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## FOREWARD FROM ARCHBISHOP FLYNN

**I**n 1992 Archbishop Roach published "Understanding Sexual Issues in Ministry," a powerful statement by the Archdiocese of St. Paul and Minneapolis regarding the painful issue of sexual misconduct by clergy and other ministers of the Church. That statement was the product of groundbreaking reflection on how the Church might best respond to persons who are so terribly wounded by sexual misconduct. This Archdiocese has been a pioneer in calling the Church nationally and internationally to respond in a sensitive and caring manner.

I was well aware of this Archdiocese's good work in this matter when I was named to be Archbishop. As you know, I served the Diocese of Lafayette, Louisiana before I came to Minnesota. A tragic pattern of sexual abuse committed by one of the priests of that diocese had caused extraordinary pain for his young victims, their families and the whole diocese. I spoke with all of the victims and their families. The experience left me heartbroken by their suffering. It became very clear to me that the key to a proper response by the Church to such an injustice was first of all compassion to those who had been harmed. This compassion had to be accompanied by a commitment to redress the wrongs and extend God's healing love. Equally important, we must be committed to preventing misconduct by any means we can identify.

The stance of this Archdiocese has clearly been one of compassion and commitment to justice for victims of sexual misconduct. I am glad to further this great mission with the publication of "A Time to Heal." This document reflects the comments of over 200 persons who read "Understanding Sexual Issues in Ministry" and offered their very cogent and helpful suggestions. I am very grateful for the time and care they put into reflecting on this matter.

I would like to highlight two key developments in our response to sexual misconduct that are contained in "A Time to Heal." First, we want to make it easier for victims to bring forward a complaint. We are recommending that those persons speak first with Mrs. Phyllis Willerscheidt who coordinates the work of the advocates for victims. We want the first person to whom a victim speaks to be someone whose intent is to look out for his or her well being. Also, we will publicize an announcement at least annually in the *Catholic Spirit* that details the process by which people can raise concerns about sexual misconduct.

Second, we are strengthening our program for training priests and other ministers about sexual misconduct and maintaining proper boundaries. All newly ordained priests and deacons, those newly in service to the Archdiocese and priests and deacons seeking incardination to the Archdiocese will be required to attend a workshop. Other employees of the Archdiocese will be strongly urged to take part in a similar educational opportunity that will be offered by the Archdiocese. Our hope is that by continuing education we can greatly reduce if not eliminate sexual abuse, exploitation and harassment.

The process of revising the Archdiocese's statement on sexual misconduct has been a great opportunity to raise awareness about this issue. By bringing the issue into public reflection, the Archdiocese is expressing its commitment to continually review how we respond to sexual misconduct and to make every effort to improve that response.

Let us pray that God will bless our efforts to prevent sexual impropriety and to respond well when we are made aware of it.



Most Reverend Harry J. Flynn, D.D.  
Archbishop of Saint Paul and Minneapolis

## INTRODUCTION

**W**hen a priest or deacon engages in sexual misconduct, many persons are harmed. The direct victims of sexual misconduct often suffer intense psychological, spiritual and physical pain. In addition, the families of victims can feel harmed while they struggle to care for loved ones who have been wounded. The parish communities and institutions - in which the offender served - experience betrayal and sometimes a crisis of faith. Truly, the whole community of believers is affected.

The Archdiocese of St. Paul and Minneapolis has, over the years, taken many steps to respond effectively to the issues of sexual misconduct in the Church. In 1987 and 1988 approximately 1,000 clergy and church personnel attended workshops on this issue. The Archdiocese has hosted a series of meetings with the bishops of the province. In 1991, the Archdiocese developed a system of advocates for victims. In 1992, "Understanding Sexual Issues in Ministry" was published and all clergy received training about sexual misconduct and boundary issues. Officials of the Archdiocese participate in regional meetings of Catholic Dioceses to discuss how the Church can better respond to sexual misconduct. The Archdiocese also participates in an ecumenical forum which draws on the resources and wisdom of the major Christian denominations to identify ways to prevent and respond to sexual misconduct.

Because the Archbishop has a special relationship to clergy, "ministry-related sexual misconduct" focuses primarily on how the Archdiocese responds to instances of sexual misconduct by clergy. The document addresses prevention and response to persons who have been harmed, the clergy accused of misconduct, and parishes affected by misconduct. This document also provides direction as to how a response to other ministers of the Church accused of sexual misconduct should be handled, but these

responses are largely managed at the parish or institution level.

The terms "ministry-related sexual misconduct" and "sexual misconduct," as used throughout this statement, refer to three related forms of misconduct. The first, which is sexual contact between a church leader and a minor or vulnerable adult, is often called "sexual abuse." The second which is sexual contact between a church leader and a person who is receiving pastoral care from the church leader, is often called "sexual exploitation." The third, which is unwanted sexualized conduct or language between co-workers in the church work setting, is often called "sexual harassment." All three are addressed here together because they usually involve an abuse of power or authority. State statutes give legal definitions of each of these. Such definitions either are appended to this statement or are available from the Archdiocese of Saint Paul and Minneapolis, 226 Summit Avenue, Saint Paul, MN 55102.

