

QUESTIONS AND ANSWERS
SEXUAL ABUSE OF MINORS BY PRIESTS
(UPDATED: JUNE 2002)

TABLE OF CONTENTS

Accountability	2
Allegations	2
Disclosure	3
False Accusations	3
Financial Accountability	3
Pedophilia	3
Policies and Procedures on Sexual Abuse in the Archdiocese	4
Policies of the Church	5
Project Benjamin and Reporting Sexual Abuse	5
Punishment	7
Secrecy	8
Settlements	8
Sexual Abuse	9
Statute of Limitations	9
Supporting the Church	10
Taking Responsibility	10
Zero Tolerance	10

ACCOUNTABILITY

1. Why are priests with past records of abuse allowed to serve in parishes?

The Archdiocese of Milwaukee relied heavily on the recommendations of therapists working with priests to determine whether a priest should be given a new assignment. Twenty years ago, it was commonly believed that in most of these cases a priest could return to active ministry. Today, circumstances are different. Today, a priest would not be allowed to return to active ministry.

2. Why do you protect pedophiles instead of protecting children?

Our priority as a Church has to be to keep our children safe. Victims/survivors are cared for, offenders are held accountable, and children are protected. We need to find all the victims/survivors and ensure that priests who have abused minors are removed from working in parishes.

3. Why should I believe things are any different today?

Our single, most important challenge is to re-establish trust and believability. There has been some progress. Since 1990, the Archdiocese of Milwaukee has done a number of things to help victims/survivors and protect children. Project Benjamin was designed in 1990 specifically to help victims/survivors of sexual abuse by clergy or any Church employee. Policies to protect children, help victims/survivors, and hold offenders accountable have been in place since the early 1990s. More needs to be done.

4. How are offenders held accountable?

Perpetrators of sexual abuse are removed from ministry, and required to participate in therapy. We are immediately reporting to the District Attorney's office any sexual abuse allegation that comes forward, regardless of when the incident occurred. This policy will give people more confidence in the actions of the Archdiocese.

ALLEGATIONS

5. Have new allegations come forward in the past few months?

Yes. Because of the amount of publicity and attention on sexual abuse of minors by priests, more victims/survivors have come forward to tell their stories. We continue to encourage and seek out victims/survivors to come forward so they can get whatever assistance and therapy they need.

6. How many new allegations has the Archdiocese received?

In the past three months, more than 35 allegations have come forward. The majority of these allegations are against priests that already were known to the Archdiocese as offenders. For comparison purposes, in 2001, the Project Benjamin office received approximately one new allegation a month. We continue to encourage these victims/survivors to come forward.

7. Have these cases been reported to the District Attorney?

The Archdiocese has been in regular contact with District Attorneys in the ten counties of the Archdiocese. A new policy has been established that will provide information on all allegations of any living priest to the appropriate District Attorney's office. Procedures are being established to investigate new allegations that might involve retired or deceased priests.

DISCLOSURE

8. **Are you planning on identifying the priests who are known to have committed sexual abuse?**
Yes, along with the dates and parishes in which these priests served.

FALSE ACCUSATIONS

9. **What if a priest is falsely accused?**

False accusations are a concern. If a priest is wrongly accused, his reputation is still damaged. Nonetheless, the protection of children and the assurance that people are safe are our top priorities. Our hope is that an initial review of an allegation by civil authorities will be confidential and quickly determine whether a priest should be removed from ministry pending a full investigation.

FINANCIAL ACCOUNTABILITY

10. **Are priests who have been removed from ministry still paid? Why?**

By Church law, a priest must receive support in the form of a minimal salary. He does not receive a full salary or other compensation because he is not in an active ministry position.

11. **Does the Archdiocese of Milwaukee have a Finance Council?**

The Archdiocesan Finance Council is one of the three major councils of the Archdiocese of Milwaukee along with the Pastoral Council and the Priests Council. It is a required canonical body, established for the purpose of advising and assisting in financial matters. Among their specific tasks are:

- approval of the annual diocesan budget
- acceptance of the annual financial report
- provide consultation of the appointment or removal of the finance officer
- provide consultation on any new diocesan tax/assessment
- provide consultation on more important acts of administration
- review the means for investing endowments
- provide consultation to diminish endowment obligations
- vote on acts of administration and alienation requiring their consent

12. **Is the finance council consulted on lawsuit settlements?**

Consultation with the finance council is not required for individual lawsuit settlements. The Archdiocese is involved in a variety of lawsuits each year, on a variety of topics. Usually, an effort would be made to negotiate an out-of-court settlement to avoid a costly trial.

