

ARCHDIOCESE OF WASHINGTON



# CHILD PROTECTION POLICY

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## Introduction

All children have the right to be safe and protected from harm in any and all environments – home, school, religious institutions, neighborhoods and communities. The Archdiocese of Washington embraces this right to safety and is dedicated to promoting and ensuring the protection of all children. The Archdiocese will do all in its power to create a safe environment for children and young people, to prevent their physical abuse, sexual abuse and neglect and to bring the healing ministry of the Archdiocese to bear wherever possible. It is the expectation of the Archdiocese of Washington that all persons and entities under its auspices comply with the provisions stated in this policy.

This child protection policy builds on a 1986 policy issued by the Archdiocese of Washington that was updated in 1993, in 1999 and in 2003. It is responsive to our concern for children and to the provisions contained in the revised *Charter for the Protection of Children and Young People* and the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* initially approved by the full body of U.S. Catholic bishops at its November 2002 General Meeting, with revisions approved at its June 2005 General Meeting.

With renewed faith, we recommit ourselves to the original goals of this policy:

- a. to reiterate and strengthen educative and screening procedures toward the goal of preventing child abuse by Archdiocesan personnel and volunteers
- b. to identify and observe reporting requirements to civil and Archdiocesan authorities
- c. to address the spiritual, physical and emotional care of the abused child and the family as well as the affected Catholic community
- d. to address the spiritual, physical and emotional care of the individual against whom the charge was made
- e. to address other actions to be taken when child abuse is alleged.

## SECTION



## Definitions

Following are definitions used for the purposes of this policy.

### 1.1 Accused

A person charged with or alleged to have committed an act of abuse, a serious violation of these policies and procedures (or this “Policy”), or a crime.

### 1.2 Administrative Leave

Relieving the accused of assigned duties pending further notice from the Vicar General.

### 1.3 Adult

A person who is at least 18 years old.

### 1.4 Appropriate Monitoring

Ongoing, in-person monitoring of the conduct and performance of individuals with provisional status (see Sec. 1.13) and individuals who are pursuing status as Archdiocesan personnel (see Sec. 1.5) but who have yet to complete the requisite clearance procedures. Individuals who serve as monitors are to be formally designated this responsibility by the Archdiocesan Office of Human Resources or appropriate Agency Human Resources Office. An exception is made for priest-penitent confidentiality.

### 1.5 Archdiocesan Personnel

Priests, religious, deacons, lay employees, contract workers and volunteers who have substantial contact with children and are subject to the oversight of the Archdiocese of Washington.

## 1.6 Background Check

The verification of information provided on Application for Employment or Volunteer Application Form, including a minimum of three reference contacts.

## 1.7 Child

Any person under the age of eighteen (18).<sup>1</sup>

## 1.8 Child Abuse

Consists of any of the following:

- a. **Sexual Abuse** includes any act or interaction whether it involves genital or physical contact, with or without consent, even if initiated by the child, which involves sexual contact, molestation or sexual exploitation of a child by a parent or any other person who has permanent or temporary care or custody or responsibility for supervision of a child, whether physical injuries are sustained or not, to include:
  1. The intentional touching of the genitals or intimate parts including the female breast, the genital area, groin, inner thigh and buttocks of a child or of a perpetrator by a child for purposes of sexual arousal or gratification
  2. Rape, sexual intercourse (vaginal or anal), oral/genital, oral/anal contact
  3. The intentional touching and/or displaying of one's own genitals or intimate parts including the female breast, the genital area, groin, inner thigh and buttocks in the presence and view of a child for purposes of sexual arousal or gratification
  4. Permitting, causing, encouraging or assisting in the depiction of or posing for viewing by any person, either in person or by way of graphic means including digital or photographic image of the partially or fully unclothed body of a child, displaying intimate parts, in motion or not in motion, alone or with other persons, or the depiction of a child in apparent observation of sex acts by others in the child's presence
  5. Displaying or distributing to a child any picture, photograph, book, pamphlet, digital image, movie or magazine the cover or content of which is principally made of descriptions or depictions of sex acts or contact, or which is principally made up of descriptions or depictions of sexual acts or contact, or which consists of pictures of nude or

partially denuded figures posed or presented in a manner which the average person applying contemporary community standards would find, taken as a whole, appeals to the prurient interest.

