

RESTORING TRUST

A Pastoral Response to Sexual Abuse

Volume III

Bishops' Ad Hoc Committee on Sexual Abuse
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AD HOC COMMITTEE ON SEXUAL ABUSE

REPORT ON MANDATE AND OBJECTIVES

JUNE 1993 - NOVEMBER 1996

NATIONAL CONFERENCE OF CATHOLIC BISHOPS

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Preamble

No other moment in the recent history of the Catholic Church in the United States has called into question the effectiveness of our leadership, the credibility of our moral vision or our sincerity as the outpouring of claims of clergy sexual abuse against minors. Only recently has society realized how great the problem is of sexual exploitation of minors by adults. The attention that society has rightly placed on the protection of children in the last twenty years, with ever increasing scrutiny in the civil law and in the media, has fixed our attention on the misconduct of those within our own clerical ranks.

Because this crisis has called into question the leadership in the Church, an important part of our effort has been to “Restore Trust” for ourselves as bishops. The many facets of this problem have presented a different challenge for the bishop. Those harmed by the clergy have looked to the bishop for justice and healing. The people have looked to the bishop for vision and solace, the priests have looked to the bishop for pastoral leadership, and the accused have looked to the bishop for compassion. Compliance with the requirements of civil authorities is another dimension to be constantly noted. The demands on the bishop at times seem endless, conflicting, and irreconcilable. Ultimately, bishops are called to the truth - to instruct and admonish the sinner, to offer care and comfort to the afflicted, to deal openly and honestly with the wounded, and to seek the healing vision of the Lord Jesus Christ, in whose name bishops exercise their ministry.

This issue has confronted us with important questions about our own moral vision for the Church and its people. Our people rightly ask “How could this happen?”, “Why did this happen?”, and for those most directly affected, the victims and their families, even such basic questions as, “Where is God?”. With humility we continue to seek answers, trusting ultimately that, as we listen to the victims, the people, the priests, and each other we may have greater insight into this difficult situation and where it has taken us at this moment in our history.

We are deeply saddened and offended that anyone would have injured or exploited a child at any time, either within or beyond the Church. We have tried to learn from our mistakes. We have pledged ourselves, and we pledge again, to seek more fully the insights of professional disciplines, and to avoid insofar as it is possible any such injury or exploitation in the future. We are distressed that, at times, we did not have the basic information, as society or as Church, on how best to deal with these abusive situations. With a sense of sorrow and humility we acknowledge that, despite our best efforts, no one can absolutely prevent individual situations from occurring again. While the problem of sexual attraction of adults to children is as old as human history, the acting on that attraction is wrong, as it has always been. To harm children goes against the example and the words of the Lord. Not to strive to prevent such harm is contrary to the Church's mission. We hope that by our collective efforts as bishops in this country we are addressing this issue correctly. History will be our judge.

As bishops, we have been implementing policies and systems to do a better job to prevent abusive situations from occurring in the future. The touchstone of our work has been to understand how the various dimensions and demands of this problem should be balanced for the common good of the whole Church. While trying to avoid reinventing the wheel, in this work we have built on the considerable efforts of our dioceses, the medical community, and the spirit of our people.

While no one knows how many child abusers there are within the priesthood or society at large, the number of cases that have come to public attention do not support the claim that there is a higher percentage of abusers among priests than there is among any other definable group. Also reports from treatment centers indicate that priests tend to abuse fewer victims than the populations of abusers usually studied. As for the financial impact, we do not know precisely what has been paid. From our own experiences as diocesan bishops we know that whatever monies have been paid have been largely underwritten by insurance, and therefore have not come out of the funds that might otherwise be available for the public work and charitable purposes of our Church.

Since the problem first came to national attention in 1985, the Conference has seen it evolve and, in many ways, in the last few years in particular, improve. In the beginning most complaints made to

diocesan offices were for misconduct that had recently occurred. There was a demand for immediate response to prevent more harm from occurring. Today, in 1996, the overwhelming majority of claims presented to our dioceses have concerned conduct not within the last year or so but from many years ago, a few as many as 60 years ago. In some instances we have no way of verifying whether this misconduct even occurred. While acknowledging that on a human scale one case is too many, we take hope from the fact that the number of new reports is on the decline.

Our specific goal is to help restore trust. With a deep sense of regret we readily acknowledge that these problems have lowered the degree of trust between bishops and lay people, between priests and lay people, and between bishops and priests. Indeed, it has even strained relationships between the Church and the larger human community. In some small way we hope that the steps we have taken to bring together the good work that is being done in our dioceses and in the thousands of parishes across the United States will be a way of restoring some of that trust and giving us a foundation on which to build as a Church for the future.

The perspective of this report is the work of the Ad Hoc Committee on Sexual Abuse since its inception three and a half years ago. It deals primarily with what has been accomplished in implementing the mandate, with some references to what was planned but not accomplished principally due to concentrating on other objectives that were judged to have priority. As part of the conclusion to this report reference will be made to the future work of the committee.

Origin of the Ad Hoc Committee

The National Conference of Catholic Bishops (NCCB) has been dealing with the subject of sexual abuse by clergy since the mid-1980's. The Conference conducted a series of information sessions, allocated responsibility to individual committees, and responded to the growing crisis as needed.

In 1992 the Conference issued two important statements on the subject. The first was given after the June 1992 plenary meeting at Notre Dame, Indiana, by the President, Archbishop Daniel Pilarczyk. This statement is referred to later in this report as "The Five Principles". The second was in November, following a meeting of some bishops with a group of victims-survivors of clergy sexual abuse, when the Conference endorsed the June statement of the President and added its own words of support.

The topic of sexual abuse had been on the agenda of the Bishops Committee on Priestly Life and Ministry. In November 1992 that committee announced the formation of a subcommittee on sexual abuse chaired by Reverend Canice Connors, OFM Conv. In February, 1993, the subcommittee convened a "Think Tank" in St. Louis, MO, which drew together experts across the spectrum of the Church and society to deal with the question of clergy sexual abuse. That report was offered at the June, 1993, meeting in a plenary public discussion. An important result of the work of this "Think Tank" was a call for the Conference to establish a "task force" to undertake a more comprehensive approach on the subject. Such a call, combined with similar recommendations from others, led to the appointment of the Ad Hoc Committee on Sexual Abuse during the June, 1993, NCCB meeting in New Orleans.