13. **Was the Finance Council aware of the out-of-court settlement with Paul Marcoux?**

They were not involved in that negotiation or in the final resolution.

PEDOPHILIA

14. **Are there any pedophile priests serving in parishes in the Archdiocese of Milwaukee?**

Any priest diagnosed as a pedophile is not allowed to serve as a priest in any capacity.

15. **What about in the past?**

In the past, pedophilia was considered treatable - similar to a medical condition. Today we know more about pedophilia and realize it cannot be cured or even effectively managed through treatment and therapy. The likelihood is that this condition and the abuse of children will continue. Because of that, priests diagnosed as pedophiles will not serve in any capacity as a priest.

16. What is pedophilia? Isn't every priest who has sexual contact with a minor a pedophile?

No. Pedophilia is a disorder where an individual habitually focuses on pre-pubescent children for sexual gratification. Those who do the same thing with teenagers or adolescents have a disorder called ephebophilia.

Sexual contact with a minor is illegal and immoral behavior. The behavior is always wrong.

POLICIES AND PROCEDURES ON SEXUAL ABUSE IN THE ARCHDIOCESE

17. Can you give some examples of the policies the Archdiocese has in place regarding the sexual abuse of minors?

- Policies since the mid-1980s require adults teaching or catechizing children in Catholic schools and in parish programs to report to the police any suspicions or allegations of sexual abuse, whether the perpetrator might be a family member, worker, priest, or any other adult.
- All employees and volunteers at a parish or school are required to have criminal background checks before working in a supervisory role with children. This includes catechists, coaches, priests, youth workers, etc.
- There are also detailed protocols the Archdiocese uses for both reporting for external investigation and internal investigation of sexual abuse.

18. What other things has the Archdiocese done to halt sexual abuse of minors by priests or other adults?

Besides Project Benjamin, the Archdiocese has had policies in place for more than 15 years and continues to update these policies to make them more effective and congruent with current civil law. The Archdiocese issues these policies regularly to parish leadership.

In March 2002, the Archbishop appointed a group of highly regarded professionals in the community to review the Archdiocesan policies and procedures for dealing with priests who abuse minors. The late Howard Eisenberg, the Dean of Marquette Law School, chaired the commission. The preliminary report affirms the current Archdiocesan policies and procedures, but recommends that the Archdiocese make its policies more well known, strengthen them, and embrace a policy of no reassignment for any priest who has abused a minor.

19. How will the Special Commission's recommendations be implemented?

Some of the recommendations are already being implemented. For example, the preliminary report recommended that there be an independent adjudicatory body which would investigate allegations of abuse when the district attorney determines that criminal proceedings under civil law are not possible. Retired Judge John Fiorenza has agreed to serve as the initial member of this adjudicatory review process. Other recommendations have also been implemented, such as, the transfer of all intake reports to the appropriate district attorney without our making any conclusions about whether or not the case falls within the statute of limitations. We have also acted upon the recommendation that there be an alternative intake process for anyone who might not want to come to a church-related body like Project Benjamin or the Office for Response to Sexual Abuse. A licensed psychologist, Anna Campbell, Ph.D. is serving as this independent intake agent. All allegations reported to her will also be turned over to the appropriate district attorney. The Special Commission intends to complete its

work by the September 2, 2002 deadline originally set. We anticipate that all of their recommendations will be accepted and implemented.

The full commission report is available at www.archmil.org.

POLICIES OF THE CHURCH

20. Why doesn't the Church change the celibacy requirement or ordain women or married men?

Pedophilia or sexual abuse of minors are issues quite separate from celibacy, homosexuality, or the ordination of women. Abuse is often related to the fact that many abusers were themselves abused as children. Certainly the option of ordaining women and married men would increase the pool of candidates for the priesthood, but it would not necessarily address the issue of sexual abuse.

21. Why does it seem that there are so many priests abusing minors?

Cases are coming to light with such frequency that the situation has captured everyone's attention. The horror of priests abusing minors is compounded because of the trust people place in priests to care for and protect children. The issue is further complicated by the fact that there have been well-documented cases across the country where an abusive priest was knowingly sent elsewhere and continued to abuse children.

22. Why can we not screen sexual deviants out of the seminary before they are ordained?

At this time there are no psychological instruments available to pinpoint sexual aberrations. If behaviors pointing to sexual misconduct are apparent while a candidate for the priesthood is in the seminary, he is removed from the seminary program.

23. Will offending priests be kept in their parishes because there is a shortage of priests?

No, the shortage of priests has never entered into the decision of keeping a priest in active ministry. The safety of children is the criterion used to make a decision about a priest being in ministry.

