



ARCHDIOCESE OF MILWAUKEE

# Promise to Protect Pledge to Heal

*Policies, Procedures, and Protocols  
for  
Clergy Sexual Abuse of Minors:  
Prevention and Response*

Revised: 2017

Table of Contents

Introduction .....i  
Foundational Policies.....1  
Procedures and Protocols for Implementation of the Charter.....2 – 16  
Reporting Procedure Flowchart.....17

## Introduction

Under the direction of the Archbishop of Milwaukee, the Archdiocese of Milwaukee is committed to protecting children and young people and to helping victims/survivors of clergy sexual abuse. We are sorry for the pain of the victims/survivors of clergy sexual abuse and we owe them far more than an apology. We acknowledge that all victims/survivors of clergy sexual abuse must be found and treated with the utmost care. We want all who have been victimized to come forward with the confidence that they will be heard and helped, and that abusers will be held accountable. We are also sorry for the pain and mistrust this issue has caused so many people in the wider church community and society at large. The guiding principle behind all policies, procedures, and protocols must be the prudent protection of children and young people, not just the punishment of offenders. The policies, procedures, and protocols must also be marked by justice and contain due process for all involved.

## Foundational Policies

**GENERAL PRINCIPLE:** There is a sacred relationship that exists between the Church and its members, whether they be adult or child. Sexual abuse, sexual misconduct, sexual assault, and/or sexual exploitation, when it occurs within the context of the Church, creates a tragic reality which misrepresents the Good News to those who have been victimized. Each and every instance of sexual violation of those who are the most vulnerable among us is a matter of the gravest concern and calls for an organized Archdiocesan response so that healing may occur and the safety of the community can be assured.

**REPORTING ABUSE:** Reports of clergy sexual abuse of a minor can be made to the Victim Assistance Coordinator (414-758-2232). Individuals may also contact the Healing Center at 414-671-4325 (English and Spanish services). Individuals are also encouraged to contact directly civil authorities with reports of sexual abuse.

**ASSISTANCE:** Out of pastoral concern for the victim/survivor of clergy sexual abuse, referrals for therapy will be offered, even prior to the conclusion of any formal investigation and finding of fact. Assistance with costs of therapy will be provided by the Archdiocese.

**REPORTING TO AUTHORITIES:** Every report of clergy sexual abuse of a minor, regardless of when the offense occurred, will be taken seriously. When an allegation is made against a cleric who is still alive, whether currently in ministry or not, all such reports will be handed over promptly to the district attorney of the county in which the alleged offense took place. The Archdiocese commits itself to a policy of cooperation with the civil officials who are charged with handling these matters.

**INVESTIGATIONS:** If the civil authorities cannot proceed with criminal action for any reason and the case is returned to the Archdiocese, there will be a thorough investigation of allegations using an established process which includes the Diocesan Review Board and an independent investigator. In accordance with the provisions of canon 1722, the cleric will be removed from any current ministry assignment or exercise of ministry and prohibited from any public exercise of ministry while the investigation is underway. The investigator will take whatever steps are needed to arrive at a compilation of facts in the case. The Archdiocese commits itself to full cooperation in this independent investigative process. The Diocesan Review Board is charged with making recommendations to the Archbishop regarding the substantiation of the allegation and suitability for ministry.

**FINAL DISPOSITION:** In every case, upon conviction, plea of guilty, or determination by the Diocesan Review Board process that there is a preponderance of evidence that a cleric has sexually abused a minor, the Diocesan Review Board will make its recommendation to the Archbishop. If the allegation is substantiated, exercising his episcopal authority, the Archbishop will permanently remove the cleric from active ministry and divest him of authority to function as a cleric in any capacity. Proper canonical procedures will be observed at all stages.

NOTE

\* For purposes of these policies, procedures and protocols, the offense of sexual abuse of a minor will be understood in accord with the provisions of *Sacramentorum sanctitatis tutela* (SST), article 6, which reads:

§1. The more grave delicts against morals which are reserved to the Congregation for the Doctrine of the Faith are:

1° the delict against the sixth commandment of the Decalogue committed by a cleric with a minor below the age of eighteen years; in this case, a person who habitually lacks the use of reason is to be considered equivalent to a minor.

2° the acquisition, possession, or distribution by a cleric of pornographic images of minors under the age of fourteen, for purposes of sexual gratification, by whatever means or using whatever technology;

§2. A cleric who commits the delicts mentioned above in §1 is to be punished according to the gravity of his crime, not excluding dismissal or deposition.

In view of the Circular Letter from the Congregation for the Doctrine of the Faith, dated May 3, 2011, which calls for “mak[ing] allowance for the legislation of the country where the Conference is located,” Section III(g), we will apply the federal legal age for defining child pornography, which includes pornographic images of minors under the age of eighteen, for assessing a cleric’s suitability for ministry and for complying with civil reporting statutes. If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians should be consulted, and the opinions of recognized experts should be appropriately obtained (*Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, p. 6). Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of the review board, to determine the gravity of the alleged act.