- b. **Physical Abuse** includes any act which:
  1. Willfully causes or inflicts physical injury to a child or
  2. Willfully causes mental injury or psychological injury to a child by intentionally engendering fear of physical injury to that child.
  3. It is the policy of the Archdiocese of Washington that corporal punishment of a child is prohibited in all entities under the auspices of the Archdiocese of Washington.
  4. Physical abuse does not include the appropriate physical restraint of a child who is attempting to injure another person or his/herself, or the appropriate physical direction of a child away from danger or the minimum restraint necessary to place a child in "time out" or other appropriate limitation of movement to promote the child's regaining of safety and emotional control.
- c. **Neglect** includes:
  1. Abandonment of a child by a parent, custodian or guardian
  2. Lack of care by not providing appropriate and necessary food, shelter, clothing and education
  3. Not providing care or control in respect to physical or emotional health; the refusal or inability to discharge parental or custodial obligations; and expressions of intention by parent, guardian or institution to discontinue care.

## 1.9 Credible Accusation

An allegation that, based upon the facts of the case, meets one or more of the following thresholds:

- a. Believable and plausible
- b. Natural, reasonable and probable
- c. Corroborated with other evidence or another source and/or
- d. Acknowledged/admitted to by the accused.

In making this determination, consideration should be given to the trustworthiness of the source.

### 1.10 Criminal History Record Check

The submission of fingerprints to the state and FBI to provide information on existence and content of a criminal arrest record.

### 1.11 Exempt Status

Priests, deacons, religious, lay volunteers and/or visitors to the Archdiocese of Washington who have temporary assignments and perform duties that are of limited duration and scope in both time and exposure to children. In lieu of personnel clearances, appropriate monitoring is provided and exempt status individuals are not left unattended in the presence of children.

### 1.12 Permanent or Temporary Care or Custody or Responsibility for Supervision of a Child

Includes all Archdiocesan personnel or any adult who has been given responsibility for temporary care or supervision of a child. The passing of responsibility may be by a parent, guardian or authorized person, regardless of duration, for a church or school related activity.

### 1.13 Provisional Status

Employees and volunteers who have completed background checks and Criminal History Record Checks, and the law enforcement review of the latter is pending, can obtain “provisional status” from the Archdiocesan Office of Human Resources or appropriate Agency Human Resources Office. In lieu of personnel clearances, appropriate monitoring is provided and provisional status individuals are not left unattended in the presence of children.

### 1.14 Sexual Assault

For the purposes of this policy, sexual assault will include any listed sex abuse acts committed by an adult who is not a household or family member or responsible for supervision of the child.

### 1.15 Substantial Contact

Contact with children in which the duration and scope in both time and exposure to children is neither trivial nor limited and may occur on a routine and/or ongoing basis. Substantial contact does not include persons who have an isolated or infrequent interaction with a child or children that is supervised/monitored by an authorized person.

### 1.16 Volunteer

A person who provides without compensation an ongoing service or activity that is officially sanctioned by the Archdiocese of Washington and/or Archdiocesan personnel.

## Footnotes

<sup>1</sup> A vulnerable individual over the age of seventeen (17) is also covered by this policy—*mutatis mutandis* (with the necessary changes)—when such a person is unable or unlikely to report abuse without assistance because of impairment of physical or mental function or emotional status.