Mandate

The mandate of the Ad Hoc Committee is comprised of seven points:

1. What the Conference can continue to do to assist its membership in effectively dealing with priests who sexually abuse minors and others.
2. What the Conference can do pastorally nationwide to assist victims and their families in repairing the enormous spiritual, physical, and emotional harm done by priests, deacons, religious and others who, while ministering in the name of the Church, have engaged in sexual abuse.
3. What the Conference can do to raise the morale of bishops and priests whose lives and ministry have been burdened with these terrible offenses of a few.
4. What the Conference can reasonably do to assist bishops in screening candidates for ministry and discussing root causes of this behavior.
5. How the Conference can assist bishops in assessing the possibility of reassignment of clergy found guilty of sexual abuse of minors.
6. What recommendations the Conference might make to Church institutions relative to safeguarding against sexual abuse of minors by employees or volunteers of the Church.
7. How the Conference might relate these efforts to the national problem of sexual abuse of children coming from many directions especially from within families.

This mandate was given to the Ad Hoc Committee by the then Conference President William Cardinal Keeler. The bishops named to the committee were: John F. Kinney, Chairman, Roger Cardinal Mahony, John C. Favalora, David E. Fellhauer, Harry J. Flynn, John R. Roach, and J. Terry Steib, SVD. These bishops are still members of the committee. The chairman of the Priestly Life and Ministry Committee, Bishop Robert Morneau, is also a member of the Ad Hoc Committee. At its third meeting, in September, 1993, the committee reviewed a 42-page document prepared by General Counsel entitled: "Brief Overview of Conference Involvement in Assisting Dioceses with Child Molestation Claims." As a reminder of what had been done by the Conference up to that point, the committee supplied a copy of this document in booklet form to all members of the Conference.

Because of the broad scope of the terms of reference, the committee took several meetings to decide on a series of specific, concrete objectives dealing with the first six points of the mandate and then concentrated on their implementation. Though from its very beginning the committee served as a focal point for most of the involvement of the Conference in the question of sexual abuse by clergy, this report will deal primarily with those specific objectives flowing from the mandate.

From the outset the committee was aware that its work would not simply be the beginning of something, but rather the continuation of the ongoing response of the Conference to the challenge of sexual abuse of minors by those associated with the Church. Although that response reaches back to the mid to the late 1980's, the two more recent events referred to above served as important resources for the committee. The first was the articulation by the Conference of five principles on the occasion of the June 1992 general meeting. The second was the report of the "Think Tank" held in February 1993. Many ideas and suggestions generated at this 1993 session were very helpful to the Ad Hoc Committee as it proceeded to implement the mandate.

The Five Principles

It would not be too much to state that the five principles articulated in 1992 form the Conference context for all on-going work on the subject of sexual abuse in the Church. They certainly fulfilled that function for the Ad Hoc Committee on Sexual Abuse. These principles are:

- * Respond promptly to all allegations of abuse where there is reasonable belief that abuse has occurred.
- * If such an allegation is supported by sufficient evidence, relieve the alleged offender promptly of his ministerial duties and refer him for appropriate medical evaluation and intervention.
- * Comply with the obligations of civil law as regards reporting of the incident and cooperating with the investigation.
- * Reach out to the victims and their families and communicate sincere commitment to their spiritual and emotional well-being.
- * Within the confines of respect for privacy of the individuals involved, deal as openly as possible with the members of the community.

Early Insights

As early as its third meeting, in September, 1993, the committee saw that its mandate could only be implemented in conjunction with specific permanent Conference committees and other national organizations in the Church. This practical insight provided the committee with a certain open working style which proved very helpful as it carried out its responsibilities.

Another realization of the committee early in its history was the challenge to have people understand that the Conference - and even more so an ad hoc committee - cannot give directives to individual dioceses. The committee had many occasions to make this point and accordingly help inform different individuals and groups, the general media included, of the nature of the Church and of the limitations of the committee.

At its first meeting in June, 1993, the committee realized its need for expert advice. In preparation for the second meeting the bishop members were asked to reflect on who might be invited to be consultants for their work. The list of the competent and dedicated people who served the committee in this capacity is given later in this report. Reports from General Counsel and the Secretariat for Communications/Media Relations were regular items on the agenda of each committee meeting. More recently there were also reports from a representative from the Conference of Major Superiors of Men (CMSM).

A final preliminary remark concerns the use of words, particularly two words: "pedophilia" and "pedophile". In the popular mind and in the media these words are generally used to apply to anyone who has sexually molested a minor. Few clinical distinctions are made in individual cases. Such factors as the ages of the victims, the frequency and type of the occurrences, the length of time since the last offence, and the offender's treatment history and recent record are often glossed over to reach a single conclusion: the offender is an incorrigible "pedophile". Even the laws in some states contribute to this interpretation. However, based on the committee's reading of what treatment providers across the country have consistently asserted, the majority of clergy offenders do not fit the

definition of the classic pedophile. The picture is much more complicated. Nevertheless, given the intensity of feeling surrounding individual cases, particularly when they initially surface in the public forum, it is very difficult to have a truly informative discussion of all the important elements present in a given case.

Regular Reporting

During the past three and a half years the committee has reported on a regular basis to meetings of the NCCB Administrative Committee and to the General Meetings. "Information Items" or a written report has been included in the bishops' documentation books since September 1993. Two major documents have been supplied to the bishops: Restoring Trust Vol. I (November 1994), and Restoring Trust Vol. II (November 1995).

In outline form the contents of these resource documents were:

Restoring Trust Vol. I

Review of 157 Diocesan Policies
 Description of 10 Treatment Centers
 Articles:
 Pedophilia
 Outside Counsel
 Victims/Families
 Priests/Power
 Inhouse Attorney
 Media
 "Recovered" Memories
 Parishes as Victims
 Expectations of Treatment

Restoring Trust Vol. II

Description of Eight Treatment Centers
 Care and Concern for Victims/Survivors
 Articles:
 Priest Offender
 Vicar for Priests
 Effectiveness of Treatment
 Insurance Viewpoint
 Bibliography

Approximately 500 copies of each volume have been circulated directly by the secretariat. This number includes roughly 40 copies of each volume distributed internationally. The committee is aware that some bishops have made copies available to at least their immediate staff and that organizations such as the Conference of Major Superiors of Men (CMSM), the National Federation of Priests Councils (NFPC) and the National Association of Church Personnel Administrators (NACPA) did the same for their own constutencies. At least 11 other English-speaking episcopal conferences have also received copies, as well as other Christian denominations in the country.