The Archdiocese is committed to continually refining its response to clergy sexual misconduct. It is for this reason that "Ministry-Related Sexual Misconduct" has been published. Many groups such as the Clergy Review Board, Advocates for Victims, the Pastoral Council, the Presbyterian Council, the Deacon Council, the Due Process Board, and the Commission on Women helped create this document. In addition, many individuals representing such fields as psychology, social work, spiritual direction, victim advocacy, offender treatment and law reviewed the materials contained herein. The Archdiocese promises to keep learning, reflecting on experience, growing and updating its response.

## SECTION ONE: SEXUAL MISCONDUCT BY CHURCH PERSONNEL: EDUCATION AND PREVENTION



As a Church, we continue to grow in our understanding of the short and long term destructive impact of sexual misconduct.\* Careful attention is being paid to preventing sexual misconduct and much has been learned about effective ways of intervention. The key is to promote a healthy integration of sexuality into the minister's life and to educate ministers about appropriate interaction with parishioners and others.

A traditional Roman Catholic approach to questions of sexuality emphasizes the importance of chastity, which means fidelity to one's calling to marriage, religious vows or the single state. We believe that recent psychological and other insights can advance and complement this Gospel value. The intention of this document is to promote a ministerial environment in which those who receive the Church's services can expect to do so in safety.

### GENERAL COMMUNITY EDUCATION

The Archdiocese utilizes many communication channels uniquely available to the Church to inform and educate Catholics about inappropriate sexual behavior. These include homiletic and other teaching

materials and the use of the Archdiocesan newspaper, *Catholic Spirit*. In addition, the Archdiocese will annually publish an announcement in the *Catholic Spirit* to let people know how they can raise concerns about sexual misconduct.

The Archdiocese of Saint Paul and Minneapolis also makes an effort to respond fully to the news media both in answering questions about particular cases of alleged misconduct and in addressing the broader questions raised by such cases. We recognize that our Church has both an accountability and an educational role toward the broader society. We plan to continue this cooperative effort.

Educational materials aimed at specific groups, such as clergy or lay ministers, sometimes apply to more general audiences as well. Our aim is to design materials that have broad applications. We encourage their use in parishes, schools and with other interested groups.

The publication of this statement is intended to create public awareness of our desire to care for victims, intervene on offenders and heal communities. It also signals our willingness to encourage responses and discussion in our parishes and other Catholic communities.

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## SCREENING, FORMATION, AND ONGOING EDUCATION FOR THE ORDAINED

**F**or decades, clergy formation programs (seminaries and diaconate preparation) have included psychological screening and background checks of prospective candidates. In recent years we have placed even greater emphasis on this screening and now conduct criminal background checks on all candidates for orders. Although no perfect screening method exists, we use the currently accepted methods and work with competent professionals to strengthen that screening.

It has been our position that no candidate should be ordained unless he demonstrates the attitudes and behaviors necessary for living a celibate commitment, as a priest or unmarried deacon, or in a faithful marriage, as a married deacon. That position continues in force.

Local clergy formation programs all contain specific curriculum units or classes aimed at developing positive sexual integration and establishing appropriate sexual boundaries in the practice of ministry. We commit ourselves to the ongoing review and strengthening of such curricula. Candidates in formation programs participate in internship programs. Those who know them in that setting are encouraged to comment on all aspects of their fitness for ministry, including their ability to maintain appropriate boundaries.

Seminary and deacon-formation spiritual directors are asked to pay particular attention to psychosexual development concerns. Because they have a confidential relationship with their directees, they cannot compromise that confidentiality in order to serve as a formal part of screening programs. Still, they have an important role in encouraging their directees to develop healthy personal boundaries for ministry or, if this is not possible, to reconsider their vocation.

For several years, the Archbishop has communicated with Archdiocesan clergy on various aspects of specific misconduct cases and changes in relevant laws. This important educational effort will continue. In addition, the Archdiocese will provide updates and continuing education for all clergy regarding the issue of sexual misconduct.

Newly ordained priests and deacons, those newly in service to the Archdiocese as well as priests and deacons seeking incardination will be expected to attend a workshop that addresses sexual misconduct and boundary issues. Whenever appropriate these same opportunities will be made available to other Church personnel.

No clergy from outside the Archdiocese of Saint Paul and Minneapolis will be given general faculties, which is the specific authority to function as a minister of this Archdiocese, until we have received a thorough background reference from his religious superior or diocesan bishop. Such a reference must include information about any past allegations of sexual misconduct, financial wrongdoing, and/or physical violence.

For more than a decade, the Archbishop has encouraged priests to participate in priest support groups. Such groups help prevent misconduct by strengthening the positive supports for our clergy. We will continue to promote this and other tools for healthy living, including the use of a spiritual director, annual retreats, continuing education, and regular meetings with a vicar bishop.

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## SCREENING AND EDUCATION FOR PARISH PERSONNEL

**E**xcept as specifically stated below or in some other Archdiocesan publication, parishes remain free to establish their own criteria for engaging and supervising paid staff, independent contractors and volunteers. From time to time, the Archdiocese will also give suggested guidelines, which are offered to the parishes for their adoption or adaptation.