ARCHDIOCESE OF MILWAUKEE  
PROCEDURES TO IMPLEMENT THE USCCB  
CHARTER FOR THE PROTECTION OF CHILDREN  
AND YOUNG PEOPLE

Under the direction of the Archbishop of Milwaukee, the Archdiocese of Milwaukee is committed to helping victims/survivors of clergy sexual abuse and to protecting children and young people from all abuses. We are sorry for the pain of the victims/survivors of clergy sexual abuse and we owe them far more than an apology. We acknowledge that all victims/survivors of clergy sexual abuse must be found and treated with the utmost care. We want all who have been victimized to come forward with the confidence that they will be heard and helped, and that abusers will be held accountable. We are also sorry for the pain and mistrust this issue has caused so many people. The guiding principle behind all policies, procedures, and protocols must be the prudent protection of children and young people, not just the punishment of offenders. The policies, procedures, and protocols must also be marked by justice and contain due process for all involved.

Using the USCCB Charter for the Protection of Children and Young People as a guide, the Archdiocese commits itself to the following procedures.

## **CHARTER ARTICLE I**

*Dioceses/eparchies are to reach out to victims/survivors and their families and demonstrate a sincere commitment to their spiritual and emotional well-being. The first obligation of the Church with regard to the victims is for healing and reconciliation. Each diocese/eparchy is to continue its outreach to every person who has been the victim of sexual abuse as a minor by anyone in church service, whether the abuse was recent or occurred many years in the past. This outreach may include provision of counseling, spiritual assistance, support groups, and other social services agreed upon by the victim and the diocese/eparchy.*

*Through pastoral outreach to victims and their families, the diocesan/eparchial bishop or his representative is to offer to meet with them, to listen with patience and compassion to their experiences and concerns, and to share the “profound sense of solidarity and concern” expressed by His Holiness, Pope John Paul II, in his Address to the Cardinals of the United States and Conference Officers (April 23, 2002).*

## **VICTIM / SURVIVOR OUTREACH**

Procedure for provision of counseling and spiritual direction:

- Upon receipt of a report of clergy sexual abuse of a minor, the Archdiocese immediately

offers to provide counseling referrals and financial assistance for therapy for the victim /survivor and/or their family regardless of when the sexual abuse occurred.

- An independent evaluator with expertise in mental health treatment, reviews treatment plans to ensure that individuals receive quality therapy that meets their specific needs.
- The Archdiocese uses the services of a professional Victim Assistance Coordinator to receive intake reports and make referrals for counseling support to assist victims / survivors.
- Support groups, in collaboration with local sexual assault agencies, are available.
- A network of spiritual directors who work confidentially with victims / survivors is available. The Chancery Office can make such referrals.
- The Archbishop is committed to personal and active contact with victims / survivors.
- The designated Victim Assistance Coordinator is responsible to meet with and provide assistance to victims / survivors.

## **CHARTER ARTICLE II**

*Dioceses/eparchies are to have policies and procedures in place to respond promptly to any allegation where there is reason to believe that sexual abuse of a minor has occurred. Dioceses/eparchies are to have a competent person or persons to coordinate assistance for the immediate pastoral care of persons who report having been sexually abused as minors by clergy or other church personnel. The procedures for those making a complaint are to be readily available in printed form in the principle languages in which the liturgy is celebrated in the diocese/eparchy and be the subject of public announcements at least annually.*

*Dioceses/eparchies are also to have a review board that functions as a confidential consultative body to the bishop/eparch. The majority of its members are to be lay persons not in the employ of the diocese/eparchy (see Norm 5 in Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons, 2002). This board is to advise the diocesan/eparchial bishop in his assessment of allegations of sexual abuse of minors and in his determination of a cleric's suitability for ministry. It is regularly to review diocesan/eparchial policies and procedures for dealing with sexual abuse of minors. Also, the board can review these matters both retrospectively and prospectively and give advice on all aspects of responses in connection with these cases.*

## **RESPONDING TO ALLEGATIONS**

Procedures on Assistance and Pastoral Care:

1. The designated Catholic Charities professional serves as the Victim Assistance Coordinator (VAC) and assists persons in making a report of sexual abuse and makes appropriate referrals to help restore the victim/survivor to wholeness. The primary purpose of the VAC is to provide compassionate help to the victim/survivor of sexual abuse, but does not function as either a therapist or an agent of the Church in verifying the truthfulness of the allegation(s). All reports of sexual abuse, when the alleged offender is still alive, are forwarded to civil authorities by the Chancellor. If civil authorities do not take action, processes of independent investigation and review by the Diocesan Review Board occur, so that all priests and deacons with substantiated allegations of sexual abuse are permanently removed from ministry, in compliance with the Charter and in observance of proper canonical procedures.