Through having a consultant on the Ad Hoc Committee, CMSM was kept informed of the work of the committee. Through staff representation at their meetings regular reports were made to the boards of NFPC and of the National Organization for the Continuing Education of Roman Catholic Clergy (NOCERCC). Besides a meeting of the Ad Hoc Committee chairman and staff with the leadership of the Interfaith Sexual Trauma Institute (ISTI) of Collegeville, MN, there was contact on a regular basis with its Executive Director. In its first three years of existence, representatives of the committee met on at least one occasion with delegations from victims-survivors organizations such as LINKUP and SNAP to share concerns and to exchange information on the work of the committee. In 1995, the full committee and consultants met with large separate delegations from each of these organizations. The committee chairman and/or staff have responded to invitations to attend annual meetings and make presentations or report on aspects of the work with such organizations as the Diocesan Attorneys Association, NACPA, and on four occasions at an informal annual gathering of vicars for clergy.

Other English-speaking episcopal conferences have shown interest in the work of the committee. Contacts have been mainly with similar committees or individuals with some responsibilities in the area of the mandate. These contacts led to a two-day informal information-sharing meeting of representatives from these committees of other episcopal conferences hosted by the Ad Hoc Committee.

Report on the Mandate

As a practical measure the committee formulated 16 specific objectives as ways to focus and implement the mandate. This report, however, will not be on those objectives directly but rather will consider the first six tasks in the mandate itself and deal with the objectives in relation to them. Frequently one objective will relate to more than one task in the mandate. The seventh task “Relate Conference efforts to the national problem, especially sexual abuse in families” has not been specifically considered by the committee. However, many readers would be aware of the very good work done on this topic by other Conference committees through the message entitled To Walk in the Light: A Pastoral Response to Child Sexual Abuse. On several occasions during the evolution of that message, our committee responded to invitations to provide feedback.

In this Ad Hoc Committee report references will frequently be made to the two volumes of Restoring Trust. Therefore, for more ample treatment on many topics readers are invited to refer to those two documents.

Task No. One: Assist NCCB Membership in Dealing Effectively with Priests Who Sexually Abuse Minors and Others.

To fulfill this task the committee concentrated on four objectives: one dealing with diocesan policies, another with treatment centers, a third with topical articles by competent authors, and a fourth, acting as a clearinghouse in matters related to the mandate. To conclude this section on the first task, there will be a reference to a preventative-educational undertaking called the “Boundaries Project”.

Diocesan Policies

The intent of this objective on diocesan policies was to review the policies in place, share with NCCB members their general character, and offer comments and proposals that might be considered in the evolution of policies as experience indicates possible improvements. In response to a request in 1994 to the 188 dioceses to share their policies with the committee, 178 replied and 157 policies were supplied.

An examination of the contents of these policies showed that 41 dealt with clergy only, while the other 116 also dealt with diocesan employees (and often volunteers). Whereas 39 policies exclusively addressed sexual abuse of minors, 118 encompassed as well sexual harassment, sexual exploitation, and a few also neglect of minors.

The approach taken in reviewing the policies was to offer a selection of excerpts of what the policies were saying in key areas, accompanied by some commentary and suggestions. As a result of this approach the following 28 suggestions were brought forward by the committee:

General Guidelines

1. That all dioceses consider having a written policy on sexual abuse of minors.
2. That the tone of the diocesan policy, particularly in its introduction, be clearly pastoral, while appropriately dealing with the legal (civil and canonical) and financial obligations of the diocese.
3. That the policy be a public document thereby indicating that the local church is open to the accountability implied in it.
4. That any qualifying statements required in a policy be appropriately presented so that the pastoral tone not be diminished.
5. That a glossary be provided of the technical terms used in the policy.

Prevention-Education

6. That policies make special reference to prevention and education measures in place.
7. That policies include a reference to appropriate screening procedures for seminarians, employees, and volunteers with responsibilities for dealing with the young.
8. That the policy be communicated to priests and religious, and to employees if applicable, and that all acknowledge acceptance in a formal manner.
9. That in educational sessions priests be provided with regular opportunities for updating their knowledge on child sexual abuse from viewpoints such as new scientific knowledge, church policy and canon law, civil laws, and of moral theology, professional ethics, the theology of sexuality, the pastoral care of victims, and coping with the disclosure of misconduct by a colleague.
10. That consideration be given to setting up a diocesan advisory body to evaluate periodically the effectiveness of the policy in place and to propose revisions as indicated.

Administrative Guidelines

11. That consideration be given to having the diocesan policy apply to clergy, religious, and employees, in the context of sexual abuse, misconduct, exploitation, and harassment.
12. That in the principal diocesan policy dealing with sexual abuse there be mainly general references to the manner of dealing with clergy and religious, and there be developed a sub-policy to cover the intricacies of canon law in their regard.
13. That each diocese examine its history in this regard and, based on the risk to the innocent and the vulnerable, consider having a risk track and a non-risk track approach to implementing the procedures.
14. That because of the special skills required to do a proper and expeditious investigation, individuals with the primary responsibility for this role be given appropriate training before assuming the position.
15. That there be identified in each diocese experts from the many disciplines involved in the serious study of issues connected with sexual abuse in order to approach the problem in its pastoral, legal, psychological, sociological, medical, and educational dimensions.
16. That policies be reviewed to assure that the principle of honoring civil law obligations is articulated in a practical manner.
17. That policies clearly state a willingness to cooperate with government authorities (civil and criminal proceedings) to the extent possible in the circumstances.
18. That there be an explicit reference in the policy regarding coverage of the accused's legal expenses.
19. That, while maintaining a pastoral tone, the policy be clear that there could be occasions when the Church may in justice defend itself.
20. That, to the extent possible, the pastoral and educational tone of the policy be maintained with reference to the insurance aspects that must be included in it.
21. That dioceses seek insurance contracts to provide optimum pastoral and clinical support to those in need.