As an exception to this general principle, all parishes are required to perform background checks on certain personnel before engaging them in service. A copy of the full Archdiocesan policy on background checks, by which the Archbishop makes this an Archdiocesan statute, is attached (or, if not attached, is available from The Chancery, 226 Summit Avenue, Saint Paul, MN 55102).

Pastors and ministerial professional associations are encouraged to provide some form of regular education about sexual issues in ministry for their

staffs, volunteers and members. Archdiocesan officials and especially the vicar bishops, vicar general, chancellor and director of the center for ministry are willing to assist in designing specific programs. Archdiocesan offices keep track of various educational resources that are available on request. The office of the moderator of the curia will connect interested persons with the office or individual that can provide the desired information. The Archdiocese will regularly provide a workshop that addresses sexual misconduct and boundary issues. All new employees will be strongly encouraged to attend.

## SECTION TWO: SERVICES TO PEOPLE HARMED BY SEXUAL MISCONDUCT OF ROMAN CATHOLIC CLERGY

**C**atholic priests and deacons occupy important places of service in our Church. We are proud that most do so with extraordinary generosity and care. In recent years, however, we have learned more about the misuse of position and power by some clergy. This section is directed to people who believe they or someone close to them have been harmed by the sexual misconduct\* of the Roman Catholic clergy.

### WE ARE OPEN TO AND RESPECT YOUR COMPLAINT

Both justice and compassion call us to respond to the harm you have experienced. We want to uphold the integrity of our Church's witness and ministry. The pastoral care of our community is aimed at the good of those who receive it. We want to address the hurt that may occur when pastoral care is exercised improperly. Your complaint helps us to do so. Therefore, we respect the report you make.

### WE WILL PROVIDE AN ADVISOR/ADVOCATE IF YOU SO CHOOSE

We recognize that bringing a misconduct complaint to the Archdiocese can be a frightening process. It also can be time consuming, since the questions involved are often complicated ones. Still, we want the process to move as rapidly as it reasonably can.

We have found that the process works best when the person bringing the complaint has the support of a knowledgeable companion, often referred to as an advisor/advocate. You may already have an advisor/advocate, such as a counselor, a Church staff member, an attorney, or a friend. We urge you to utilize their support throughout the process.

In addition, we want to make you aware of a special resource. A group of Protestant and Catholic churches throughout Minnesota has provided training to individuals who know what support is available to you. They have been trained to promote your interests and direct you toward services offered by churches and other sources. A written statement of the advisor's/advocate's responsibilities is available on

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request from Mrs. Phyllis Willerscheidt, 328 West Kellogg Blvd., St. Paul, MN 55102. Her telephone number is (651) 291-4497. The services offered by these advocates are confidential and are not supervised by the Archdiocesan administration.

#### WE WILL HELP YOU OBTAIN COUNSELING SUPPORT

Misconduct by a member of the clergy can cause deep hurt. This can be addressed through the assistance of skilled and reputable professional therapists.

We will try to ensure that financial restraints do not prevent you from receiving the competent and specialized therapeutic assistance of your choice. We will try to help you with insurance co-payments for counseling or, where insurance is lacking or insufficient, with your therapy costs. From time to time, we will review with you the ongoing necessity and appropriateness of further assistance from the Archdiocese.

#### WE WILL PROVIDE INFORMATION ABOUT SUPPORT GROUPS

We are fortunate to live in an area where self-help and facilitated support groups are available. The Archdiocese has encouraged social work agencies to develop such groups. We make an effort to keep track of what may be available. If you would like more information you may contact Mrs. Phyllis Willerscheidt at (651) 291-4497.

#### WE WILL HELP YOU OBTAIN SPIRITUAL DIRECTION

The damage caused by clergy misconduct is often spiritual as well as psychological. We have learned from those who have been harmed that sometimes their relationship with God and with their faith community has been ruptured.

You may wish to address such a spiritual rupture. Generally this can only be done after other

psychological issues have been addressed. When you are ready to do so, we can help you find competent spiritual help. Once again, we will try to ensure that financial constraints do not close this avenue for you.

There are several centers in the Twin Cities which are staffed by trained spiritual directors who understand the impact of sexual abuse on spiritual growth. Their staff members include women and men, lay people, religious and priests. Please speak with us if you need such help.

#### WE WILL HELP YOU BRING YOUR CONCERN TO THE PROPER CHURCH OFFICIALS OUTSIDE OUR ARCHDIOCESE

Some people were hurt by clergy elsewhere before moving to the Archdiocese's area. You may wish to pursue a complaint in another place, but do not know how to do so. We will help you contact the leadership of other dioceses, religious orders, or denominations.

If you were harmed by clergy elsewhere, we are unable to provide you with financial assistance for counseling or spiritual direction. However, we will help you seek such support from the diocese, religious community or denomination of the accused clergy.

#### HOW TO BRING A COMPLAINT

There are several ways to bring a complaint. You may make a complaint in any of the ways listed below.