2. The Safe Environment Coordinator (SEC) oversees implementation of a Safe Environment Program, as mandated by the United States Conference of Catholic Bishops (USCCB), in all parishes and schools. All paid personnel and volunteers who interact regularly or go on a retreat or field trip (even one time) with children or young people must undergo mandatory safe environment education and awareness training to recognize the dynamics of not only childhood sexual abuse but all abuses along with reporting responsibilities. Age-appropriate education to teach children to recognize, resist and report abuse will occur in all classrooms.
3. The SEC provides consultation to parish and school personnel in specific situations about how to report all instances of suspected abuse of children and young people.

A community advisory board composed of representatives from various social services agencies and experts in the area of sexual abuse assists this office in its mission. 5. The Victim Assistance Coordinator can be reached at [414-758-2232](tel:414-758-2232). To make a formal report outside of the Archdiocese staff, contact the Healing Center of Milwaukee at 414-671-4305 or toll free at 1-866-302-9215

#### Establishment of Diocesan Review Board:

Archbishop Dolan appointed the Diocesan Review Board in January 2003. The Board has the mandate of cooperating with civil authorities in assessing allegations of sexual abuse of minors, providing counsel regarding suitability for ministry, and reviewing all archdiocesan policies to ensure that they meet or exceed the requirements of the Charter. The Board consists of five members with additional members to be added upon recommendation of the Board. The Board members will be respected members of the community and have expertise in the areas of psychology, law, and/or public policy. The board will include an experienced pastor. Members will be appointed for renewable five-year terms. The Promoter of Justice and the Vicar for Clergy will be invited to attend all meetings of the board.

#### Diocesan Review Board Procedures and Policies

- Policy decisions are to be committed to writing.
- Meeting summaries will be prepared and give an outline of the meetings, procedures decided upon, etc. Meeting summaries will be provided to the Board for approval and forwarded to the Archbishop. Meetings of the Board are not considered public meetings and no announcement of meetings or reports to the general public or media will be made unless the Archbishop elects to do so through his Communications Office.
- The Chair of the Board will act as spokesperson as needed, but will not discuss the content of meetings or recommendations made to the Archbishop.
- Any Communication policy will be issued by the Archbishop through the archdiocesan communications vehicles.
- If at any meeting of the Board a quorum is not present, the members present will not make any recommendations on substantiation of an allegation nor suitability for ministry.
- The Board may direct investigators to conduct additional interviews to clarify or complete a line of inquiry developed in a particular instance.
- The Board does not meet personally with either the person making the allegation or the accused.



- Both parties are invited by the investigator to submit written statements directly to the Board. They are also provided a written report of their respective portion of the investigation interview(s).
- Regardless of the number of investigators used by the Board for substantiation, out of sensitivity to the alleged victim/survivor and alleged perpetrator, whichever investigator begins the substantiation process in a given case will see it to conclusion unless there are some insurmountable obstacles in doing so.
- As the investigation comes to a close, both parties will be notified by the investigator that the report is ready to be sent to the Board. Each party will have 10 days within which to submit any supplemental information to the investigator. This supplemental report must clearly identify what new information is available that would help to establish the truth in the matter.

The Diocesan Review Board will exercise its responsibility by reviewing the report, directing the investigator to any new area(s) of inquiry if needed, and arriving at its conclusion about whether or not the allegation has been substantiated and whether or not the cleric is suitable for ministry. The Board will send its written report to the Archbishop for his decision and action.

The results of the investigation, along with the recommendation of the Review Board and the decision of the Archbishop, should be committed to writing and sent to each of the parties to a case.

Availability of policies, procedures, and resources:

- Archdiocesan procedures for reporting abuse have been posted on the Archdiocesan web site.
- A list of community programs that provide free services to sexual abuse survivors has been produced and distributed to every parish and school in the Archdiocese and sent to all registered Catholic households (210,000) in the Archdiocese. Additional copies are available from the Safe Environment Coordinator or by e-mail at loehrep@archmil.org)
- Parishes and schools have received information for distribution to parishioners and school families.
- Bulletin announcements are provided for parish use.

## **CHARTER ARTICLE III**

*Dioceses will not enter into confidentiality agreements except for grave and substantial reasons brought forward by the victim-survivor and noted in the text of the agreement.*

### **CONFIDENTIALITY AGREEMENTS**

Procedure for Confidentiality Agreements:

- If some serious and substantial reason for privacy is presented by a victim / survivor, the Archdiocese would agree to a confidentiality provision.
- An annual reporting of out-of-court settlements dealing with clergy sexual abuse will be published by the Archdiocese, along with Archdiocesan annual audited financial reports.
- Updated information on the financial impact of clergy sexual abuse cases on the Archdiocese will be publicly distributed.
- Victims / survivors are informed that the Archdiocese will not reveal any confidential information but that the individual is not bound to any confidentiality.