Victims

22. That every policy recognize that primary attention be given to the person alleged to have been offended, to the family, and to the parish community.
23. That the policy indicate there is some kind of multidisciplinary body available to provide concrete, direct, and individualized assistance to victims, their families, and the affected parish community.
24. That the diocese seek ways to involve the people in general in the whole process of healing the often serious and long-lasting aftereffects of child sexual abuse.
25. That the diocese promote sessions to affirm and encourage the body of priests, whose morale can be adversely affected by the actions of relatively few of their colleagues.

Accused

26. That, given the complexity inherent in the reassignment question, the diocesan policy make provision for some type of advisory body to assist the bishop in this regard.
27. That the policy of the diocese be as detailed as feasible on the possibilities and types of reassignment that may or may not be open to a priest guilty of sexual abuse .

Media

28. That the diocesan policy make reference to an approach for consistently relating with the media and to a designated, well informed and experienced spokesperson (with substitute) for all inquiries and news conferences.

Three appendices to the report on diocesan policies dealt respectively with a bibliography on some issues in law, an outline of points to be covered in a policy on sexual abuse, and a sample policy supplied by an insurance group.

Many of the policies examined were in what has been termed the “second generation” category, that is, a revision of what had been developed in the mid to late 1980's. Since producing this report on diocesan policies the committee has invited the dioceses to share new policies with it as they are developed or revised. Accordingly dioceses continue to send in new versions so that the file now contains approximately 170 policies.

The 36-page report on diocesan policies may be found in Restoring Trust Vol. I.

A final word regarding policies and procedures: The committee considered that it might be useful for a bishop to have something like a “Flow Sheet” of the steps to be taken when faced with an allegation against a priest. Some dioceses already have such steps set forth in succinct form. In Appendix “A” of this report is one model of a flow sheet developed by the committee. It is offered to NCCB members in the event it might prove useful. The committee emphasizes that this document underlines what the bishop or his delegate(s) might do in regard to an alleged priest-offender. It is understood that the usual timely pastoral actions would also be taken as regards the victim, the family, the parish or institution, etc. (See the document “**Responding to Victims-Survivors**” in Restoring Trust Vol.II).

Evaluation and Treatment Centers

The second objective relating to task number one of the mandate dealt with evaluation and treatment centers. Those centers being used by dioceses in various parts of the country were invited to offer a self-description of their facility, to suggest key questions that should be covered in a referral, and to propose criteria for assessing centers.

In Restoring Trust the committee gave information on eighteen centers that provided the self-description. The suggested key questions that should be covered in a referral had two parts: one, questions that may be asked of the facility by the bishop; and two, those that may be asked of the bishop by the facility. The questions cover all possible facets related to a referral. The criteria for assessing an institution were very amply developed by the centers responding and should be worthwhile when one considers which center to use in particular cases.

The 47-page report on 10 centers and the 53-page report on eight others are found in volumes one and two respectively of Restoring Trust.

Informative Articles

In fulfilling task number one of the mandate, the committee felt that one of the most useful steps that could be taken would be to offer NCCB members and their collaborators a series of up-to-date, original articles on practical issues. The topics were selected by the committee. Resource persons were invited to supply an article, and the committee approved the articles for circulation.

Here is the list of the 13 articles:

“Pedophilia: Diagnostic Concepts, Treatment, and Ethical Considerations”

Fred Berlin, M.D., Ph.D. and Edgar Krout, M.A., Johns Hopkins Hospital, Baltimore, MD.

“The Role of the Diocesan Outside Counsel”

Andrew J. Eisenzimmer, St. Paul, MN

“Care for Victims and Their Families”

Archbishop Harry J. Flynn, D.D., Archbishop of St. Paul and Minneapolis

“Priests, Power and Sexual Abuse”

James J. Gill, S.J., M.D. Human Development, Silver Spring, MD

“The Role of the Diocesan In-House Attorney”

Jack Hammel, Archdiocese of San Francisco (Legal Dept.), San Francisco, CA

“The Media and Sexual Abuse Cases: Elements of a Media Plan”

Msgr. Francis Maniscalco, Media Relations, NCCB

“Recovered Memories of Abuse - An Historical Reflection”

Paul R. McHugh, M.D., Johns Hopkins Hospital, Baltimore, MD

“Parishes as Victims of Child Sexual Abuse”

Stephen J. Rossetti, Ph.D., D.Min., St. Luke Institute, MD

“Expectations of Treatment for Child Molesters”

Frank Valcour, M.D., St. Luke Institute, MD

“Reflections of a Recovering Priest-Offender”

Anonymous

“Reflections on Working with Problems of Sexual Abuse”

Patrick O’Malley, Vicar for Priests, Archdiocese of Chicago, Chicago, IL

“Will Priests Sexually Abuse after Treatment?”

James J. Gill, S.J., M.D. Human Development, Silver Spring, MD

“Sexual Abuse and the Catholic Church: An Insurance Viewpoint”

Michael A. Intrieri, Catholic Mutual Group, Omaha, NE

The first nine articles are found in volume one of Restoring Trust, the last four, in volume two.

Clearinghouse

An ongoing role of the Secretariat for Priestly Life and Ministry has been to respond to inquiries, from bishops and their staff, for information and assistance relating to areas covered by the mandate. This resource is actually a byproduct of the ongoing work of the committee. Since its inception it has built up a bank of information and experience that is shared on request principally with diocesan officials and with representatives of national Catholic organizations. This function would include as well referrals to resource persons and diocesan programs that have been particularly effective. Inquiries from other countries have also been acknowledged. This clearinghouse role fulfilled by the committee is distinct from the type of inquiries regarding the sexual abuse topic that are regularly handled by NCCB General Counsel and by the Office for Media Relations.

Boundaries Project

Many of the tasks in the mandate, and the projects carried out to implement them, had both an educational and a preventative dimension, and hopefully the work of the committee reflects this. For instance, the diocesan policies project and the screening of seminarians task in the mandate come to mind. However, there is one project now underway which very clearly has this educational-preventative dimension. During the course of committee discussions of prevention, the question of maintaining appropriate boundaries in ministry came to the fore. The committee therefore requested NOCERCC to look at the possibility of developing some educational material in this area for priests, especially diocesan priests, and that national organization has agreed to proceed with the undertaking. The focus is on the areas of intimacy, sexuality, and the development of skills in interpersonal relations. The first resource to be produced is a video highlighting a series of vignettes for discussion. It will be accompanied by a workbook and a leader's guide. The material emphasizes the nature of celibate commitment and is intended for the use of individual priests, small groups, or clergy days. It will be available in the spring of 1997.