## Education

### Principle

The Archdiocese of Washington is committed to preventing child abuse before it occurs and to identifying child abuse once it has occurred. By raising the awareness and understanding of abuse issues among priests, deacons, religious, staff members, volunteers and other adults who work with or have substantial contact with children and young people under the care of the Archdiocese and by increasing their knowledge and ability to deal effectively with child abuse issues once they arise, risks to child safety can be greatly reduced. By educating children on how to be safe and stay safe, the Archdiocese will enhance the ability of children to protect themselves and encourage an environment that allows children to communicate any potential endangerment.

#### 2.1 Purpose and Objective

This policy applies to the programs that provide specific training in the prevention, recognition and reporting of child abuse that are developed and/or offered by the Archdiocese and is:

- a. Required of all Archdiocesan personnel directly involved or in contact with children
- b. Required of all children and youth who participate in activities, services and programs under the auspices of Archdiocese and
- c. Recommended of parents and other adults who participate or have children who participate in activities, services and programs under the auspices of Archdiocese.

The objective of these programs is to prevent, recognize and appropriately report child abuse through educational programs, such as seminars, workshops and meetings, provided by the Archdiocese and completed by all Archdiocesan personnel who have substantial contact with children, on an annual basis.

#### 2.2 Personnel

The following Archdiocesan personnel shall participate in an annual education program on child abuse specifically designed to address their area of service:

- a. All priests, deacons and members of religious communities
- b. All principals, assistant principals, teachers, guidance counselors, librarians, all volunteers and staff at all levels, including aides, janitors, food service workers, school nurses, and office personnel of all Catholic elementary, middle and high schools
- c. All directors, catechists and staff of religious education programs
- d. All Archdiocesan personnel providing child care services
- e. All youth ministers, directors/coaches of children's activities (e.g., athletics, scout troops, choir, etc.) and similar Archdiocesan personnel who provide such services.

The Vicar General shall have the authority to direct additional personnel of the Archdiocese (other than those specified in a-e) to attend the education programs.

#### 2.3 Educational Requirements and Completion Deadlines

The initial educational requirement for all Archdiocesan personnel is a minimum of two hours the first year. Archdiocesan employees and clergy shall complete one hour of education in each subsequent year. Volunteers shall be provided education in each subsequent year, at a minimum through written or online materials.

New staff and volunteers who will have substantial contact with children shall enroll in appropriate preventive education programs (as specified in Section 2.4) at the earliest possible date and no later than sixty (60) days following the assumption of their duties. This requirement may be extended, voluntarily, to staff and volunteers who do not work directly or have any contact with children and youth.

Pastors/parochial administrators, principals and agency directors will ensure that all personnel required to receive training do so within the requisite time period or are removed from contact with children for failure to attend appropriate training program. Parishes, schools and agency offices will maintain records of those who have completed the training requirement.

## 2.4 Educational Curriculum

Archdiocesan priests, permanent deacons and religious shall attend scheduled training sessions that include but are not limited to the following subjects:

- a. Appropriate boundaries and established prohibitions in ministry
- b. Nature of the child abuse problem
- c. Signs and symptoms of abuse in children and youth
- d. Laws, policies and procedures to report abuse allegations
- e. Policies and procedures to prevent child abuse by clergy, Church personnel or others who come into contact with children
- f. Policies and procedures to prevent child abuse on any Church-owned property or at Church-sponsored events and activities
- g. Types of disclosure and how to respond appropriately
- h. Policies and procedures to respond to allegations of abuse
- i. Ministering to adults and children about the prevention of abuse and exploitation
- j. Ministering to victims of abuse
- k. Penitential privilege and seal of the confessional.

Staff and volunteers shall attend scheduled training sessions that include but are not limited to the following subjects:

- a. Appropriate boundaries and established prohibitions in ministry
- b. Nature of the abuse problem in children and youth
- c. Signs and symptoms of abuse in children and youth
- d. Laws, policies and procedures to report child abuse allegations
- e. Policies and procedures to prevent child abuse by clergy, personnel or others who come into contact with children
- f. Policies and procedures to prevent child abuse on any Church-owned property or at Church-sponsored events and activities
- g. Types of disclosure and how to respond appropriately
- h. Policies and procedures to respond to allegations of abuse.