## **CHARTER ARTICLE IV**

*Dioceses/eparchies are to report an allegation of sexual abuse of a person who is a minor to the public authorities. Dioceses/eparchies are to comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and cooperate in their investigation in accord with the law of the jurisdiction in question.*

*Dioceses/eparchies are to cooperate with public authorities about reporting cases even when the person is no longer a minor.*

*In every instance, dioceses/eparchies are to advise victims of their right to make a report to public authorities and support this right.*

## **REPORTING ALLEGATIONS**

Procedure on Reporting Allegations of Abuse to Authorities:

- Allegations of clergy sexual abuse of a current minor received by the Archdiocese are immediately reported to the district attorney and/or law enforcement, unless the alleged offender is deceased.
- Church personnel are required to be knowledgeable of the State of Wisconsin Child Abuse regulations and know the proper reporting requirements. Church personnel are also to comply with all mandatory reporting requirements. If the information was received under the seal of the confessional, no reporting can occur, but the priest will encourage the victim / survivor or perpetrator to contact someone outside the Sacrament of Reconciliation.
- All allegations of clergy sexual abuse that occurred when an individual was a minor are referred to the appropriate district attorney regardless of when the alleged offense occurred, unless the offender is deceased.
- The Archdiocese fully cooperates with civil authorities conducting investigations.
- People reporting an incident of clergy sexual abuse will be informed that all reports received are turned over to civil authorities, unless the offender is deceased.
- Individuals are also encouraged to contact civil authorities directly with reports of sexual abuse.

## **CHARTER ARTICLE V**

*We affirm the words of His Holiness, Pope John Paul II, in his Address to the Cardinals of the United States and Conference Officers: “There is no place in the priesthood or religious life for those who would harm the young.”*

*Sexual abuse of a minor by a cleric is a crime in the universal law of the Church (CIC, c. 1395 §2; CCEO, c. 1453 §1). Because of the seriousness of this matter, jurisdiction has been reserved to the Congregation for the Doctrine of the Faith (Motu proprio, Sacramentorum sanctitatis tutela, AAS, 93, 2001). Sexual abuse of a minor is also a crime in all civil jurisdictions in the United States.*

*Diocesan/eparchial policy is to provide that for even a single act of sexual abuse of a minor—whenever it occurred—which is admitted or established after an appropriate process in accord with canon law, the offending priest or deacon is to be permanently removed from ministry and, if warranted, dismissed from the clerical state. In keeping with the stated purpose of this Charter, an offending priest or deacon is to be offered therapeutic professional assistance both for the purpose of prevention and also for his own healing and well-being.*

*The diocesan/eparchial bishop is to exercise his power of governance, within the parameters of the universal law of the Church, to ensure that any priest or deacon subject to his governance who has committed even one act of sexual abuse of a minor as described below shall not continue in ministry.*

*A priest or deacon who is accused of sexual abuse of a minor is to be accorded the presumption of innocence during the investigation of the allegation and all appropriate steps are to be taken to protect his reputation. He is to be encouraged to retain the assistance of civil and canonical counsel. If the allegation is not proven, every step possible is to be taken to restore his good name, should it have been harmed.*

*In fulfilling this article, dioceses/eparchies are to follow the requirements of the universal law of the Church and of the Essential Norms approved for the United States.*

## **INVESTIGATING AND PENALTY PROCESS**

Procedures:

- The Archdiocese is committed to observing all applicable civil law and canonical norms and to respecting the rights of all involved.
- The Archdiocese will remove the cleric from any current assignment and exercise of ministry in any case where the district attorney pursues a criminal investigation.

7

- In accordance with the provisions of canon 1722, the cleric will be removed from any current ministry assignment or exercise of ministry and prohibited from any public exercise of ministry while the investigation is being conducted. The Vicar for Clergy will be the primary contact for the accused during the investigation process. At his initial meeting, he will provide the accused with a written summary of the accusation including the name of the accuser(s), unless the Vicar judges that it is important not to include that information temporarily. The Vicar for Clergy will direct the accused to have no contact with the accuser or family and the accused will sign a document to that effect. The Vicar will maintain a checklist for each step that is taken and will share this information with the accused, having him sign and date it. The Vicar will maintain regular contact with the accused during the investigation stage.
- Alleged offenders will continue to receive necessary medical, psychological, and spiritual treatment. The Minister to Priests is available to provide spiritual support as requested.
- Prevention education, boundary education, and continuing formation in healthy human sexuality are part of both the Clergy Wellness Program and the Continuing Education

8

Program for Clergy. Ongoing mandatory education includes information about warning signs of potential abuse and behaviors that should raise concerns.