Task No. Two: Examine What the Conference Can Do Pastorally to Assist Victims/Survivors

Though the committee provided two articles focused on victims/survivors of clergy sexual abuse, along with a special section in the report on diocesan policies, and had met several times with representatives of various national organizations and with individual victims/survivors, it felt a need to develop a special resource document in this area of pastoral concern.

To accomplish this task the committee had the assistance of a subcommittee made up of persons dealing directly with the care of victims-survivors. Their task was to develop some reflections for consideration by the committee. The result was a 42-page document which had been reviewed in draft form on two occasions by the committee. It is found in Restoring Trust, Volume II, and is entitled: **"Responding to Victims-Survivors"**.

Worthy of note in this document is that three survivors made a direct and substantial contribution to its development. As the committee commented in the introduction:

It is important to note that these reflections are not only or simply the product of the work of the subcommittee or of discussions within the Ad Hoc Committee. Three other wonderful and very important people made an essential contribution: three individual victims-survivors of clergy sexual abuse generously agreed to write their respective stories and to respond to five important questions. All of sections one and seven are what these three persons want to share with the bishops of the country. They were the first three victim-survivors approached by the subcommittee, and very openly - in the hope it would do some good for others - they agreed to make this contribution. The bishops on (the Ad Hoc Committee) express appreciation and gratitude for their generosity in sharing their stories.

The other five sections of this document are entitled:

- A Coordinated and Sensitive Response
- The Therapeutic Community: Networking
- Intervention with Extended Victim Audiences
- Advocacy Groups
- Diocesan Policies

The conclusion to this document consisted mainly of some final wishes of the subcommittee for victims-survivors concerns as expressed to the Ad Hoc Committee:

1. That we assure qualified assistance for the victim-survivor.
2. That we not underestimate the faith and understanding of our people.
3. That we be as open as circumstances allow, even to including the victims-survivors as part of the solution.
4. That with sound policies in place we make every effort to convey the message that it is not necessary for a victim to initiate legal proceedings in order to have access to the full response of the Church to the allegation.

5. That while exercising the sound stewardship and prudence required we avoid being unduly affected in decision-making by the fear of being sued.
6. That we reflect on the two questions as turned around by one of the victim-storytellers participating in our report: What would help the Church heal itself from this problem? What inhibits the Church in its healing?
7. Recognizing experience as the great teacher, that we consider what we have learned the last five to ten years: what would we have done differently?

Task No. Three: Discern What the Conference Can Do concerning Morale of Bishops and Priests.

The committee recognized early that the number of allegations against Roman Catholic clergy, especially the flood of allegations in the period just preceding the setting up of the committee, was a cause not just of concern but of discouragement among bishops and priests. Others also recognized some of this tendency toward discouragement, for example, in the work published by the National Catholic Education Association, "Grace under Pressure". The committee believed that by being on the front line for the Conference, by offering a focal point to deal with criticism and to respond with solid information, and by providing regular reports, it was giving the bishops an opportunity to discuss informally among themselves and formally with their priests, their people and the wider public the efforts of the Church to deal effectively with allegations of clergy sexual misconduct. Moreover, by providing access to resources and bringing together additional information that might not otherwise be available, the committee felt it was providing the bishops with an opportunity to learn about and benefit from developments in psychology, sociology, pastoral practice, canon law, and civil law that would bear on this complex subject.

Carrying out this task in its mandate relating to morale illustrates well the necessity felt by the Ad Hoc Committee to work with other Conference committees and national organizations. However, the discussions and contacts relating to this task did not result in supplying any material directly dealing with the morale question. Its activity consisted mainly in suggesting the morale topic for reflection

and discussion with these other bodies and having committee representation present when it was on their agenda. This approach applied to two Conference committees: Bishops' Life and Ministry, and Priestly Life and Ministry. Two national bodies involved in this way were the National Federation of Priests' Councils and the National Organization for Continuing Education of Roman Catholic Clergy. Through their representative-consultant on the Ad Hoc Committee CSM was also kept informed of the discussions on this topic.

Task No. Four: See What the Conference Can Do to Assist Bishops in Screening Candidates for Ministry.

This task offers a further example of the committee interacting with another Conference committee and with a national organization, specifically the Bishops Committee on Priestly Formation, and the National Catholic Education Association (Seminary Dept.). In 1994, as a first step the committee undertook a survey of theologates and college seminaries regarding the current practice of psychological screening and formation in sexuality issues. The fact that the director of the Secretariat for Priestly Formation was part of the staff assigned to assist the Ad Hoc Committee greatly facilitated the implementation of this project.

As for the theologates, the survey had a response from 29 of 36 institutions for diocesan seminarians. This return represented 2096 out of 2377 diocesan seminarians in theology in the 1993-1994 school year (based on the CARA Directory). All respondents indicated that psychological testing was required. It is generally completed under the direction of the sponsoring diocese. Twenty-six of the 29 responding seminaries indicated that the pre-acceptance interview is to include specific inquiry about sexual history and experience with relationships.

Responses also showed that growth in sexual maturity and questions of relationships are specifically identified and dealt with as formation issues. Though it is clear that every seminary is doing something in this regard, it was also clear from the responses that some do it in a much more organized way and with a much more clearly defined plan than others.

As for the college seminaries, 11 of 14 free-standing ones, and 13 out of 28 collaborative college seminary programs responded to the survey. This return represented 1056 of the 1389 enrolled in college seminaries during the 1993-1994 school year (based on the CARA Directory). As for pre-acceptance interviews, there was considerable variation across the board. However, every responding seminary indicated that growth in sexual maturity and experiences with relationships were specifically identified as formation issues.

The above general tenor of the replies covers only a small portion of the survey. Because the Bishops Committee on Priestly Formation is primarily concerned with the matter in an ongoing way, the Ad Hoc Committee decided to invite that committee to participate in a small subcommittee to look at the results of the survey. Made up of one bishop from Priestly Formation and one from the Ad Hoc Committee, this subcommittee has reviewed the results of the survey and has proposed some specific goals for consideration by the Priestly Formation Committee. These goals are now under active consideration by that committee.

Task No. Five: Assist Bishops in Assessing Possible Reassignment

This task on the subject of possible assignment to some sort of ministry is still under study by the committee. However, a few observations may be offered at this stage in the work.

