interviews with those Crosier Fathers and Brothers against whom allegations were made and who had not already acknowledged the abuse and accepted restrictions preventing them from further pastoral care of souls and any interaction with minors. While we documented each sexual misconduct allegation involving Crosier members, we did not follow up on allegations involving Crosiers that are deceased or have left the Order. We developed this list of interviewees through our review of the Crosier files and based on interviews with victims, Crosier contemporaries, former students and reports received from other individuals.

Father Tom Carkhuff, as Provincial of the Crosier Order in the United States, along with personnel from Faegre & Benson conducted in-person and phone interviews with Crosier contemporaries, meaning those individuals within the Order who have or had familiarity with the current and former Crosier members accused of sexual misconduct.

Interviews with Victims

We conducted extensive interviews with victims who have reported sexual misconduct incidents involving Crosiers. The names of these victims came to us through many sources. These sources included Crosier personnel and complaint files, interviews with Crosiers, students and Crosier staff, as well as new reports that were precipitated by recent publicity and Crosier invitations to report claims of sexual misconduct to the local authorities, the Crosier Provincial or our offices.

We started the process by reviewing the Crosier files, examining each of the sexual misconduct allegations contained within the files. In cases where detailed accounts were not available in the files, we contacted the victims and gave them the opportunity to tell their stories. We asked questions about the

events in order to create a full and accurate picture of these past events.

Based on the invitations to contact us, we received numerous letters, e-mails and phone calls from victims. We responded to these victims in the same manner detailed above, letting them tell their stories and asking questions to understand the allegations being made.

Interviews with Former Students of Crosier Seminary Prep

We determined that in order to conduct a thorough investigation we also needed to contact some former students of Crosier Seminary Prep. Accordingly, we obtained a random sampling of former students attending Crosier Seminary Prep from the 1960s through the close of the school in 1989. Although we attempted to reach many more, we spoke with 20 students who attended Crosier Seminary Prep between 1963 and 1989, asking them to discuss any first-hand knowledge, stories, suspicions and/or rumors of which they were aware at the time they attended Crosier Seminary Prep. We were not made aware of any additional perpetrators from these interviews.

Invitation to the Community and the Public

Through both the pulpit and mass mailings, we and the Crosiers have invited anyone with information about sexual misconduct involving Crosiers to come forward. In parishes where Crosier members have been or are involved in public ministry, the Crosiers made this invitation from the pulpit to the entire community. In addition, a letter was sent to Crosier constituencies -- school alumni of Crosier Seminary Prep and Our Lady of the Lake Seminary/Wawasee Prep, friends, donors, volunteers, parishioners, former Crosiers members -- asking that anyone with information about sexual misconduct issues please contact the Crosiers and/or Faegre & Benson. This invitation elicited several responses and reports that have been documented and investigated.

Overall, we both solicited and received information from a wide variety of sources to compile our report. We have reviewed, investigated, and documented the information received from all of these sources in order to prepare a final report to the Crosier Province.



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Frequently Asked Questions

1. Why did the Crosiers commission a third-party investigation of its files?

We commissioned the law firm of Faegre & Benson to investigate every allegation of sexual misconduct we have on file—even in cases where an initial investigation found no wrongdoing. We took this step to guarantee we had complete and accurate information on which we could take action if necessary. Ultimately, conducting the investigation is part of our commitment to accountability, ensuring the safety of the people we serve and doing all that we can to earn the trust of the public.

2. How many Crosiers are under restriction now that the investigation is complete?

There are eight Crosiers living under restriction for sexual abuse of a minor.

3. Why are you not removing those who have committed sexual abuse of a minor from your Order?

As a religious order, we have made a lifetime commitment to support our members' physical and spiritual well being. However, those who have committed sexual abuse of a minor have been removed from public ministry and are living under stringent restrictions. If the individual Crosier does not comply with the restrictions placed on him, or is not following his recovery program, we may begin proceedings to remove him from the Order. In addition to restrictions, we have many processes in place to ensure the safety of those we serve and the people near our communities. There have been no reported incidents of sexual abuse of a minor by a Crosier after he has been placed under restrictions.

4. What are the restrictions placed on those who have committed sexual abuse of a minor?

As mandated by our newly updated sexual misconduct policy, those on restriction have:

- They have been permanently removed from public ministry;
- They cannot perform any work with minors, including volunteer work;
- · They cannot be in the presence of a minor without adult supervision; and
- They cannot leave the grounds of the Crosier Community without the permission of their Superior.

In addition, some of these individuals may not leave a Crosier facility without an adult chaperon and all of them are, or will be, participating in ongoing psychological, spiritual and behavioral therapy programs.