##### *Call the Advisor/Advocate Coordinator*

The current coordinator of advisor/advocacy services is Mrs. Phyllis Willerscheidt. She also directs our Archdiocesan Commission on Women. Her number is (651)291-4497. As an advocate/advisor, she does not intervene with clergy herself, but she will help you make further connections. You may be unsure about whether you wish to bring a complaint. If you wish, without giving your name or the name of the clergyman in question, you can give a general



description of your concern. Mrs. Willerscheidt will describe how the Archdiocese would be able to respond. You can then decide whether to make a formal complaint.

#### *Call the Chancery*

You may also call our chancery (or Archdiocesan administration) offices at (651) 291-4400. Please ask to speak either with the vicar general (currently Father Kevin McDonough) or the chancellor (currently Mr. William Fallon). Archbishop Flynn has designated them to receive the initial complaints.

#### *Write to the Archdiocese*

You may write to the Archdiocese at this address: Archdiocese of Saint Paul and Minneapolis, 226 Summit Avenue, St. Paul, MN 55102. Please mark your letter "Personal and Confidential" and address it to Archbishop Flynn. Please indicate how you would like a response (by phone, by letter, in a meeting).

We will respond to every complaint of sexual misconduct by clergy, insofar as we are able. Since it is difficult and sometimes impossible to follow through on anonymous complaints, we will ask if you are willing and able to reveal your identity to Archdiocesan officials to assist our investigation. If you do not reveal your identity, or ask us to withhold your identity from the accused clergyman, this can severely limit the steps we can take.

*Once again, we want to indicate that we are open to and respect your complaint.*

#### A POSSIBLE LIMITATION ON OUR RESPONSE

Our Church Law also protects the rights of those accused of sexual misconduct. We ask you to understand that our immediate willingness to respond to your complaint and provide you assistance is not a conviction or judgment of the accused priest or deacon. The steps we will take with the accused are outlined in Section Three, "Response to Clergy Who Have Been Accused of Sexual Misconduct."

## SECTION THREE: RESPONSE TO CLERGY ACCUSED OF SEXUAL MISCONDUCT

**T**he following describes how the Archdiocese of Saint Paul and Minneapolis will respond to those priests and deacons who are accused of engaging in sexual abuse, sexual exploitation, or sexual harassment.

### RECEIPT OF ALLEGATION AND INVESTIGATION

The Archdiocese considers any allegation of sexual misconduct\* by its clergy to be a serious matter. When the Archdiocese receives such an allegation, it will immediately begin an investigation and/or refer the matter to the proper civil authorities. The Archdiocese will help the alleged victim obtain whatever assistance may be required (please refer to Section Two).

The Archdiocese will work with the proper civil authorities such as police and child protection agencies in its investigation of sexual misconduct allegations involving minors and legally protected adults. Minnesota law requires that certain categories of persons such as teachers, clergy and counselors are to report to civil authorities if they know or have

reason to believe that a minor or vulnerable adult is being abused. In addition to compliance with this law, the Archdiocese directs all its paid personnel and volunteers, even those who are not mandated reporters, to report their knowledge or belief of the abuse of minors or vulnerable adults, if such knowledge or belief is obtained while engaging in the ministry of the Archdiocese. Priests are not required to report information that is otherwise privileged.

Our Church law also protects the rights of those accused of misconduct. Because it is important to respond quickly to allegations of ministry related sexual misconduct, we will do so. Still, our willingness to make a rapid response is not a "conviction" of the accused priest or deacon. The decision about guilt or innocence will be determined by appropriate legal and/or civil processes.

When civil authorities are involved with a criminal investigation, the Archdiocese will defer to their investigative processes. However, we will also use every reasonable means to investigate any allegation of sexual misconduct. The first source of information for the investigation is the person making the allegation. The Archdiocese will ask the person

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bringing the allegation to allow his/her name to be used. With permission, the Archdiocese will use this information as part of its investigation. If that person does not want his/her name used, the Archdiocese must discern whether it is possible to investigate without risking disclosure of the person's identity. If no such investigation is possible, the Archdiocese will discuss that fact with the person, along with the danger that the alleged offender may pose to others. In some circumstances, the Archdiocese's responsibility to those who might be harmed - if the activities of the alleged offender are not stopped - may require the Archdiocese to conduct an investigation and risk disclosing the identity even of a person who wishes to remain anonymous.

Archdiocesan officials will carefully interview the alleged victim(s) and/or other persons who bring an allegation. The Archdiocese will seek out corroborating witnesses and facts whenever it can. The purpose of the investigation is to get as complete a picture as possible of the nature and extent of the alleged inappropriate behavior; to identify other potential victims; and to make a strong case for an intervention with the accused if indicated. In certain circumstances when a complaint or claim is in civil litigation, the ability of Archdiocesan officials to investigate may depend on matters pertaining to the litigation.

The second source of information is the alleged offender. At some point in their investigation Archdiocesan officials will interview the priest or deacon, informing him of the allegation made against him and ask for his response (see next section on intervention).

If there is any major discrepancy between the accounts of the alleged victim and the accused, the Archdiocese will utilize any other sources of information it can identify. This may involve contacting those in a position to verify or challenge assertions made by the cleric or by the person making the complaint.