By way of preliminary remarks the committee first of all acknowledges that at some general sessions the bishops already have had presentations on this topic of possible reassignment, which served as a very useful backdrop when the committee began reflection on this subject. Secondly, the 1993 “Think Tank” also provided food for thought, particularly given the variety of backgrounds of the participants in that session. Thirdly, a review of what current policies on file state or do not state on this topic has been useful. And, finally, the committee notes that the vocabulary has also evolved: it has gone from “reassignment”, to “reintegration into ministry”, to “post treatment options”. This last expression is the one now preferred by the committee as it pursues this task in the mandate.

Readers may recall that in the 1994 report on diocesan policies (Restoring Trust Vol.I) a section was dedicated to “Reassignment”. After offering excerpts from actual policies with positions all the way from possible assignment to some sort of parish ministry to no openness to any assignment whatsoever, that report commented:

The reassignment difficulty is grounded in such theological considerations as the identity of the priest in the Church, the sacramentality of priestly ordination, and the priest’s relationship to the diocese and to the bishop. Pastoral attention focuses on combining compassion and accountability with a view to understanding and forgiveness, along with a prudential judgment on the likelihood of recidivism. It is generally accepted that priests who have offended against children should never return to any ministry that includes minors. The possible return to some form of ministry has also to be read in the light of how the victim will be affected and on how well the Church community is prepared. How open the perpetrator is to disclosure on his situation to those with a need to know is also of great importance.

More specifically, and allowing for the special characteristics of each case, the bishop is faced with issues as

- the nature of the offense
- the depth of conversion
- the sincerity of resolve
- the availability of ministry
- adequate supervision, and
- stewardship of diocesan finances

Since that 1994 report the committee has done a review of the diocesan policies on file regarding references to post treatment options. This analysis offered some interesting insights, at least at the level of what options might be possible. The scan of 160 policies revealed that 83 deal in some way with post treatment options. The other 77 do not refer to the question. Thirty-four of these 83 policies are open to reintegration into some form of parish ministry. Thirty-two of these 83 are not open to reintegration into parish ministry, but allow the possibility of engaging in some other form

of priestly ministry. Nine of the 83 are explicitly not open to any ministry, and eight others are unclear but seem to be open to some possible ministry.

The 1994 report on policies made the following two suggestions regarding post treatment options:

26. That, given the complexity inherent in the reassignment question, the diocesan policy make provision for some type of advisory body to assist the bishop in this regard.
27. That the policy of the diocese be as detailed as feasible on the possibilities and types of reassignment that may or may not be open to a priest guilty of sexual abuse.

By way of an example the 1994 report referred to possible options offered by one diocese, depending on the case:

1. Return to ministry with appropriate restrictions and follow-up program. The priest's immediate supervisor is fully informed of his background and current status.
2. Three to five years outside active ministry with a good prognosis for return. From the beginning the hope of both the priest and the bishop is that some form of ministry can be restored, and efforts are made to prepare for a possible return. Any return will involve restrictions and an aftercare program. The purpose of this program is to allow the priest to demonstrate continuing and progressive signs of recovery.
3. Three to five years outside active ministry with the understanding that there is little chance of return. A new assessment would be made should the priest in question petition for reinstatement to active ministry.
4. No possibility of return. In this case the diocese assists the priest to petition for laicization. Should the priest be unwilling to submit such a petition, the diocese will initiate appropriate canonical procedures to preclude the priest from active ministry.

Readers are referred to three articles developed by the committee which relate to post treatment options:

- **“Expectations of Treatment for Child Molesters”** by Frank Valcour, M.D. (Restoring Trust, Vol. I)
- **“Reflections of a Recovering Priest-Offender”** Anonymous (Restoring Trust, Vol. II)
- **“Will Priests Sexually Abuse after Treatment?”** by James Gill, S.J., M.D. (Restoring Trust, Vol. II)

Part of the challenge for the committee is obtaining reliable information on exactly what is happening in the country. Representatives of the committee have had a series of meetings with the leadership of five residential treatment centers. The focus for many of the discussions was precisely on how to obtain accurate and objective information on the outcome of treatment for priest offenders. Discussions are continuing.

In studying post treatment options the committee acknowledges the assistance of a four-person working group made up of two bishops and two priests whose help has been invaluable.

The Ad Hoc Committee will continue working on this task in its mandate.

Task No. Six: Recommend Regarding Church Employees and Volunteers

Much of the material in the two volumes of Restoring Trust would have application to church employees and volunteers, e.g. some articles, the treatment centers, care and concern for victims-survivors, and bibliographies. As has already been pointed out, many diocesan policies (116 out of 157) not only apply to priests but to diocesan employees and volunteers as well. Two recommendations in the 1994 report on diocesan policies made reference to these categories, particularly in the context of prevention of abuse:

7. That policies include a reference to appropriate screening procedures for seminarians, employees, and volunteers with responsibilities for dealing with the young.
8. That the policy be communicated to priests and religious, and to employees if applicable, and that all acknowledge acceptance in a formal manner.

Early in the mandate representatives of the committee met with the leadership of the National Association of Church Personnel Administrators to discuss possible collaboration in the implementation of this task number six. NACPA concluded that it would be emphasizing two aspects: one, education sessions and resource material for its members, and two, updating their directory on centers for assessment and treatment. Since then that organization has invited staff from the committee as faculty for a session at their annual convention and have published an updated version of the directory.

The Committee and the Media

The Ad Hoc Committee provided, for the first time, a forum in which media issues could be dealt with, especially the media's criticism of the bishops as a body for what they often described as the Conference's lack of action on clergy sexual abuse. The committee served as this reference point to which the media could turn for what they considered "authoritative" comments. As a result, for major news reports at the national level, information and reaction from the Ad Hoc Committee were regularly sought. The feedback indicates that this type of availability supplied some considerable balance to the negative kinds of reports that were circulated.

The goal of the committee was to provide accurate information about the Church's efforts in general and of the work of the committee in particular. It helped considerably that the committee was seen to be reporting publicly to the full body of bishops at general meetings. An example of providing such information in connection with a general meeting was the news conference held on the Sunday evening before the meeting at which the first volume of Restoring Trust was issued. Five bishops were present to describe what guidelines and programs they had in their own dioceses to deal with

sexual abuse. After this exchange the media present at general meetings have displayed, overall, a significantly greater awareness of what the Conference is doing as well as individual dioceses. The availability of the bishops on the committee to address this issue on the national level seems to have been an indispensable element in reassuring the general public, through the media, that the Church in the United States is acting to resolve this problem.