5. When was the most recent case of sexual misconduct in the Crosier Order?

The most recent incident of sexual misconduct with a minor reported to the Crosiers occurred more than 15 years ado.

6. What other steps have the Crosiers taken to ensure public accountability and the safety of the people the Order serves?

Our commitments to ensuring the safety of the people we serve and being accountable to the public do not end with the completion of Faegre & Benson's investigation. In addition to the investigation, we are also taking the following additional steps.

- The Personnel Board, which is responsible for the housing and ministry assignments of all Crosiers, will be expanded to include non-Crosiers who have expertise in fields including psychology, sociology and law. The board will also review and evaluate the results of all investigations of sexual misconduct and provide advice to the Provincial.
- We are creating a "First Contact Team," comprised of men and women, clergy and lay persons, Catholics and Non-Catholics, who will receive reports of sexual misconduct from victims.
- We will voluntarily report to the review boards of the Conference of Major Superiors of Men.
- We continue to work with the dioceses in the areas where we are located to discuss how we can ensure further accountability.

7. Does the Crosier's newly updated sexual misconduct policy comply with the Bishops' Charter?

Like the Bishops' Charter, our strengthened sexual misconduct policy requires the Provincial to remove from public ministry anyone who has been found to have committed sexual abuse of a minor. In addition, it includes the following provisions:

- Authorizes the Provincial to impose other restrictions, including initiating procedures for removal from the Order.
- Mandates the notification of civil authorities if there is suspicion that a child or vulnerable adult has been abused.
- Authorizes the Provincial to create an advisory panel, which will review investigation results and assist the Provincial in making decisions about an offender.
- Directs the Crosiers to conduct background investigations on those seeking membership in the Order.
- Provides ongoing education about sexual health and sexual misconduct to members, employees and volunteers.
- Requires disclosure of incidents of sexual misconduct.
- Defines clear procedures for dealing with a victim and the accused when an allegation is received.

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About Us	Frequently Asked Questions Regarding Investigation Methodology		
Events Reflections Invitation to Prayer	Reflections Faegre & Benson, the law firm that conducted the investigation, provided answers to the following questions regarding the investigation methodology.		
Support Crosier Life & Work	1. Why should we believe this investigation?		

Faegre & Benson was provided with unfiltered access to all files, allegations and personnel files. Faegre & Benson then pursued all allegations where abuse was not admitted and the Crosier was still alive and a member of the Crosier Province. We conducted comprehensive interviews of the alleged perpetrators and victims. The Crosier Leadership followed the conclusions reached by Faegre & Benson in all instances, and acted upon these conclusions pursuant to its sexual abuse policy.

2. Does the investigation suggest the Crosiers mishandled allegations in the past? Who knew what when?

Given what was known at the time in the areas of psychology and medicine, as they relate to sexual misconduct, we do not believe prior claims were mishandled.

3. Did the investigation uncover new allegations?

The investigation uncovered new instances of abuse and new victims of abuse, but it did not discover any new perpetrators of sexual abuse of a minor.

4. Who and what decides whether an allegation of sexual misconduct is determined to be fact? In most instances, after review of the materials and interviewing of the relevant personnel, the conduct was admitted.

5. Were there any allegations made to the Crosiers that were dismissed without being investigated?

Faegre & Benson pursued all allegations where abuse was not admitted and the Crosier was still alive and a member of the Crosier Province.

6. How was the investigation conducted? <u>See Faegre & Benson Summary</u>

7. How far back did the investigation go? The review looked back over the careers of all present Crosiers who had been accused of sexual misconduct. In many instances the investigation extended beyond 50 years.

8. When did the Crosiers begin recording allegations? As is the case with most religious organizations handling claims of sexual abuse and misconduct, reporting of abuse has become more formal with time.

9. Could the investigation have been more thorough? Every lead inside and outside the Order was pursued.

Crosier Fathers and Brothers



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Improving Pastoral Care and Accountability In Response to the Tragedy of Sexual Abuse

Conference of Major Superiors of Men Annual Assembly, Philadelphia, PA

August 10, 2002

As leaders of the men's Catholic religious orders and societies of apostolic life with 21,000 priests and brothers in the United States, and consistent with our institutes' traditions and Gospel values, we are committed to the protection of children and young people.

We share in the anguish expressed by many Catholics and others over the issues of sexual abuse of minors by diocesan and religious priests, and by religious brothers. We are deeply moved by the stories of the victims and their families.

Sexual abuse of minors is abhorrent. When the abuser is a trusted member of church or society who holds himself out as a healer, the abuse is magnified. We share in the anger of betrayal. We attempt to reach out to victims with care and hope to rebuild the trust that has been lost. Often, these abusers were under our supervision or the supervision of our predecessors and this fills us with a painful sense of responsibility for what has occurred. We hope and pray that we have acted responsibly and too often find that our decisions have not lived up to the hopes and expectations of those who were abused and those whom we serve and work with in ministry. We are deeply sorry for that and publicly apologize for whenever and however we have failed victims or families.