Parents and other adults will be strongly encouraged to attend scheduled training sessions that include but are not limited to the following subjects:

- a. Appropriate boundaries and established prohibitions in ministry
- b. Nature of the abuse problem in children and youth
- c. Signs and symptoms of abuse in children and youth
- d. Policies and procedures to prevent child abuse by clergy, personnel or others who come into contact with children
- e. Policies and procedures to prevent abuse on any Church-owned property or at Church-sponsored events and activities
- f. Policies and procedures to reporting child abuse allegations
- g. Types of disclosure and how to respond appropriately
- h. Policies and procedures to respond to allegations of abuse
- i. Conversations between parents and children regarding a child's personal safety
- j. Strategies for protecting children from potential abuse.

Children and young people shall attend scheduled training sessions that include but are not limited to the following subjects:

- a. Basic safety skills
- b. Recognition of dangerous and abusive situations
- c. Appropriate and inappropriate physical contact and other interpersonal boundary violations
- d. Ability to say "no" to unwanted situations
- e. Ability to identify trusting adults with whom to speak
- f. Importance of disclosure if inappropriate or unwanted actions are directed to self or others
- g. Recognition that abusive situations are never the fault of the child.

## 2.5 Availability of Training

Training shall be available at both the local and archdiocesan organizational levels. New staff and volunteers may:

- a. Attend a regularly scheduled training session in the parish, Archdiocese, religious community/institute or organization
- b. Complete training through online web-based training courses (first year training requisite excepted) or
- c. Arrange for individual training if no other training is available.



## 2.6 Educational Programs for Students in Parochial Schools and Religious Education Programs

The Superintendent of Catholic Schools and Archdiocesan Director of the Office for Religious Education will ensure that age-appropriate abuse prevention education programs are available at both the elementary (K–6th grade) and middle/secondary (7th–12th grade) levels.

Such programs shall be provided annually to children in all grades of every parochial elementary school in the Archdiocese as well as children participating in parish religious education programs.

Similar programs, age-group appropriate, will be presented on an annual basis in the Archdiocesan high schools. Programs will be made available to all other Catholic schools and their participation will be strongly recommended.

## 2.7 Assessment and Evaluation of Educational Efforts

With a view toward assessing the progress of the educational efforts called for by this Policy, records shall be kept of:

- a. The number of training courses offered
- b. The number of training courses attended by
  1. Priests, permanent deacons and religious
  2. Staff members
  3. Volunteers
  4. Parents
  5. Children and youth
- c. The number of web-based training courses
- d. The number of attendees requesting additional training or assistance
- e. Proportion of new staff and volunteers trained by deadlines in Section 2.3
- f. Participant evaluations of training content and learning opportunities.

# SECTION



## Applications and Background Checks: Lay Employees and Volunteers

### Principle

The Archdiocese of Washington recognizes that criminal history record checks are a critical element in ensuring the safety of children and protecting them from inappropriate actions or behaviors of others. Therefore, all employees and volunteers who will come into substantial contact with children while working or volunteering for any Archdiocesan institution and/or program will undergo the relevant state and federal Criminal History Record Checks.

### 3.1 Completion of Clearance Requirements

The pastor/parochial administrator, principal or agency director will ensure that all employees and volunteers in the parish, school or agency have submitted the appropriate Application for Employment or Volunteer Application Form and submitted a completed Criminal History Record Check, including fingerprints.

Employees and volunteers who have completed clearance information and are awaiting return of a Criminal History Record Check can be granted provisional status by the Archdiocesan Office of Human Resources or the appropriate Agency Human Resources Office. Such individuals shall be appropriately monitored and not left unattended in the presence of children until clearances are received and approved by the Archdiocesan Office of Human Resources or the appropriate Agency Human Resources Office.