- Prevention education, boundary education, and continuing formation in healthy human sexuality will continue to be part of the formation curriculum at Saint Francis Seminary.
- If an accusation proves unsubstantiated, a cleric will be restored to the exercise of ministry. Both the accused and those with and to whom he ministers are to be provided with support services by archdiocesan personnel.
- Accused clerics are informed of their canonical rights and encouraged to seek both canonical and civil representation. The Vicar for Clergy will provide a list of canonical rights to the accused and will have him sign that he has read the document. The Vicar will later ensure that these rights are fully understood as the investigation proceeds. Any questions about participation in clerical events or other matters should be directed to the Vicar for Clergy.
- The Vicar will provide the accused with a written statement on what financial and other support will be given by the Archdiocese. The Vicar will ensure that appropriate housing is available to the accused during the investigation.
- In every case, upon conviction, plea of guilty, or determination by the Diocesan Review Board process that there is a preponderance of evidence that a cleric has sexually abused a minor, the Diocesan Review Board will submit its findings and make its recommendation to the Archbishop. If the allegation is substantiated, exercising his episcopal authority, the Archbishop will permanently remove the cleric from active ministry and divest him of authority to function as a cleric in any capacity. Proper canonical procedures will be observed at all stages.
- Regardless of age or infirmity of the cleric, the Archbishop will refer every case to the Congregation for the Doctrine of the Faith (CDF) as required by the U.S. Bishops' Conference Norms. The accused will be informed by the Vicar for Clergy when this referral has taken place. Any cleric with a substantiated case of abuse of a minor will be permanently prohibited from the exercise of ministry even if not dismissed from the clerical state by CDF processes. Clerics with a single, substantiated incident of sexual abuse of a minor are restricted from any public ministry, including saying Mass in public.
- Any cleric with a substantiated case of abuse of a minor will be permanently prohibited from the exercise of ministry, even if not dismissed from the clerical state by CDF processes. Involuntary laicization can be sought by the Archbishop. He will do so in cases where there are multiple, substantiated or admitted cases of sexual abuse of minors, where there is limited sense of remorse, and/or where there has been grave scandal.
- Ongoing study and review of oversight protocols and safety plans for those with substantiated cases, but not laicized, will continue.
- The appropriate practice for the burial of a cleric, after there have been substantiated allegations, should be determined on an individual basis. Consideration should be given to victim / survivor impact, as well as to the needs of the cleric's family and the common good of the Church community.

## **CHARTER ARTICLE VI**

*There are to be clear and well-publicized diocesan/eparchial standards of ministerial behavior and appropriate boundaries for clergy and for any other paid personnel and volunteers of the church in positions of trust who have regular contact with children and young people.*

## **DIOCESAN STANDARDS FOR MINISTERIAL BEHAVIOR**

Protocol on Ethical Standards:

- The Code of Ethical Standards is given to all clergy and church personnel and is available on the Archdiocesan web site.
- All church personnel and all volunteers who have regular contact with minors or go on a retreat or field trip (even one time) are required to document that they have read, understand, and agree to abide by the Code of Ethical Standards.
- A summary of the Code dealing with reporting misconduct has been sent to every archdiocesan parish school and religious education program for distribution to families.
- The Code will periodically be reviewed by the Diocesan Review Board to determine the need for revision.
- Education programs on the Code will be included in parish, school, and seminary workshops.

## **CHARTER ARTICLE VII**

*Dioceses/eparchies are to be open and transparent in communicating with the public about sexual abuse of minors by clergy within the confines of respect for the privacy and the reputation of the individuals involved. This is especially so with regard to informing parish and other church communities directly affected by ministerial misconduct involving minors.*

## **COMMUNICATION POLICY**

Communication Policy for Allegations of Sexual Abuse by Clergy or Other Church Personnel:

The Archdiocese of Milwaukee recognizes the importance of disseminating full and accurate information to the public regarding sexual abuse of minors by clergy. The Archdiocese of Milwaukee is committed to sharing information openly and willingly about sexual abuse of minors by clergy in the Archdiocese. The communication policy for the Archdiocese of Milwaukee in matters dealing with sexual abuse of minors by clergy is as follows:

1. The Archbishop of Milwaukee is the official spokesperson for the Archdiocese of Milwaukee. The Communications Director serves as the main media contact and serves as spokesperson for the Archbishop and the Archdiocese on issues involving sexual abuse of a minor by clergy, when appropriate. This follows the larger archdiocesan media relations policy already in place.
2. The Communications Director administers the media policy. No contact or response to media should be initiated through any other archdiocesan office. If media representatives initiate contact with archdiocesan staff, the inquiry should be referred to the Communication Director.
3. All media inquiries will receive a response. No media outlet or representative will be ignored.
4. The Archdiocese of Milwaukee is committed to candor and openness in its communication about sexual abuse of minors by clergy. Exceptions to this policy include matters under litigation, matters currently being investigated by civil authorities, unsubstantiated allegations and information which a victim / survivor has asked the Archdiocese to keep private.

