

History and procedures for responding to Child Abuse Allegations

The Springfield Diocese's Review Board was created on Dec. 5, 1992, by the late Bishop John Marshall. Initially called the Misconduct Commission, it comprised nine members (one Religious Sister and eight lay persons), some of whom were mandated reporters by virtue of their secular careers. At this time the Diocese also created a toll-free phone number (800-842-9055) for reports to be made. Clear procedures and policies were put forward for the diocesan community. The Commission was charged with reviewing all allegations of inappropriate conduct by priests, deacons, religious and lay employees in the diocese.

In 2003, the Springfield Diocese instituted the requirement that mandated that all priests, deacons, religious, lay employees and volunteers to report suspected child abuse. All are provided training in identifying and reporting possible child abuse to law enforcement officials. All are subject to CORI background checks every three years, required to undergo regular training and to commit to a Code of Conduct.

In June 2002 the United States Conference of Catholic Bishops (USCCB) established the *Charter for the Protection of Children and Young People*, a comprehensive set of procedures to respond to allegations of sexual abuse of minors by Catholic clergy and others in employment or ministry with the Catholic Church. The *Charter* directs action in all the following matters:

- Creating a safe environment for children and young people.
- Healing and reconciliation of victims and survivors.
- Making prompt and effective response to allegations.
- Cooperating with civil authorities.
- Disciplining offenders.
- Providing for means of accountability for the future to ensure the problem continues to be dealt with effectively.

The *Charter* has been revised and approved in 2005 and 2011. Since 2004, an external review and audit of each diocese's compliance with the *Charter* has been conducted annually.

The *Charter* includes standardized procedures known as the "Essential Norms." The Essential Norms spell out the procedure which bishops are required to follow in handling an allegation of sexual abuse by a priest or deacon. The procedure is as follows:

When an allegation is received, a preliminary investigation is conducted promptly and objectively. The Review Board will assist the bishop in assessing the credibility of the allegation. In the Diocese of Springfield, the Review Board includes professionals from the fields of education, law, corrections, children's advocacy, psychology, social justice, and medicine.

"When there is sufficient evidence that sexual abuse of a minor has occurred" (Norm 6), the bishop puts the priest or deacon on administrative leave. The allegation is immediately reported to the civil authorities and the diocese will cooperate in any civil investigation.

At the same time, the bishop notifies the Congregation for the Doctrine of the Faith, the Vatican department responsible for handling such cases. The Congregation will then decide whether to hear the case itself, or direct the bishop to proceed. If the allegation falls beyond the Church's statute of limitations (10 years past the age of majority), the bishop shall request an extension of

the time limit for trying the case.

The Congregation for the Doctrine of the Faith will determine whether a church tribunal or court will hear the case. If the case is heard, church law governing tribunals is strictly followed in order to arrive at a just judgment. If the case is not heard, subsequent Norms provide other measures bishops can take to ensure that offending priests or deacons do not remain in ministry.

If the allegation is admitted or proven in a canonical trial, the Norms require the following: **“When even a single act of sexual abuse by a priest or deacon is admitted or is established after an appropriate process in accord with canon law, the offending priest or deacon will be removed permanently from ecclesiastical ministry, not excluding dismissal from the clerical state, if the case so warrants”** (Norm 8). The Norms also provide that the offending deacon or priest may ask to be dispensed from the obligations of the clerical state (laicized). In exceptional cases, the bishop can petition the Pope directly to laicize an offending priest or deacon against his will.

If a canonical trial is not possible (for example, because of advanced age or infirmity), the priest or deacon **“ought to lead a life of prayer and penance. He will not be permitted to celebrate Mass publicly or to administer the sacraments. He is to be instructed not to wear clerical garb, or to present himself as a priest”** (Norm 8b).

Norm 9 concerns the bishop’s executive power of governance--the bishop’s authority and responsibility to remove an offending priest or deacon from ministry when a trial cannot be conducted, or whenever the bishop is morally certain that the priest or deacon presents a threat to young people. No one has an automatic right to ministry. A bishop may decide that the priest or deacon, even if acquitted, nonetheless poses a danger to children.

Norm 12 makes it clear that **“no priest or deacon who has committed an act of sexual abuse of a minor may be transferred for ministerial assignment to another diocese/eparchy or religious province.”**

The Norms conclude with a pledge of resolve: **“Care will always be taken to protect the rights of all parties involved, particularly those of the person claiming to have been sexually abused and the person against whom the charge has been made. When an accusation has proved to be unfounded, every step possible will be taken to restore the good name of the person falsely accused”** (Norm 13).

We encourage all individuals who know of or suspect abuse by clergy or a person employed by or in ministry with the Catholic Church to contact law enforcement, child protective services or the Diocese Office of Child and Youth Protection at 800-842-9055.

For more information about the *Norms* and the *Charter for the Protection of Children and Young People*, visit the U.S. Bishops’ website: www.usccb.org. For further information about the Diocese of Springfield’s Safe Environment policies and protocols, the Diocesan Review Board, or other aspects of child abuse prevention, please consult the website for the Office of Child and Youth Protection or contact the office at (413) 452-0624.