The Archdiocesan Office of Human Resources or the appropriate Agency Human Resources Office will review all background check results, notify the pastor/parochial administrator, principal or agency director of any unsuitable applicants, and maintain a list of all persons in Archdiocesan locations who have been refused employment or not allowed to provide volunteer services due to background investigation.

### **3.2 Personnel**

Employees and volunteers of any Archdiocesan entity or assignment who have substantial contact with children shall complete and have returned to the Archdiocesan Office of Human Resources or the appropriate Agency Human Resources Office the appropriate Archdiocesan Application for Employment or Volunteer Application Form (Appendix B) and shall also submit to a Criminal History Record Check:

- a. All principals, assistant principals, teachers, contract workers who have substantial contact with children, guidance counselors, librarians, staff (e.g., clerical, teacher aides, maintenance, food service) and all volunteers of all elementary, middle and high schools operated by the Archdiocese and/or any parish(es)
- b. All directors, coordinators, catechists and staff of religious education programs and all teachers of religious education
- c. All persons providing child care services under the auspices of the Archdiocese and/or any parish, mission and/or other Catholic organizations which are subject under civil law to the administration, authority and/or governance of the Archdiocese
- d. All youth ministers, directors/coaches of children's activities (e.g., athletics, scout leaders, choir, etc.) and similar Archdiocesan personnel having substantial contact with children and who provide such services under the auspices of the Archdiocese or any parish, mission or other Catholic organizations which are subject under civil law to the administration, authority and/or governance of the Archdiocese.

### **3.3 Applicants for Employment or Volunteer Services**

All applicants for any position identified in Section 3.2 (a-d) shall complete the appropriate Archdiocesan Application for Employment or Volunteer Application Form and have it returned, prior to employment or acceptance of volunteer services, to the Archdiocesan Office of Human Resources or the appropriate Agency Human Resources Office. In addition, all applicants will have submitted to a Criminal History Record Check. Employment or acceptance of volunteer services is contingent upon a favorable result of the Criminal History Record Check and background check.

### **3.4 Authority of Vicar General**

The Vicar General shall have the authority to designate additional Archdiocesan personnel or volunteers who shall be required to complete and return the Archdiocesan Application for Employment or the Volunteer Application Form, and submit to a fully executed Criminal History Record Check.

### **3.5 Review and Approval by Office of Human Resources**

Completed application forms and Criminal History Record Checks shall be reviewed by the Archdiocesan Office of Human Resources or appropriate Agency Human Resources Office and, as appropriate, may be investigated by the Vicar General. Should an investigation due to information discovered in the application/reference check, criminal history report or at any other point in the screening process be deemed necessary by the Vicar General, the pastor/parochial administrator, principal or agency director will be contacted immediately. The pastor/parochial administrator, principal or agency director will contact the prospective employee or volunteer to clarify questions or findings and written documentation of the inquiry will be sent to the Vicar General. Employment or volunteer services may commence only after written approval from the Archdiocesan Office of Human Resources. Applications and Criminal History Record Checks shall be maintained in the files of the Archdiocese with access limited only to the Archbishop's designee(s).

### **3.6 Updating Clearance Information**

Archdiocesan personnel and volunteers may be required periodically to complete and return to the Archdiocesan Office of Human Resources or the appropriate Agency Human Resources Office an updated Archdiocesan Application for Employment or Volunteer Application Form and Criminal History Record Check.



## Background and Reference Checks: Clergy and Religious

### Principle

The Archdiocese of Washington recognizes that background checks are a critical element in ensuring the safety of children and protecting them from inappropriate influences. Therefore, all clergy, religious and applicants who come into substantial contact with children while working for an Archdiocesan entity will undergo the Criminal History Record Check. It is the responsibility of the Secretary for Ministerial Leadership or the Delegate for Consecrated Life to ensure that all priests, religious and seminarians have completed the appropriate applications and fingerprinting prior to beginning their work with children.