PROJECT BENJAMIN AND REPORTING SEXUAL ABUSE

24. What exactly is Project Benjamin

Project Benjamin is a victim response program. It is also an office of the Archdiocese that directs the Church's response for anyone who is a victim of sexual abuse by a priest or other Church employee. The program was established in 1989. A licensed psychologist who has special training in the area of sexual abuse staffs the office. Project Benjamin is further helped in its work by a community advisory board that provides direction and input on the office's work and the archdiocesan sexual abuse policies.

25. Who is on the Project Benjamin advisory board?

The community advisory board has been in place since Project Benjamin's inception in 1989. The board is made up of eight members of the community with special expertise in the area of sexual abuse. This includes a circuit court judge, a lawyer, a psychologist, victim's advocates and others. The board also includes representation from Saint Francis Seminary and from the Archdiocesan staff.

26. Where does the name "Project Benjamin" come from?

In the Old Testament, "Benjamin" was the youngest and profoundly vulnerable son of Jacob and Rachel. Benjamin is a symbol for all of those people whose early years are troubled. It is also a sign of our coming together to understand the evils of sexual abuse and our commitment as a Church to work for an abiding sense of justice, healing, and reconciliation.

27. How does Project Benjamin work?

When a report is received related to an instance of actual or suspected sexual abuse by a priest or parish personnel:

- The report is given to the Director of Project Benjamin who responds directly to the person reporting, who is often the victim.
- The director arranges an interview with the person in order to make a complete report and answer questions about the process, and what a victim can expect.
- The appropriate civil authorities are sent the report.
- The director contacts the Archbishop and other Archdiocesan officials.
- If civil authorities decide they cannot pursue the allegation or fail to find sufficient evidence, the Archdiocese will initiate an investigation using an independent investigative panel and the priest, if he is in an assignment, is placed on “administrative leave.”
- Priests or parish personnel who have engaged in sexual abuse or exploitation are permanently removed from ministry.
- The director will help the victim of abuse determine what resources are needed for healing, including financial assistance for therapy with an outside therapist of the victim’s choice.
- The church is working towards developing significant lay participation in caring for victims/survivors and their survivors.

28. How can people report incidents of sexual abuse?

If you or anyone you know has been harmed, it is important that you come forward so that you can receive assistance. Sexual abuse is always wrong. It is not the fault of the individual who has been abused. The Church bears a responsibility for helping the victims and survivors of sexual abuse and ensures that offenders face justice. Reports can be made to the Project Benjamin office at (414) 769-3436. Several people are available at different times to accept reports, including Dr. Barbara Reinke; Diane Oman, a licensed therapist for Catholic Charities; and Mona Hietpas, a psychotherapist in private practice.

29. What if people aren’t comfortable or confident with Project Benjamin?

The Archdiocese of Milwaukee has established an alternate intake site staffed by a licensed psychologist not affiliated with the Church. Anna Campbell, Ph.D., is available to accept sexual abuse reports involving Church personnel from people who prefer a setting completely outside the Church structure. Campbell’s office is in the Mayfair Mall area and an appointment to meet with her can be made by calling (414)476-2699. Reports can also be made to the appropriate civil authorities.

30. What should people expect when making a report?

Those making reports to any contact person can expect the following:

The report will be forwarded to the district attorney’s office in whatever county the abuse occurred. If the district attorney decides not to open an investigation, the Archdiocese of Milwaukee will proceed with its own investigation using an independent investigator.

Information will be provided about a priest’s current status, including his status when allegations became known and what was done.

Therapy will be provided at archdiocesan expense with the therapist of the person’s choice. An outside review board of mental health professionals reviews treatment plans to make sure victims/survivors receive quality therapy.

Privacy will be respected. Although a report will be made to the district attorney, all efforts to maintain confidentiality will be made. The person making the report will not be asked to sign any waivers or other agreements.

31. What role does the Project Benjamin Advisory Board have in reviewing complaints?

Started in 1990, Project Benjamin is assisted by a community advisory board, separate from the Project Benjamin office and staff. The community advisory board is a separate entity and its members are individually committed to victim advocacy and protection of the community. The community advisory board assists the Archdiocese in creating policies, procedures and guidelines for assisting victims/survivors of clergy sexual abuse. The community advisory board does not review individual cases or investigate clergy sexual abuse claims.

32. Can Project Benjamin provide victims/survivors with therapy?

The Project Benjamin staff does not provide therapy. They arrange for therapy with a therapist selected by the victim/survivor of the abuse.