We believe that in most instances over this last decade, as we have learned more about the tragic consequences of sexual abuse, we have acted responsibly in dealing with allegations. But, we have also heard the clear call to more accountability and transparency in how we as leaders of men religious deal with the protection of children from sexual abuse by members of our institutes and how we handle allegations of sexual abuse and follow-up outreach to victims and supervision of our members charged with sexual abuse.

Therefore, the Conference of Major Superiors of Men gathered in Assembly in Philadelphia from August 7-10, 2002, instructs the leadership of the Conference:

• To research currently available services, design needed services, and provide

them to its membership to enable them to have in place the mechanisms to respond promptly to any allegation of sexual abuse. These services will help them to have a competent assistance coordinator to aid in the immediate pastoral care of persons who claim to have been abused by members of their institutes. These services could include methods of collaboration between institutes that are members of CMSM.

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- on their own or in union with others, establish an independent review board, the majority of whom will be laypersons not in the employ of those institutes. These boards will assess allegations, review regular institute policies and procedures for dealing with sexual abuse of minors, and advise the major superior on the offender's fitness for ministry. These boards will act retrospectively and prospectively on these matters and give advice on all aspects of responses required in connection with these cases.
- To research and design mechanisms of public accountability for US major superiors that would include a national review board made up of laypersons and others not involved in the leadership of CMSM institutes. The board shall review annually the implementation of sexual abuse policies in those CMSM institutes that subscribe for the service and make recommendations about their implementation in a published form.
- To seek consultation with an expert (or experts) in the protection of children for its service to membership, especially for educational programs for the protection of children and the prevention of sexual abuse of minors by those in their own institutes and in society at large.
- To research currently available service and resources, design needed services and provide them to its membership to respond promptly to the need for more effective methods of intervention, care, treatment, and follow-up supervision of institute members in need of treatment and continuing supervision for sexual abuse. These services could be designed to be implemented collaboratively among CMSM member institutes.
- To initiate dialogue with appropriate groups (Bishops, women religious, victims, professionals, abusers and others) for the creation of programs for healing, reconciliation and wellness for all those affected by sexual abuse.

These programs and services will be developed as soon as possible and made available to the membership.

Men's religious communities have already taken many steps to protect those in our care. Religious communities have developed careful guidelines for screening new candidates including intense psychological testing. For more than 12 years, CMSM has been encouraging and helping its members to review and update policies for professional conduct on a regular basis and to follow local, state and federal laws when dealing with abuse issues. The vast majority of our membership has done so. The members of

CMSM continue to strongly support the five principles for dealing with situations of abuse offered by the U.S. Catholic Conference of Bishops in 1993.

Legal, psychological, and organizational policies can help reduce the number of future situations, but cannot fully address the deep and profound pain that our leaders feel over any abuse of the human person, especially the horror of sexual abuse of children. Religious priests or brothers who have molested children or adolescents have broken the bonds of trust invested in them. We feel this hurt deeply. We are also distressed and confused as to how men can harm young people in this way. We support all efforts to try to come to a better understanding of this proclivity, already aware that many of the abusers were themselves sexually abused as children. We strive to understand how we can spot the signs of this tendency early on before abuse occurs. Many of our congregations were founded precisely to care for children in schools, shelters, orphanages, in the inner city, or overseas. For many religious men, their very lives are lived out each day in sensitively caring for, teaching and protecting children. That this

ministry could provide occasions for this kind of abuse overwhelms us with concern for the future.

Because of who we are as religious living lives in the witness of community, we are also called to compassionate responses to any among us who has committed this abuse. He is still our brother in Christ. We must share his burden. He remains a member of our family. Just as a family does not abandon a member convicted of serious crimes, we cannot turn our backs on our brother. If a religious has abused a child or adolescent, he is not only subject to civil and criminal law, but, according to the Charter for the Protection of Children and Young People adopted by the U.S. Conference of Catholic Bishops, he also cannot be reassigned to public ministries or be involved with young people. Though it may be long in coming, we must walk the journey with him through repentance, healing, forgiveness, and hopefully reconciliation.

But our compassion does not cloud our clarity. We abhor sexual abuse. We will not tolerate any type of abuse by our members. Our tradition of fraternal correction requires us to hold one another accountable. In addition to being a crime, sexual abuse of this type violates our most fundamental values as religious. Bearing our responsibility, we place these men under severe restrictions after treatment and those with the greatest danger to the public are carefully supervised to avoid occasions where they can engage in abuse again. In situations where dismissal is appropriate, due process will be respected. It is our agreed upon policy with the U.S. bishops confirmed by the Code of Canon Law that disclosures about our men must be made to the local bishop when assignment for ministry is sought, including any past occasions of sexual abuse. We honor the values and principles of the Dallas Charter and we seek to apply them to the unique situation of men's religious institutes in the Church. When the status of the Essential Norms is clarified, we look forward to dialogue with the Bishops on their application.