#### 4.1 Members of Religious Communities Who Are in the Archdiocese of Washington

All superiors of religious communities proposing names of individual religious for ministry or residence in Archdiocesan parishes or other Archdiocesan institutions, as well as those simply requesting parochial faculties in the Archdiocese, are required to state clearly in writing to the Secretary for Ministerial Leadership or the Delegate for Consecrated Life, whichever is applicable, that there is no history which would render the individual unsuitable to work with minors. A religious superior must state in writing that he/she has reviewed employment and Criminal History Records of the individual proposed for the previous ten years.

The Secretary for Ministerial Leadership or the Delegate for Consecrated Life will review all background check results. The Archdiocese of Washington will maintain a list of all clergy and religious in the Archdiocese who have been refused employment or not allowed to provide volunteer services due to background investigation.

Additionally, all such religious communities are expected to abide by Archdiocesan policies and procedures as outlined in this document should allegations of sexual misconduct with minors be made against an individual religious while serving in an Archdiocesan parish or facility.

#### 4.2 Priests from Other Dioceses Who Are in the Archdiocese of Washington

Bishops of diocesan priests from other dioceses ministering or residing in an Archdiocesan parish or institution, as well as those simply requesting priestly faculties in the Archdiocese, are required to present the same written assurances and background checks and their priests are required to adhere to the policies and procedures outlined in this document and the guidelines for transfers outlined in the *Essential Norms*.

#### 4.3 Applicants for Priesthood or Permanent Diaconate in the Archdiocese of Washington

Individuals making application for the priesthood or the permanent diaconate, as well as priests seeking incardination, shall be required to complete the Archdiocesan Application for Employment and complete Criminal History Record Checks from all states where the individuals lived or worked during at least the past ten years, and state in writing that they have no history which would render them unsuitable to work with minors. Additionally, all of the above individuals shall receive psychological testing and background checks in an effort to determine that they are suitable to work with minors.

#### 4.4 Guidelines for Granting Residence or Ministry to Extern Priest or Religious

No pastor/parochial administrator, parochial vicar or director of any Archdiocesan institution or facility in the Archdiocese of Washington is permitted to grant residence or full-time or part-time or regular weekend ministry to an extern priest or religious until a letter has been received from the Secretary for Ministerial Leadership or the Delegate for Consecrated Life assuring that the required Criminal History Record Checks and background checks have been obtained and are consistent with the Archdiocese of Washington criminal-free history requirements.<sup>2</sup>

## 4.5 Provisional Status

Persons who have completed background checks but are awaiting the return of the Criminal History Record Checks will be appropriately monitored and not left unattended in the presence of a child until clearances are received and approved by the Secretary for Ministerial Leadership or the Delegate for Consecrated Life.

## 4.6 Waivers of Comprehensive Clearance Information

Individuals who seek exempt status as extern priests or visiting seminarians and whose roles will be limited in scope and duration to preclude substantial contact with children shall provide the Secretary for Ministerial Leadership with written assurances from the host institution as well as formal self-declarations of criminal-free histories in order to be considered eligible for any service in which contact with minors may occur or is possible. Moreover, the Archdiocese shall remain vigilant in each of these situations. The Secretary for Ministerial Leadership shall provide formal approval of each instance in which requisite clearance procedures are waived. Approval shall be obtained prior to any involvement in Archdiocesan institutions and programs.

# SECTION



# Civil Reporting Requirements

## Principle

The Archdiocese of Washington recognizes that the protection of children and young people is a responsibility shared by the entire community, including the Church, parents, teachers, healthcare professionals, public safety officials, public and private social services agencies and the general public. The Archdiocese is committed to working with civil authorities to protect children by preventing child abuse and neglect, reporting alleged incidents of abuse or neglect, cooperating in investigations of allegations and any resultant judicial proceedings, as well as advising victims of their right to report independently and supporting their exercise of that right, as specified in the *Charter for the Protection of Children and Young People*. The Archdiocese will act in accordance with standards that will at all times comply with those of civil law, and this policy will be reviewed annually by the Vicar General to ensure consistency with changes in civil law.