33. Why were people punished for reporting events revolving around Father Pecore?

These allegations of retribution are not new nor are they any truer today than they were when first brought forth some 15 years ago. Having been unsuccessful in proving the allegations both within the civil and church legal systems, it appears that the individuals involved are now making use of the forum of the media to make false claims once again. Canonical action against the Archdiocese was rejected at every level of recourse because there simply was no substance to the claims. Furthermore, efforts to bring civil action were also rejected and cases dismissed in summary judgment. The judge found that there was no issue of material fact and that there was documentary evidence that the individuals had left their employment at the parish voluntarily. This finding by the judge was proven, in part, through the signed letter of resignation submitted by the individuals and subsequent written statements.

There is simply no substance to sustain a claim that Archbishop Weakland played any part at all in the departure of these individuals from their employment. Nor is there any truth to the claim that this departure was a result of an accusation of sexual abuse of minors. Nor is there any truth to the claim that the Archbishop moved Father Pecore to additional parishes. Father Pecore was a religious order priest and accountable to his order for his assignment.

PUNISHMENT

34. If I abused a child, I would be in jail. Why shouldn't a priest be sent to jail?

If it's proven that a priest abused a child, he will go to jail. In the past, priests have been sentenced to spend time in prison. Sexual abuse is a crime. However, the majority of sexual abuse incidents, which have come to our attention, happened more than 15 years ago. Authorities will not prosecute these cases because of the statute of limitations. If an incident is reported, it immediately goes to the civil authorities. If these authorities can't or fail to act, the case is further investigated by a special advisory panel from our Archdiocese.

35. Are there any priests in jail for this?

There were several cases in the 1990s where priests who abused minors were imprisoned. If a priest can be prosecuted within the criminal system, the Archdiocese fully pursues, supports, and cooperates with the investigation and prosecution.

36. What will the Archdiocese do if the District Attorney decides there are not enough facts to prosecute a priest accused of sexual abuse?

If civil authorities cannot or will not charge and prosecute an offender, the Archdiocese will conduct an internal investigation utilizing an outside, independent investigator to determine the truth. If the priest has abused a minor, he will not be allowed to function as a priest.

37. What is the difference between laicized, defrocked, inactive in ministry?

Once a person is ordained to be a deacon or to priesthood, the person is no longer a lay person and is considered part of the clergy. If a person is laicized, he returns to the lay state and is not a part of the clergy. To be laicized, a person must petition the Vatican or at the request of a bishop be removed from the clerical state with the approval of the Vatican. “Defrocked” is a common expression used by some to indicate that a priest has been penalized and can no longer function as a priest. The expression “removed from active ministry” means that a priest, while still being in the priestly state can no longer function as a priest. He cannot preside at public liturgy, etc.

SECURITY

38. Why didn't the Archdiocese report offenders to the authorities instead of covering up the allegations?

Every incident should have been reported to the authorities. Since 1990, our approach to dealing with sexual abuse cases has been much more open and targeted towards protecting children. In some cases, the victims/survivors of abuse feared exposure and were reluctant to go to the authorities. We have changed our policy to make sure that every incident is now reported to authorities.

SETTLEMENTS

39. How much money has been spent for therapy for victims/survivors?

The Archdiocese of Milwaukee pays for therapy for victims/survivors. It utilizes an outside review board to examine patient treatment plans to ensure people are receiving quality therapy. According to the May 18, 1995 public report, the archdiocese spent more than \$483,700 to help victim/survivors of sexual abuse involving priests.

40. How much money has been spent to settle lawsuits with victims/survivors?

The Archdiocese of Milwaukee did a full reporting of the financial impact of sexual abuse cases involving clergy on May 18, 1995. At that time it was reported that the archdiocese paid out or was committed to payments of approximately \$4.8 million, including payments for therapy. These amounts are currently being compiled to bring the totals up to date for the present day and will be released when completed.

41. How much of the costs were covered by insurance?

Both insurance coverage and costs covered by the perpetrator will be included in the updated financial information. In excess of \$2 million of the total cost to the archdiocese has been covered in that way.

42. Where did settlement money come from?

Payments for settlements of lawsuits, including those dealing with the sexual abuse of minors by priests, have been made from the Real Estate and Properties account. This information was publicly disclosed May 18, 1995, and reported through the media and through information provided to priests and parishes of the Archdiocese of Milwaukee.

The money in the Real Estate and Properties account is used to purchase land for potential new parish sites needed as a result of expanding population and demographic shifts. For example, in 1998, land was purchased and is now being used for the construction of St. Anne's parish church and buildings in Pleasant Prairie, Wisconsin, which was a newly established parish in July 1997. It is also used for real estate improvements to archdiocesan properties.