## INTERVENTION

When there has been an allegation of sexual misconduct, Archdiocesan officials will meet with the accused priest or deacon and inform him of the allegation. (If civil authorities are also investigating the accusation, we must and will respect their procedures.) The Archdiocesan officials will ask him for his response. Before he begins his response, he will be informed that we can give no assurance of confidentiality and that any information he offers may be used in court.

At the intervention, the priest or deacon will be offered the opportunity to have an advisor/advocate present. It is the cleric's choice whether he wishes to have an advisor/advocate present. The role of the advisor/advocate is to advise the accused of his rights and afterwards to help him review what was said in the interview. He may also wish to have an attorney present.

If the intervention interview raises serious doubts about the accuracy of the accusation, the Archdiocese will use as many resources as possible to investigate further.

One of the Archdiocesan officials in attendance will prepare a written summary of the intervention interview. The accused will have the opportunity to respond to the summary. The Archbishop will review the summary and any response.

At the time of the interview, appropriate restrictions may be imposed on the ministry of the accused cleric. These restrictions could include, but are not limited to: 1) no contact with the accuser and his or her family; 2) no contact or careful monitoring of any contact with persons who share characteristics of the alleged victim (e.g. children, vulnerable adults); 3) no ministerial activity.

When a permanent deacon is accused of sexual misconduct, the deacon's family will face tremendous strain and will likely need assistance. The Archdiocese will work with the deacon and his family so they can receive the pastoral and professional support they

require.

The Archdiocesan official generally will inform selected coworkers or others in the place of work or residence that an accusation has been made and restrictions imposed. These persons will be asked to report inappropriate behavior or violations of the imposed ministerial restrictions to a designated Archdiocesan official.

Whenever indicated by the investigation, the Archdiocese will refer the accused to a qualified psychological center for an independent and objective assessment. The Archdiocese will require this assessment whether or not the accused admits to any wrongdoing. Agreement to participate in an assessment does not constitute an admission of guilt by the accused. If an accused refuses to be assessed, the Archdiocese will immediately impose restrictions on his ministry while making a decision as to the future of his ministry.

The investigation, intervention interview, and assessment will guide the Archdiocese in making a decision about the accused's continued ministry in the Archdiocese. Options available include: immediate resignation or involuntary removal, resolution of the complaint in favor of the accused with full restoration of ministry, or assignment to therapy.

**THERAPY**

The Archdiocese provides competent specialized therapy for any of its priests or deacons who engage in or appear to have engaged in ministry-related sexual misconduct.

First, the Archdiocese will share with the treatment provider the information it has gained from its investigation which may be helpful in the therapy process.

Second, the Archdiocese, through an assigned official, will stay in close contact with the therapeutic process. This may involve providing additional information about the cleric, restating to the priest or

deacon the consequences of non-cooperation with therapy, and being available for a feedback session. This contact of Archdiocesan officials with the therapy process is designed so it does not compromise the confidentiality of the therapist/patient relationship.

If a priest or deacon is being treated in an outpatient program, the Archdiocese will provide appropriate disclosure of the cleric's past behavior to selected co-workers and persons at his residence. These persons will be instructed to report inappropriate behavior or violations of the imposed ministerial restrictions to a designated Archdiocesan official.

The treatment center's recommendation is essential to help determine the scope and nature of the priest or deacon's ongoing ministry. If the Archdiocese has concerns about the recommendation that the treatment center makes, we will review the recommendations with the aid of other competent professionals.

**SHORT TERM AFTERCARE  
(UP TO THREE YEARS AFTER PRIMARY THERAPY)**

As the priest or deacon prepares to complete primary therapy, the Archdiocesan official who has been working with him will develop a behavior contract, in conjunction with the treatment provider and/or other competent professionals. The purpose of the contract is to make explicit what the Archdiocese expects of the cleric i.e. what is acceptable behavior and what is not. It also helps define appropriate boundaries in terms of which (if any) relationships from his former ministerial setting can be maintained and under what conditions. The contract also names members of the cleric's monitoring team and states explicit consequences if the priest or deacon does not adhere to the contract.

The diocesan official who has been the liaison to the priest or deacon will meet with him regularly: at

least quarterly during the first two years following therapy; at least semi-annually for the next three years; and at least annually thereafter.

During the aftercare period there will be clear restrictions on what sort of ministry, if any, the priest or deacon can exercise. These restrictions are designed to prevent the repetition of sexual misconduct by the cleric.

A professional assistance plan may be established as needed for each individual. This plan could include such elements as professional counseling, spiritual direction, and the services of other helping professionals. Some priests or deacons may be expected to participate in support groups and/or 12-step groups to provide support and peer accountability. Each individual's situation will be reviewed with one or more competent professionals and will be designed accordingly. In the case of a priest, the Archdiocese will assign him to an appropriate residence. Deacons will be required to live in an appropriate residence or face suspension. No priest will be allowed to live alone or outside of a supervised setting. The residence will be safe both in terms of geography (distant from site of abuse/exploitation) and ministry (minimal contact with persons who share the characteristics of victims, e.g. children and vulnerable adults).