Because celibacy has been portrayed so negatively in some recent news reports, we want to say that celibacy in religious life is freely chosen as part of our commitment to life in community along with the vows of poverty and obedience. For us, this celibacy finds its source in the life and teachings of Jesus and in the most ancient traditions of our

religious institutes. It is imposed by no one, and is rooted in the journey to God that is at the heart of monastic and religious life. Whatever happens with the discipline of celibacy that is associated with the diocesan priesthood, celibacy will remain a treasured feature of religious life. We see it as the ultimate witness to the holiness of sexuality, not as a flight from it or repression of it. We also have learned over many years that only those truly called to it can live it well and find the fullness of their human meaning in it. It is not meant for the faint of heart or for those fleeing the world.

In the Acts of the Apostles we read, "the community of believers were of one mind and one heart" (Acts 4:32). We are of one mind and one heart in our responsibility to care for our children. Though at times the well of anger surrounding this public debate seems bottomless and our hearts are deeply troubled by this betrayal, as religious we are committed to working with parents, church leaders, civil society and all people of good will to restore the trust that has been lost, and to find what we need to learn from this tragedy, what it calls us to as people of faith and as a nation.

August 2002

Conference of Major Superiors of Men 8808 Cameron St. Silver Spring, MD 20910 www.cmsm.org



Full and frank disclosure about sexual misconduct is important to speed the healing process and to empower unknown victims to come forward and seek help. To this end, anyone who has any information regarding instances of sexual misconduct is strongly encouraged to report that information to the Provincial or a member of the Crosier First Contact Team.

First Contact Team

Joan Bednarczyk Pastoral Care Director	Anoka, MN Phone: 763-712-7441
Fr. John Neville, osc Crosier priest	Chicago, IL Phone: 773-469-4381
Diane Schlagel Psychologist	Aitkin, MN Phone: 218-927.3417
Fr. Nick Weibl Priest	Toledo, OH Phone: 419-874-9054
Provincial	
Fr. Tom Carkhuff, osc Prior Provincial	Shoreview, MN Phone: 651-486-7456
Provincial Council	
Fr. Steve Henrich, osc Provincial Councilor	St. Paul, MN Phone: 651-486-7456
Fr. Tim Conlon, osc Provincial Councilor	Phoenix, AZ Phone: 602-744-6315

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Prayer of Lamentation (adapted from Psalm 143)

Answer me quickly, O God, my spirit is worn out; do not turn away your face from me, or I shall be like those who sink into oblivion.

Let dawn bring news of your faithful love, for I place my trust in you; show me the road I must travel for you to relieve my heart.

Teach me to do your will for you are my God May your generous spirit lead me on even ground.

O God, for the sake of your name in your saving justice give me life rescue me from distress.





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Prayer of Healing

God of endless love, ever caring, ever strong: your only son was delivered into the hands of the wicked, yet healed us with the blood of his cross.

May the gentle Jesus join to his own suffering, the pains of those abused by religious who have betrayed your love, and servants of your Church, whose sin has brought us shame.

May Christ hear the cries of those abused, may he quell their restless fears with faith in your protection, their doubt, with confidence in your love, and all rage with trust in your healing mercy.

Grant all Shepherds of his Church the compassion to protect his lambs, the strength to guide his flock, and the wisdom to model ther lives on Christ, the Good Shepherd.

God of justice and compassion, protect all children from abuse, and deliver us from hate. May we seek only justice and truth, and trust in your unending mercy.

Amen



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Prayer for Abused People

O Loving and Gentle God, You created us as sons and daughters, And reveal yourself as the support of the Poor and oppressed.

Today we pray for people who are abused: For those whose lives and dreams have Been shattered by violence of others.

Gather them to your love and care, As Jesus gathered the children When others would drive them away.

Grant them patience and confidence, When healing seems to take so long, And the future seems so frightening.

Turn their anger and sadness Into peace and hope; Their feeling of guilt and shame Into love and acceptance.

O God, your Son Jesus, was abused and Died on the Cross. But, He rose to new life. Give that same new life today to those Who are abused.

Draw them to your peaceful home Which Jesus promised to prepare for us all. We pray in the name of Jesus, Whose death gives life; Whose love gives peace; Now and forever. Amen

Crosier Fathers & Brothers National Shrine of St. Odilia Onamia, MN 56359



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