5. All policies for reporting clergy sexual abuse will be written and communicated in multiple formats, including print and electronic. Policies and policy updates are distributed to all parish and school locations. Reminders about the policies in place are sent periodically throughout the calendar year.

6. Annual updates about the Archdiocese of Milwaukee's compliance with the "Charter for the Protection of Children and Young People" are widely communicated to the faithful of southeastern Wisconsin.

7. Information about how to report sexual abuse and agencies for contact by victims / survivors of sexual abuse – both within the Church structure and external social service agencies – is updated annually and distributed to parishes, schools and Catholic institutions, and posted on the archdiocesan web site.

8. Annual financial data is compiled as part of the overall archdiocesan annual financial report and disseminated to parishes, schools, and the faithful through a variety of communications media, including posting on the archdiocesan web site.

9. When an allegation of sexual abuse of a minor is received about an archdiocesan cleric, the following communication policy is in place:

a) All cases are sent to the appropriate district attorney for review. When a case is sent to the district attorney, no public statement is made by the Archdiocese until the district attorney has decided on a course of action. The Archdiocese does not comment on specific cases or allegations, but rather reiterates that our policy of reporting all allegations to civil authorities is being followed.

b) If criminal charges are filed against a cleric by a district attorney, this information is communicated to the parish (if the cleric was assigned) at all weekend Masses and is provided to the media in written form. An electronic communication is sent to all clergy and the statement is also placed on the archdiocesan web site.

c) If the district attorney does not pursue the case, but the Archdiocese finds the report credible, the allegation proceeds to an independent investigation and the cleric is placed on temporary leave from his assignment.

d) After the investigation, the case is referred to the Diocesan Review Board for its recommendation to the Archbishop. "Preponderance of evidence" (i.e., that it is more likely than not that the incident(s) occurred) is the standard used to determine whether the allegation is substantiated. They also make a recommendation regarding the cleric's suitability for ministry. Following the Archbishop's decision to remove a cleric from ministry, full disclosure is provided to the parish (if assigned), to all clergy, to other parishes where the cleric served, if appropriate, and to the media.

e) To ensure accurate and complete information, the Vicar for Clergy, Victim's Assistance Coordinator and Chancellor review data and statements before public release.

10. When a clergy offender's name becomes public, either because of criminal charges being filed by the district attorney or after substantiation by the independent investigation, the following information will be released to the public and media, when available:

a) Name, year of birth, ordination date and list of appointments.

b) When a case of sexual abuse of a minor has been substantiated and ministry has been restricted or the cleric has been laicized, notice is posted to the website and local law enforcement officials and pastors in the area where the cleric resides are notified.

Note: Articles VIII, IX, X, & XI are being implemented by the U.S. Conference of Catholic Bishops with full endorsement and cooperation of the Bishops of the Archdiocese of Milwaukee.

## **CHARTER ARTICLE VIII**

### **COMMITTEE FOR THE PROTECTION OF CHILDREN AND YOUTH**

*By the authority of the United States Conference of Catholic Bishops, the mandate of the Ad Hoc Committee on Sexual Abuse is renewed, and it is now constituted the Committee for the Protection of Children and Young People. It becomes a standing committee of the Conference. Its membership is to include representation from all the episcopal regions of the country, with new appointments staggered to maintain continuity in the effort to protect children and youth.*

*The Committee is to advise the USCCB on all matters related to child and youth protection and is to oversee the development of the plans, programs, and budget of the Office of Child and Youth Protection. It is to provide the USCCB with comprehensive planning and recommendations concerning child and youth protection by coordinating the efforts of the Office and the National Review Board.*

## **CHARTER ARTICLE IX**

### **USCCB OFFICE FOR CHILD AND YOUTH PROTECTION**

*The Office for Child and Youth Protection, established by the Conference of Catholic Bishops, is to staff the Committee for the Protection of Children and Young People and be a resource for dioceses/eparchies for the implementation of “safe environment” programs and for suggested training and development of diocesan personnel responsible for child and youth protection programs, taking into account the financial and other resources, as well as the population, area, and demographics of the diocese/eparchy.*

*The Office is to produce an annual public report on the progress made in implementing and maintaining the standards in this Charter. The report is to be based on an annual audit process whose method, scope, and cost are to be approved by the Administrative Committee on the recommendation of the Committee for the Protection of Children and Young People. This public report is to include the names of those dioceses/eparchies which the audit shows are not in compliance with the provisions and expectations of the Charter.*