#### REASSIGNMENT/OUTPLACEMENT

Upon conclusion of therapy and aftercare, a priest or deacon may be assigned to a parochial ministry, be assigned to a nonparochial ministry, be asked to resign from all clerical ministry or be involuntarily removed from ministry. The Archdiocese uses an independent forensic psychiatrist or psychologist or other qualified professional (who was not involved in the therapy of the offender) to determine the individual's competency to continue in ministry. Factors that will be considered in deciding to return a cleric to active ministry are: the victim's feelings, ability to assure the safety of the community

or organization to be served, availability of an appropriate assignment. An assignment will be made only after the Clergy Review Board (described below) has completed its review of the case.

If the priest or deacon is returned to active ministry, the Archdiocese will see that there is a proper level of disclosure of the person's history in the ministerial setting. The cleric will continue to operate under the contract described above.

#### REVIEW OF PROCEDURES

For several years we have reviewed each case of an accused clergyman with objective outside assessors who are experts in appropriate responses to sexual misconduct. In 1995, the Archdiocese instituted a Clergy Review Board. The Board consists of nine members. Three are priests or deacons. Three of the lay persons have expertise in: psychiatry, psychology/social work and law (an attorney or law enforcement professional). Three other lay persons are chosen at large.

#### *The Board is responsible for several tasks:*

1. Review and make recommendations regarding the continuation in ministry of clergy alleged to have sexually abused, exploited or harassed.
2. Review and make recommendations regarding the return to ministry of priests and deacons following their withdrawal from active ministry.
3. Review, to the extent necessary to carry out the above purposes, current programs for treatment, rehabilitation and supervision of such clergy.
4. Periodically review prior decisions about the method and process of clergy assignments.
5. Make recommendations concerning changes to existing policies or the adoption of new policies involving allegations of sexual misconduct by clergy.

## SECTION FOUR: RESPONSE TO RELIGIOUS AND LAY PROFESSIONAL EMPLOYEES, INDEPENDENT CONTRACTORS AND VOLUNTEERS ACCUSED OF SEXUAL MISCONDUCT



he problem of ministry-related sexual misconduct\* can involve church personnel other than clergy. The Archdiocese is also concerned about ministry-related sexual misconduct by religious and lay professional employees, independent contractors, or volunteers who provide services within parishes and other institutions of the Archdiocese.

When an accusation of ministry-related sexual misconduct is brought against a religious or lay professional employee, independent contractor, or volunteer serving in an Archdiocesan parish or institution, the Archdiocese stands ready to act as a resource to the parish or institution in responding to the matter. However, since our parishes and institutions function independently, they are responsible for establishing adequate guidelines and procedures to address these accusations.

Parishes and institutions should see that those in supervisory positions are sufficiently trained to understand complaints of sexual misconduct and their investigation. If possible, professional counseling

should be offered to persons who believe they have been victimized.

The following outlines essential components that a parish or other institution in the Archdiocese should consider in responding to an allegation of sexual misconduct. The Archdiocese continually collects policy statements currently in use by parishes. Copies of these policies can be made available upon request. A sample policy is attached to this document in Appendix 3. The Archdiocese will provide consultation and assistance to parishes that face instances of sexual misconduct.

### RECEIPT OF THE ALLEGATION AND INVESTIGATION

The person responsible to see that an investigation of an allegation happens should be the pastor in the case of a parish, or the person who is in a major supervisory position in institutions where the accused is employed, contracted, or volunteering. Each parish or institution should designate and make known the person responsible for conducting an

\* The terms "ministry-related sexual misconduct" and "sexual misconduct," as used throughout this statement, refer to three related forms of misconduct. The first, which is sexual contact between a church leader and a minor or vulnerable adult, is often called "sexual abuse." The second which is sexual contact between a church leader and a person who is receiving pastoral care from the church leader, is often called "sexual exploitation." The third, which is unwanted sexualized conduct or language between coworkers in the church work setting, is often called "sexual harassment." All three are addressed here together because they have this in common: usually each involves an abuse of power or authority. State statutes give legal definitions of each of these. Such definitions either are appended to this statement or are available from the Archdiocese of Saints Paul and Minneapolis, 226 Summit Avenue, Saint Paul, MN 55102.

investigation if it is necessary. In addition, this person ought to take great care to see that allegations of sexual abuse of children or legally protected adults are referred to the proper civil authorities, as required by law.

Every allegation is to be taken seriously. Upon receiving a complaint the pastor or supervisor should immediately begin an investigation and do the following:

- contact the legal counsel of the parish or institution
- call the parish's or institution's insurer
- consider establishing an investigation team that is gender balanced
- establish the relevant facts relating to the allegation
- interview the person bringing the complaint
- encourage the complainant to be accompanied by an advisor, friend, co-worker, or family member
- take careful notes of the interview
- interview others who may have knowledge of the accusation
- If the accused is a member of a vowed-religious community, it is usually appropriate to involve the provincial superior of the accused early in the process.