Objectives Not Realized

The committee reported above that it had formulated 16 objectives to help focus the mandate. The report to this point has indicated what has been done. Because of priorities chosen and various circumstances encountered, some objectives have only been partially realized or not at all.

While the committee has been unable to develop a broad information base on the incidence of sexual abuse by clergy, it has been able to gather information informally and anecdotally in sufficient

amount that, combined with other information and research available, feels the committee confident that it has an adequate grasp of the problem. Accurate data gathering in a field as sensitive as sexual abuse is not an easy task even for organizations with substantially larger research components than the Conference. The committee's experience has been that research in the area of sexual abuse of minors is relatively sketchy and that, as a result, the problem of abuse by clergy may be distorted and exaggerated by applying to this problem research which is really not appropriate to it.

The committee continues to identify research into sexual abuse of minors by clergy as an area in which a real contribution can be made to both the Church and society in at least three ways:

1. It can help the Church community understand the problem more fully and thus be better equipped to prevent further occurrences.
2. It can identify the real dimensions of the problem in a scientific way that eliminates dependence on only partially applicable research and even guess work which usually exaggerates those dimensions.

3. It can be of use to society at large by creating a greater understanding of who abuses and why. With such goals in mind, the Ad Hoc Committee has had lengthy discussions with the leadership of five residential treatment centers.

Another objective only partially achieved related to identifying support teams made up of USCC resources and key personnel across the country that might be on call for a given diocese. This was not done explicitly but the clearinghouse function referred to earlier in this report fulfilled this role in at least a modified way. A related objective dealt with the preparation of adult education resources. The committee is aware of excellent material developed by certain dioceses and has shared this information on request. Obviously the boundaries project referred to above relates somewhat to this objective.

Ecumenical contacts were to have been pursued according to one of the committee's objectives. This was not formally followed up except for the sharing of some documentation on an ad hoc basis. However, the committee was aware that General Counsel is in regular contact with some of the other denominations regarding sexual abuse by clergy.

The Next Phase

For the last three and a half years the members of the Ad Hoc Committee on Sexual Abuse have struggled to grasp the many implications of this crisis for our Church. To understand better what it has meant to the Church, we have worked closely with our fellow bishops and with priests and laity of diverse backgrounds and a variety of expertise. Simultaneous with the establishment of the committee, Pope John Paul II wrote to the bishops of the United States about the problem of the sexual abuse of minors. He was responding to the concerns we bishops had brought to him during our quinquennial visits to the Holy See. The committee is grateful for these strong words of encouragement of the Holy Father.

The two volumes of Restoring Trust, together with this report, evidence our seriousness of purpose in seeking to understand the problem and to strengthen the efforts that were already being undertaken by bishops throughout the country to deal effectively with it. In responding to the mandate given to the committee by the Conference president in 1993, we placed a priority on the issues directly related to the sexual abuse of minors as those of most immediate concern; and it is these we have dealt with most thoroughly. We are aware that we have not accomplished every task that can or should be done. Thus the committee wishes to take this opportunity to indicate continuing and future needs which we believe will constitute the “next phase” of activity. Ideas that emerged from a reflection on possible future steps include:

Keep track of what is happening in the country, be a resource (clearinghouse) for the bishops and the dioceses, and be able to respond appropriately as needed.

Encourage others who are working in this field, support them, and suggest areas of activity for their consideration.

Promote screening of candidates and ongoing priestly formation in the area of psychosexual development.

Provide information/resources on the profile of the clerical abuser.

Identify specific areas of research and encourage/facilitate projects.

Offer a continuing reflection on post treatment options based on ongoing research and experience.

Continue to relate with similar committees in other faith groups and committees of English-speaking episcopal conferences.

Share resources/information with other NCCB/USCC committees as indicated, and relate these efforts to the national problem of sexual abuse of children coming from many directions especially from within families.

Given the fact that all of the current bishop members have been with the committee since its inception three and a half years ago, it is expected that there will be some changes in the membership toward the end of the year.

Appreciation

The Ad Hoc Committee is indebted to the many people across the country and beyond who have contributed to its work over the past three and a half years. It is with a great sense of humility as well as pride, that we express our gratitude for the service of the hundreds who have come forward to offer suggestions, have sent letters of comment and concern, and have offered insights into the work that we have undertaken on behalf of all the bishops. We acknowledge as well the courage of the many victims-survivors who have come forward to share with us their stories, their pain and their hopes.

To the following who were in a special way related to the committee we express our heartfelt appreciation and gratitude.

Consultants: Current consultants: Dr. Fred Berlin (Baltimore, MD), Dr. James Gill, SJ (Silver Spring, MD), Rev. Tomas Marin (Miami, FL), Mrs. Mary Margaret O'Neil (Chevy Chase, MD), and Rev. Gregory Reisert, (CMSM).

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* A special word of appreciation and gratitude to the three victims-survivors who supplied the subcommittee with their individual stories and insights on caring for victims.

Post Treatment Options

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- Rev. Thomas R. Bevan.
- Other Conference staff: Mr. Mark Chopko (General Counsel) and Msgr. Francis J. Maniscalco (Communications)
- Until named Associate General Secretary, Msgr. Paul D. Theroux served as staff for the committee with Rev. Thomas Bevan
- Project Coordinator (Parttime): Rev. Everett MacNeil

In a special manner we hereby acknowledge the service of our brother bishops as they have struggled individually to understand the dimensions of this crisis for their particular churches. In their hands ultimately is the future of the people of God, the priests who serve them, and the common good of the whole Church. Our last word therefore is one of gratitude to them for their encouragement and the sharing of their wisdom as the committee undertook its work. With trust in the love and mercy of our Savior and Lord Jesus Christ, the members of the committee pray that our work will be seen as a source of inspiration and consolation. We pray that the work we undertake as bishops may together uplift and move the Church forward toward its new day.