*As a member of the Conference staff, the Executive Director of the Office is appointed by and reports to the General Secretary. The Executive Director is to provide the Committee for the Protection of Children and Young People and the National Review Board with regular reports of the Office’s activities.*

## **CHARTER ARTICLE X**

*The whole Church, especially the laity, at both the diocesan and national levels, needs to be engaged in maintaining safe environments in the Church for children and young people.*

*The Committee for the Protection of Children and Young People is to be assisted by the National Review Board, a consultative body established in 2002 by the USCCB. The Board will review the annual report of the Office of Child and Youth Protection on the implementation of this Charter in each diocese/eparchy and any recommendations that emerge from it, and offer its own assessment regarding its approval and publication to the Conference President.*

*The Board will also advise the Conference President on future members. The Board members are appointed by the Conference President in consultation with the Administrative Committee and are accountable to him and to the USCCB Executive Committee. Before a candidate is contacted, the Conference President is to seek and obtain, in writing, the endorsement of the candidate's diocesan bishop. The Board is to operate in accord with the statutes and bylaws of the USCCB and within procedural guidelines to be developed by the Board in consultation with the Committee for the Protection of Children and Young People and approved by the USCCB Administrative Committee. These guidelines are to set forth such matters as the Board's purpose and responsibility, officers, terms of office, and frequency of reports to the Conference President on its activities.*

*The Board will offer its advice as it collaborates with the Committee for the Protection of Children and Young People on matters of child and youth protection, specifically on policies and best practices. The Board and Committee for the Protection of Children and Young People will meet jointly several times a year.*

*The Board will review the work of the Office of Child and Youth Protection and make recommendations to the Director. It will assist the Director in the development of resources for dioceses.*

*The Board is to oversee the completion of the study of the causes and context of the recent crisis. The Board will offer its assessment of the data gathered and preliminary results to the Committee for the Protection of Children and Young People as the study moves forward.*

## **CHARTER ARTICLE XI**

### **INFORMING THE HOLY SEE**

*The President of the Conference is to inform the Holy See of this revised Charter to indicate the manner in which we, the Catholic bishops, together with the entire Church in the United States, intend to continue our commitment to the protection of children and young people. The President is also to share with the Holy See the annual reports on the implementation of the Charter.*



## **CHARTER ARTICLE XII**

*Dioceses/eparchies are to maintain “safe environment” programs which the diocesan/eparchial bishop deems to be in accord with Catholic moral principles. They are to be conducted cooperatively with parents, civil authorities, educators, and community organizations to provide education and training for children, youth, parents, ministers, educators, volunteers, and others about ways to make and maintain a safe environment for children and young people. Dioceses/eparchies are to make clear to clergy and all members of the community the standards of conduct for clergy and other persons in positions of trust with regard to children.*

### **SAFE ENVIRONMENT PROGRAMS**

Safe Environment Procedures:

- The Archdiocese has implemented a safe environment education and awareness training program that addresses issues of safe environment. All priests and deacons, as well as diocesan, parish and school staff, and all volunteers who have regular contact or go on a retreat or field trip (even one time) with minors are required to participate in training and education sessions. Ongoing safe environment education for all employees and all volunteers who have regular contact with children is required. All education materials are available to the entire faith community. All pastors, administrators, parish directors are required to certify that these trainings have occurred in a yearly compliance report
- All schools and religious education programs are required to implement the program “Safeguarding All of God’s Family.”
- Reporting protocols for reporting suspected instances of child and sexual abuse, or any abuses, are outlined and principals and teachers are trained on these protocols.
- Annually, the month of April will be designated as a special time for parent programs, parish awareness, preaching and teaching about prevention of sexual abuse. Within the month of April, one week will be dedicated as “Safe Environment Week” with a theme to further highlight safe environments. The Archdiocese will provide appropriate materials as prepared by the Safe Environment Coordinator.
- Education and training for seminarians at Saint Francis de Sales Seminary is part of their pastoral formation program.
- A special component in the Catholic Scouting program addresses the issues of sexual abuse.
- Religious education directors and youth ministry directors are included in programs to ensure they are as informed as school principals with regard to recognizing child sexual abuse and all abuses.
- All volunteers who have regular contact or go on a retreat or field trip (even one time) with children and young people are also informed in recognizing and reporting child sexual abuse and all abuses.