This Real Estate and Properties account is not used to accrue proceeds of any sale of property resulting from a parish merger or closure. The Archdiocese of Milwaukee has not seen any financial gain resulting from the sale of any church buildings or parish property as a result of parish closures or parish mergers. Any financial gain realized by such sales remains with the parishes involved or is directed toward a separate restricted fund held for parish use.

SEXUAL ABUSE

43. What behaviors are considered sexual abuse of minors?

Some actions considered criminal, sexual abuse of minors include the following:

- Fondling of genitals or breasts. Basically, any touching of someone in an area covered by his or her underwear.
- Sexual contact that brings gratification to the adult and or humiliation to the child or teen.
- Performing sexual intercourse with a child or adolescent.
- Oral stimulation of sexual organs.
- Exposing one's genitals to a child or adolescent.
- Displaying pornographic material to a child or adolescent.

44. What is the difference between child abuse and child molestation?

The terms are basically the same and are often used interchangeably.

STATUTE OF LIMITATIONS

45. What does the Wisconsin State “statute of limitations” mean?

Generally, the term refers to the number of years between the time a crime occurred and the time when the crime is no longer prosecutable.

In relationship to Wisconsin State law and child sexual assault the following limitations apply:

- If the crime occurred before July 1, 1989, the victim has six years to report the crime for prosecution.
- If the crime occurred on or after July 1, 1989, the victim has until he or she is 21 years old to report the crime for prosecution.
- If the crime occurred on or after April 22, 1994 the victim has until he or she is 26 years old to report the crime for prosecution.
- If the crime occurred on or after June 18, 1998 the victim has until he or she is 31 to report the crime for prosecution.

Many times circumstances surrounding an incident of sexual abuse are complex and may extend the statute. To be certain, anyone who has been victimized should contact the civil authorities for a definitive answer. This is also why the Archdiocese will refer all new allegations to the District Attorney.

46. Why should there be any statute of limitation on such a horrible crime?

Most crimes have statute of limitations. The Archdiocese of Milwaukee supports legislation extending or eliminating this statute on sexual abuse crimes to provide a longer window of opportunity to prosecute offenders.

47. If I am a victim, or know of a victim, for which the statute of limitations has expired, should I report the crime?

Yes, report it to the District Attorney and to the Archdiocese. Even if a crime cannot be prosecuted, it is important that both the civil authorities and the Archdiocese know about the incident and the perpetrator. If the civil authorities will not or can not pursue the matter, it will be referred to our advisory board, who will make a conclusive finding in the matter. In addition, anyone who has been victimized should come forward so that they can receive any assistance they need to heal, no matter how long ago they were victimized.

48. Will the Archdiocese be of assistance to me if the Wisconsin State statute of limitations has expired?

Yes, the Archdiocese has provided assistance to victims/survivors of clergy sexual abuse who have come forward after the legal time limit has expired and will continue to provide needed help. Anyone who has been victimized should contact Project Benjamin at (414) 769-3436. If the civil authorities will not or can not pursue the matter, it will be referred to our advisory board, who will make a conclusive finding.

SUPPORTING THE CHURCH

49. What can I do to support my priest?

We all need to support our priests, especially during this difficult time. Pray for your priests. Pray for those studying for the priesthood. Talk to your pastor. Let priests know you support them and appreciate the good work they do.

TAKING RESPONSIBILITY

50. Doesn't the Church owe victims/survivors an apology?

We owe them far more than an apology. We are sorry for the pain of the victims/survivors. We are also sorry for the pain and mistrust this has caused so many people. We acknowledge that all victims/survivors of sexual abuse must be found and treated with the utmost care. We want anyone who has been victimized to come forward with the confidence that they will be heard and helped, and that their abuser will be held accountable.

ZERO TOLERANCE

51. What exactly does "zero-tolerance" mean?

Zero tolerance means that any priest who is found to have had a sexually abusive or inappropriate relationship with a minor will never again work as a priest.

52. Why don't you just throw these priests out of the priesthood?

The Church has a dual responsibility in these matters. The first and most important by far is finding the victims and their survivors, and helping them heal and have happier lives. The other responsibility we have is to find and remove from active ministry any priests who have had inappropriate sexual activity. We also have a responsibility to minister to these afflicted individuals as we remove them as threats to the Church and society.

The Church has procedures for limiting ministry or dismissing a priest from ministry. Many Church leaders are calling for these complicated procedures to be simplified. In the past, just as in civil cases, many dismissal processes have been bogged down with years of appeals.