Bishop John F. Kinney

Chairman

Bishops' Ad Hoc Committee

on Sexual Abuse

APPENDIX "A"**A Model Flow Sheet****Steps for Bishops Dealing with Priest-Offenders**

- Note 1. Some dioceses already have in place a flow sheet similar to the model given below. This one is simply offered as a possible model to be adapted locally as indicated. The committee emphasizes that this document underlines what the bishop or his delegate(s) might do in regard to an alleged priest-offender. It is understood that the usual timely pastoral actions would also be taken as regards the victim, the family, the parish or institution, etc. For some pastoral suggestions in this regard, please see the document developed by the committee entitled "**Responding to Victims-Survivors**" in Restoring Trust Vol. II.
2. It is not envisioned that individual bishops will be directly involved in each step of this model. They will delegate various tasks in it according to their own style and their available resources. There are specific times, however, when they would likely choose to be personally involved, such as providing support to the priest, reviewing the recommendations of the professionals, and the decisions on post treatment options.
1. Abusive behavior reported to bishop.
 2. Bishop decides, after suitable inquiry, that there is some merit to the complaint.
 3. Bishop in conference with the priest, assigns him to see competent, experienced professionals for assessment. (The bishop forwards to the assessing facility detailed information on the allegations and related behaviors that are primary reasons for the referral. He may also want to forward any other information that would assist the assessment team in understanding the priest being assessed such as fitness reports, prior treatment results, and previous pastoral complaints and/or commendations.)

4. Professionals, after assessment, recommend treatment in an appropriate treatment center. Bishop or his delegate, along with the priest, attends this conference.
5. Bishop assigns priest to treatment center.
6. Bishop informs therapists at treatment center about which post-residential ministry options may be closed to the priest when he is discharged from the treatment center -- that is, if the bishop or diocesan policy has set a limit on what ministry the bishop can appoint the priest to (post treatment). This information is best transmitted at the time treatment is begun.
7. Bishop stays in touch with priest during treatment period to provide spiritual and pastoral support.
8. Bishop makes sure that while the priest is in the treatment center program, someone officially representing the diocese is acting as a support person encouraging the patient to derive full benefit from his treatment and helping him to consider realistically the possibilities for ministry that may be open to him after discharge.
9. Bishop arranges with treatment center for progress reports on patient's treatment to be phoned or sent by mail to the bishop at agreed upon intervals.
10. Near the end of priest's stay at the treatment center, the bishop (or his delegate) attends a conference at which the center's staff presents to the priest and bishop the recommendations and aftercare program developed in line with the progress and outcome of the priest's treatment. A major issue in this discussion will be this patient's chances of taking on some form of ministry after discharge without recidivism. (See page 36 * and **)
11. Before discharge, if possible, the bishop decides what ministry (if any) and living arrangements to offer the priest after discharge. In making this decision he is helped by a) recommendations by the professionals who have treated the priest, b) priests of the diocese who are experienced in assisting and dealing with priests who have perpetrated sexual abuse, c) the bishop's legal advisor(s) (civil and canonical), and (d) any policy the bishop or diocese may have established regarding post-treatment options.

12. In a conference with the priest soon after discharge, while welcoming him back to the diocese, it will be helpful for the bishop to discuss with him in detail the aftercare program recommended by the treatment center he has just left. The bishop may add specific requirements of his own. The two will discuss the frequency of subsequent meetings at which the bishop and priest will talk about the priest's current way of life, ministry, any difficulties being experienced, his compliance with the aftercare program and especially his level of satisfaction with ongoing individual and/or group therapy, spiritual direction, and supportive relationships, along with any special needs he may have.
13. Bishop or his delegate discusses the priest's situation and the bishop's expectations and requests with the patient's new therapist, spiritual director, ministry supervisor, and someone living with him to provide support for the priest's efforts to avoid relapse. The bishop informs the priest that he (bishop) or his delegate will stay in touch with these persons and wants them to be able to contact each other if they have reason to think the priest may be drawing close to re-offending. The priest is asked to explicitly authorize this intra-network communication.
14. The bishop ensures that some priest representing the bishop stays in frequent contact (at least once monthly, preferably in person rather than by phone) to monitor the priest's compliance with all the elements included in the aftercare program and list of requirement the bishop may have explicated in 12 above.
15. Bishop reviews priest's case, progress and current situation at regular intervals. Makes any appropriate changes at these times.

* * * * *

Notes Regarding Step No. 10

*The clinical team will be taking information such as the following into consideration before communicating its observations and comments to the bishop regarding the patient's future ministry, if any, and discussing the possibility of recidivism after discharge from the treatment center: (See 10 above).

manner of abusing	sexual history of the priest
number of abusive episodes	history of being abused
age of person(s) abused	clinical diagnostic category
situation where abuse occurred	cooperation with treatment program
life circumstances of the abuser	motivation to avoid recidivism
regret over harm caused	availability of support system
age of priest	

**Additionally, the treatment center staff will take into consideration the outcomes of the various aspects of the priest-offender's treatment program before advising the bishop in relation to post-treatment options for ministry. The predictability of non-recidivism is related to the achievement of such treatment goals as the following:

Development of a self-monitoring system

Development of new coping strategies and abilities

Establishing a balanced (healthy) daily lifestyle

Motivation to stop offending

Insight into his psychological, social and emotionally pathology

Psychological modification of sexual arousal patterns (e.g., aversive conditioning)

Biological modification (Depo-Provera) of sexual arousal mechanism

Treatment of other mental health problem(s) (e.g., personality disorder, substance abuse)

Learning to recognize high-risk situations and factors (e.g., beliefs, emotional states such as loneliness, resentment depression.

Development of "positive addictions" (e.g., jogging, meditation)

Eradication of defense mechanisms leading to abusive behavior.

- Strengthening of control over deviant impulses
- Development of control over abusive fantasies
- Self-esteem improvement
- Enhanced empathy for his sexual victim(s)
- Correction of sexual knowledge deficit
- Treatment of sexual anxiety
- Unqualified acceptance of aftercare program
- Assertiveness training (to remedy deficit in assertive skills)
- Stress management
- Relaxation training
- Anger management
- Communication skills
- Social skills
- Problem-solving skills
- Self-efficiency enforcement (belief that one can successfully cope with high risk situations)
- Eradication of maladaptive (unhealthy) sexual thinking

TIMING OF THE 15 STEPS

Before assessment		Assessment		During care at treatment center							After discharge from treatment			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
									*					
									**					

* See pages 36 & 37

** See pages 36 & 37