## **CHARTER ARTICLE XIII**

*Dioceses/eparchies are to evaluate the background of all incardinated and non-incardinated priests and deacons who are engaged in ecclesiastical ministry in the diocese/eparchy and of all diocesan/eparchial and parish/school or other paid personnel and volunteers whose duties include ongoing, unsupervised contact with minors. Specifically, they are to utilize the resources of law enforcement and other community agencies. In addition, they are to employ adequate screening and evaluative techniques in deciding the fitness of candidates for ordination (cf. National Conference of Catholic Bishops, Program of Priestly Formation, 1993, no. 513).*

### **BACKGROUND CHECKS**

Procedures for Background Checks:

- The Archdiocese requires that all Church personnel undergo criminal background checks as part of their employment at a parish or school or in any special ministry of the Archdiocese.
- The Archdiocese requires that all volunteers who interact on a regular basis, or are involved in a retreat or field trip (even one time) with children or young people are required to submit to a background check.
- Background checks are also required for all who are in formation at Saint Francis Seminary.
- For men studying for the priesthood or diaconate, in-depth personal interviews are conducted and extensive background checks, and federal and state criminal background checks, and psychological testing are required.

## **CHARTER ARTICLE XIV**

*Transfers of clergy who have committed an act of sexual abuse against a minor for residence, including retirement, shall be as in accord with Norm 12 of the Essential Norms. (Cf. Proposed Guidelines on the Transfer or Assignment of Clergy and Religious, adopted by the USCCB, the Conference of Major Superiors of Men, the Leadership Conference of Women Religious, and the Council of Major Superiors of Women Religious in 1993.)*

### **CLERICAL TRANSFERS**

Procedures for Transfer of Clergy:

- The Archdiocese of Milwaukee requires that the diocesan bishop or major superior of every diocesan or religious order cleric serving in the Archdiocese complete the Tri-Conference document attesting to fitness for ministry. These are to be kept on file in the Chancery office.

## **CHARTER ARTICLE XV**

*To ensure continuing collaboration and mutuality of effort in the protection of children and young people on the part of the bishops and religious ordinaries, two representatives of the Conference of Major Superiors of Men are to serve as consultants to the Committee for the Protection of Children and Young People. At the invitation of the*

*Major Superiors, the Committee will designate two of its members to consult with its counterpart at CMSM. Diocesan/eparchial bishops and major superiors of clerical institutes or their delegates are to meet periodically to coordinate their roles concerning the issue of allegations made against a cleric member of a religious institute ministering in a diocese/eparchy.*

## **IMPLEMENTATION WITH RELIGIOUS COMMUNITIES**

Procedures for Religious Communities:

- The Archdiocese of Milwaukee requires that the major superior of every religious order cleric serving in the Archdiocese complete the Tri-Conference document attesting to fitness for ministry.
- A copy of the religious community's policy on response to sexual abuse is required to be on file with the Archdiocese before any of its members can minister within the Archdiocese.
- The superior of each religious congregation must provide the Archdiocese with written documentation of any allegations made against an individual and that no credible allegations exist against any individual seeking to minister within the Archdiocese. The Archdiocese reserves the right to ban, on investigation, any individual who seeks to minister within the Archdiocese.
- If the Archdiocese receives a report of allegations of sexual abuse by order priests or religious, the Archdiocese will immediately report the incident to the district attorney and/or law enforcement and inform the religious superior.
- The Archbishop will continue regular meetings with major superiors.

## **CHARTER ARTICLE XVI**

*Given the extent of the problem of the sexual abuse of minors in our society, we are willing to cooperate with other churches and ecclesial communities, other religious bodies, institutions of learning, and other interested organizations in conducting research in this area.*

Research Procedures:

- The Archdiocese pledges its continued cooperation with valid, scientific research such as institutional research, medical research, research conducted by colleges/universities, and research endorsed by the U.S. Conference of Catholic Bishops.

## **CHARTER ARTICLE XVII**

*We pledge our complete cooperation with the Apostolic Visitation of our diocesan/eparchial seminaries and religious houses of formation recommended in the Interdicasterial Meeting with the Cardinals of the United States and the Conference Officers in April 2002.*

## **DIOCESAN SEMINARY FORMATION**

Procedures for Initial and Ongoing Formation on Chastity:

- The board of directors of Saint Francis de Sales Seminary has reviewed and revised its policies and protocols on the formation program in the area of screening, testing, and preparation of candidates in the areas of sexual abuse prevention and celibacy.
- Participation in priest support groups is encouraged by the Archbishop, Bishop, and Vicar for Clergy. Priest support groups meet on a regular basis and allow priests to discuss the challenges they face and the support they receive in their vocation and in their ministry assignment.
- The Archdiocese promotes the spiritual, physical and psychological health of priests by providing programs planned and implemented by the Clergy Wellness Council in conjunction with local healthcare providers. A Wellness Day for priests is sponsored each year.
- Saint Francis Seminary de Sales welcomed the Apostolic Visitation and Review recommended in the Interdicasterial Meeting with the Cardinals of the United States and the Conference Officers in April 2002.