

700.1.32 SEXUAL ABUSE BY CLERGY**POLICY:**

It is the policy of the Diocese that sexual abuse by clergy is a most serious abuse of trust and will not be tolerated. The Bishop has the responsibility to the People of God to appoint priests and deacons to positions of trust only if he is morally certain that they will be able to properly serve the people entrusted to his pastoral care.

IMPLEMENTATION:

1. The Diocese of San Bernardino recognizes that sexual abuse by clergy constitutes one of the most serious breaches of trust in human relationships, and that it can have devastating consequences for the victim and his or her family, for the Church Community at large, and for the priest or deacon involved. Therefore, to deal with abuse that has occurred and to prevent further problems in the future, the Diocese of San Bernardino sets forth the policy and procedures referenced below.
2. This policy refers to sexual abuse by clergy. ANY sexual misconduct on the part of a priest or deacon involving a minor constitutes sexual abuse. When adults are involved, sexual abuse occurs when a priest or deacon takes sexual advantage of another person, when he intentionally engages in sexual contact or touching in the context of providing pastoral care, or when he is guilty of sexual harassment, such as unwanted sexual advances or suggestions. This policy does not address instances involving sexual misconduct on the part of a priest or deacon that violates his commitment to celibacy or of a deacon that violates his commitment to matrimony, even if there is scandal, if none of the above conditions is present.

A copy of the official Diocesan policy is on file with the Office of Priest Personnel entitled, "Diocesan Policy on Sexual Abuse by Clergy."



Diocese of San Bernardino

AFFIDAVIT OF RESPONSIBILITY

I, _____, under penalty of perjury, do declare as follows:

1. That I have no record of prior *accusations or conviction* for sex, violent, or felonious drug crimes.
2. If there were any allegation of commission of a crime of whatever gravity, I would disclose same before executing this Affidavit, listing the specific instances, the time lapsed since occurrence, evidence of rehabilitation or any other pertinent information.
3. The acceptance of the affiant to any Diocesan sponsored program of whatsoever type of character is contingent upon the documented absence of any criminal or other record related to sex, violent or felonious drug crimes.
4. To the extent that there is any background relevant to sex, violent or felonies drug crimes, affiant has sworn under penalty of perjury that he will provide such information to the Diocese of San Bernardino to allow the Diocese to make an independent determination that the affiant is fully able and likely to function in a fashion consistent with the ideas, missions and objectives it has established as an arm of the Roman Catholic Church.
5. This will further acknowledge that the affiant has reviewed the attached Child Abuse Reporting Certificate of Awareness and has executed the same on even date herewith.

I declare under penalty of perjury and the laws of the State of California that the forgoing is true and correct and that if called to testify I would so state and completely testify thereto.

Executed this _____ day of _____ in the
year _____ at _____.

Affiant



Diocese of San Bernardino

Assessment of Clergy and Religious for Assignment

In accordance with the Guidelines approved by the National Conference of Catholic Bishops, this is to certify that _____ is a cleric in good standing with the _____.

I have reviewed the personnel file and other records that we maintain, and I have consulted with some who have served with him in previous assignments. Based on this review, I assure you to the best of my ability that _____ is a person of good moral character and reputation, and is qualified to serve in an effective and suitable manner in the Diocese of San Bernardino. In addition, based on inquiry and to the best of my knowledge, I assure you that _____ has:

1. Never been suspended or otherwise canonically disciplined;
2. No criminal record, nor have criminal charges ever been brought against him;
3. Not exhibited any improper behavior, such as, an untreated problem with substance abuse, violations of celibacy, physical abuse, or financial impropriety;
4. Not had any problems involving sexual abuse, any history of sexual involvement with minors or others, or any other inappropriate sexual behavior;
5. No other particular mental or physical attribute, condition, and/or past situation which would adversely affect performance of his sacred ministry.

(Signature of Ordinary or Major Superior)

(Title)

Date

SEAL