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## INTERVENTION

If the investigation establishes that there is substance to the allegation, the pastor or supervisor should meet with the accused employee, independent contractor, or volunteer. For this meeting, the accused employee, independent contractor, or volunteer should be encouraged to have another person present. The purpose of this meeting is to formally present the allegation and to listen to the accused.

If the employee acknowledges that the allegation is true, then the supervisor should invoke the appropriate disciplinary procedures (including possible termination) as found in parish or institutional employment guidelines. If the employee denies the allegation, then the pastor or supervisor should consider suspending the employee with pay, or taking some similar action, until a better understanding of the allegation can be gained. The parish or institution may choose to arrange a psychological assessment of the accused to help gain further understanding.

If a volunteer acknowledges the allegation is true, then his or her voluntary service with the parish or institution is reviewed by the pastor or supervisor. This review may indicate that the person's volunteer service should end. If the volunteer denies the allegation, then the pastor or supervisor should consider stopping the services he or she provides until a better understanding of the allegation can be obtained.

In the event that the accused denies the allegation, the pastor or supervisor should seek investigation assistance. Others who may be helpful at this stage include: an attorney, a trustee,

Archdiocesan officials, fellow pastors or supervisors. Additional detailed information is gathered by further interviewing the victim, the accused and others who might have direct knowledge of the allegation. At this stage, the person bringing the accusation and the accused should both be assisted by an advisor or friend.

**RESOLUTION**

After sufficient information has been gathered, the supervisor must resolve the matter. The supervisor must either invoke the appropriate termination procedure found in parish employment guidelines for the suspended employee or volunteer, take some intermediate disciplinary action, or reinstate the individual's employment or service.

A parish or institution may choose to arrange psychological assessments, treatment, or aftercare to religious or lay employees, independent contractors, or volunteers. Insurance assistance may also be available to pay for such care. This possibility should be reviewed carefully. The Archdiocese is ready and willing to offer the parish or institution's supervisor support and suggestions, but is not in a position to pay for these services.

In all cases, the procedure for discipline or termination of employment must follow the steps laid out by the parish or institution for other instances of discipline or termination. In addition, full cooperation with civil authorities and adherence to reporting requirements, as determined by civil law, must always be rendered.



## SECTION FIVE: RESPONSE TO PARISHES EXPERIENCING THE PAIN OF CLERGY SEXUAL MISCONDUCT

**W**hen members of the clergy engage in sexual misconduct,\* many people may be harmed or affected. This is true not only of those directly involved in the misconduct, but also of parish members where the clergyman currently serves or served in the past. We outline here the key elements of the responses we take to help heal this pain. These responses are guided by three key principles.

First, we acknowledge that parishes undergo a complex process of grieving. When people learn that a respected leader has been accused, there is often a reluctance to believe that the report could be true. This denial is a reflection of our American belief that an accused person is innocent until proven guilty. But the same denial also can create a burden on those who, often after a long struggle, have found the ability to bring forth important information. Denial is usually followed by other well-known steps in grieving a loss, including depression and significant anger against the accused, the accuser(s), the Archdiocese, and the whole Catholic Church. Only after time passes and the appropriate steps are taken

can a congregation truly move on in the continuation of its mission.

Second, we also acknowledge that one of the most important elements in healing is that the parish receive information about what happened that is as full and accurate as possible. Information helps dispel the atmosphere of distrust that may be fed by rumor, by the sudden departure of a clergyman assigned to the parish, and by the feeling that a "cover-up" is being imposed. Information also assists other victims to come forward, if there are any, and assures that appropriate steps are taken so that a congregation can truly move ahead.

While committed to disclosure where possible, we also acknowledge that significant communication limitations may exist. These limitations can include the victim's and his/her family's concern for privacy as well as the need to protect the rights of the accused, especially when lawsuits or criminal action may be threatened. The fact that investigations often yield confusing, contradictory, or unsubstantiated conclusions, especially in their early stages, further limits disclosure.

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Third, we acknowledge that the healing of a parish is a multidisciplinary challenge. Our experience has taught us that neither Archdiocesan officials nor a new pastor alone can respond to all of the concerns and problems that arise in the aftermath of clergy misconduct. As a result, we usually involve teachers, therapists, lawyers, and communication experts in a team approach to specific parishes.

Finally, we closely follow work done by professionals who help congregations heal from the effects of pastoral misconduct. We are committed to help develop models or approaches that will foster healing in our affected parishes.

#### RESPONSE IN THE CURRENT PARISH OF THE ACCUSED CLERGYMAN

When a report of ministry-related sexual misconduct by a clergy member is received, Archdiocesan officials work with trained professionals to assess whether the accused priest or deacon can remain in his current assignment while the investigation progresses. If he remains, restrictions may or may not be imposed on his ministry. (These steps are discussed in section three of this document, "Responses to Clergy who have Engaged in Sexual Misconduct"). Whether he remains or leaves, the parish faces communication issues.

#### *When the clergyman is removed*

Credible accusations may result in removing the accused clergyman from the parish:

- a. If the accused is the pastor, a temporary administrator will be appointed in his place. The administrator is informed of the accusation and of the follow-up steps.
- b. Key parish personnel will be informed as soon as possible. Depending on the organization of the particular parish, they may include the lay trustees, the professional staff, and the president of the parish council.
- c. The pastor or administrator, after consulting with

Archdiocesan staff and with the parish leadership, will notify parishioners about the absence of the accused clergyman. This announcement can happen in several ways, including pulpit announcements, bulletin notices, or a parish mailing. Because the early stages of the investigation can be complex, the first announcement to the parish will sometimes include little information and may indicate only a temporary absence. It also includes, however, an indication that more information will be provided as it becomes available.

- d. The investigation of the matter will proceed as quickly as possible, with the assistance of trained professionals, to determine the reliability of the accusation and its implications for the ministry of the accused. As soon as possible, the parish will receive a more comprehensive report about the reason for the clergyman's absence. The parishioners will be told of his resignation, vindication, or other result. Along with this announcement, parish members may be invited to a parish meeting within the following few days.
- e. The meeting is a key step in the parish healing process. It allows for a more complete discussion of the complaint, its investigation, and its implications for the parish. The meeting should include participation of some or all of the following: an Archdiocesan official (usually the vicar bishop), the pastor or temporary administrator, a facilitator, a therapist, an attorney, and a communications expert. Because it is a pastoral gathering of the parish, nonmembers are generally excluded.
- f. Following this meeting, a parish team will be formed to assess the immediate results of the meeting and to address other healing issues that may arise in the parish. The team includes the pastor or administrator, some or all members of the professional staff, the trustees, and the parish council president. An outside expert usually

should meet with the team. The team sets its own mode of operating but it should meet with the vicar bishop at least quarterly for the first year following the parish meeting.

- g. In consultation with the vicar bishop, the team arranges for whatever further healing measures are needed in the parish. These may include: additional general meetings, a small group process of reflection, a reconciliation service, and/or a request for communication from the resigned clergyman.

*When the clergyman remains in his assignment*

- a. Key parish personnel such as the lay trustees, the professional staff, and the president of the parish council are informed of the accusation, of the process of assessment, and of the restrictions that are in place. They are asked to report inappropriate behavior or violations of ministerial restrictions to a designated Archdiocesan official.
- b. If there is reason to believe that the accusation will become public knowledge while an initial assessment is being performed, then steps c, f, and g, as above, will be implemented immediately. The accused clergyman will be offered the opportunity to resign rather than remain in his assignment through the assessment, but he will not be required to do so.
- c. If the assessment suggests that the accused is a risk for further misconduct, he will be required to resign. Then steps d through f, as above, will be implemented as fully as possible. As discussed above, however, only limited disclosure may be possible, even if the accused resigns.
- d. If the assessment suggests that no current risk of misconduct exists, an Archdiocesan official will convene a meeting including the accused and key parish personnel to whom disclosure was made earlier. They will assess the continued viability of the clergyman's ministry in the parish. Careful consideration should be given to fully disclosing

the matter to the whole parish, as in steps d and e, above. This is not required in all cases, but can help avoid a subsequent sense of betrayal should the matter later become public knowledge.

**RESPONSE IN FORMER PARISHES OF THE ACCUSED CLERGYMAN**

Two reasons may cause the Archdiocese to inform members of former parishes that a priest or deacon has been accused of sexual misconduct. The first and more pressing reason is so persons who may have been victims of misconduct in other settings will know that they may come forward for assistance. The second is to encourage healing of the hurt and betrayal that can result from knowledge of the accusations. Archdiocesan officials will assess how each of these reasons applies to each former parish. Generally speaking, the current parish pastor will be consulted. If disclosure is called for, then the following steps will be taken:

- a. Key parish personnel will be informed of the accusation, the follow-up steps that are planned, and the potential impact of the news on their parish. They will work with an Archdiocesan official to plan the best way to inform the entire parish, or at least those subgroups that may be affected by the news.
- b. The pastor, after consulting with Archdiocesan officials and parish leadership, will notify the parish of the accusation against their former clergyman. The disclosure announcement also indicates that some process for immediate follow-up has been put in place. This is generally a parish meeting, but other options might include a parish "hot line" or opportunities for individual meetings with a counselor.
- c. Key parish personnel will form a team to assess the ongoing impact of the disclosure in the parish. The team should meet at least once with the vicar bishop, about 36 weeks after the initial disclosure. More meetings can be scheduled if needed.

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## CONCLUSION

**S**exual misconduct is complex as well as terribly harmful. No simple or uniform methodology can provide an effective response because each instance has unique aspects that require adaptation.

However, our experience over the past ten years tells us it is possible for individuals and communities to heal from the effects of sexual misconduct. This is not easily or quickly accomplished. Effective counseling, support groups and spiritual direction are tools which are often required for this healing.

*The Archdiocese is committed to doing all that it can to:*

- Promote safe, healthy communities of faith
- Intervene effectively on misconduct
- Respond fairly and compassionately to those harmed by misconduct

We do this because of our faith in Jesus Christ and His call to us to act justly and compassionately.

The Archdiocese will continue to refine its response to clergy sexual misconduct. Careful reflection on experience, and more study by ourselves and others will contribute to a better response.