## 5.1 Who Must Report?

Any Archdiocesan personnel, including those who do not work or volunteer with children, who has reason to believe or suspects that any child has been the victim of physical abuse, sexual abuse, sexual assault or neglect shall make a report to the appropriate civil authorities, identified in Sec. 5.3, and to the appropriate Archdiocesan authorities, identified in Sec. 6. The sole exception is that ordained priests shall not report any information subject to the priest-penitent privilege.

## Footnotes

<sup>2</sup> The Archdiocese of Washington requires criminal histories in which there is no occurrence of misdemeanor and/or felony offenses that constitute any form of child endangerment, assault, battery or any other violent crime.

## 5.2 What Must be Reported?

Any suspected physical abuse, sexual abuse, sexual assault or neglect of a child or young person shall be reported as soon as possible, regardless of where the incident occurred or by whom it was committed. Past incidents of sexual abuse that are alleged to have occurred when the victim was a minor, even if the victim is now an adult, also must be reported. In the District of Columbia, a professional who believes a child is in immediate danger of abuse, or neglect or harm as a result of drug-related activity must report that. In Maryland, alleged incidents of mental injury also must be reported.

## 5.3 To Whom Should Reports be Made?

Reports of abuse alleged to have occurred in Maryland shall be reported to the local law enforcement agency or the local department of social services. Reports of neglect alleged to have occurred in Maryland shall be reported to the local department of social services. In the District of Columbia, reports of known or suspected child abuse shall be made to the Metropolitan Police Department or the Department of Child Protective Services. This reporting is in addition to internal Archdiocesan reporting requirements (see Section 6).

Contact information for the appropriate authorities for the District of Columbia and each Maryland county within in the Archdiocese is in Appendix A.

## 5.4 What Specific Information Should be Reported?

The person making a report should provide as much information as possible. He/she should not conduct an investigation in order to obtain more information than is readily available. It is the responsibility of the civil authority to ascertain whether an investigation is warranted.

The following information should be reported to the extent it is known:

- a. Name, address and age of the child
- b. Name and address of the child's parent, guardian or caretaker
- c. Whereabouts of the child
- d. Nature and extent of the alleged maltreatment and any past history of injury possibly occurring from abuse or neglect
- e. Name, address and whereabouts of the person or persons suspected of perpetrating the abuse or neglect, if known

- f. Any other information which might help to determine the cause of the suspected abuse or neglect or the identity of the person responsible.

## 5.5 Reporting by Victims

In addition to making a report, Archdiocesan personnel shall inform the adult alleged victim of his/her right to report to the appropriate civil authority. They shall support victims in their exercise of this right.

## 5.6 Requirements for Further Cooperation

Upon request of any civil authority, Archdiocesan personnel shall cooperate fully in any investigation of child abuse and/or neglect. This includes investigations of alleged sexual abuse of minors who are now adults. They shall also cooperate in any resulting judicial proceeding.

## 5.7 Immunity Protections for Those Making a Report

Under their statutes, both Maryland and the District of Columbia provide civil and criminal immunity to those who are mandated to report suspected child abuse and do so in good faith. In the District of Columbia, any person who, participating in good faith, makes a report of suspected child abuse shall have immunity from civil and criminal liability. This immunity, in both jurisdictions, extends to investigations and judicial proceedings arising from the reports.



## Internal Archdiocesan Reporting Requirements<sup>3</sup>

### Principle

The Archdiocese of Washington believes unconditionally in the dignity of all children and young people and reasserts its condemnation of child abuse. Originating from this belief are expectations that there is (1) the general duty on all to report knowledge or reasonable suspicion of child abuse, regardless of any adverse consequences of such disclosure and (2) the pastoral responsibility of the Archdiocese to establish, implement and enforce an internal program of clear, practical actions to require the reporting of suspected child abuse.

#### 6.1 All Situations and Every Instance

- a. In addition to reporting to Archdiocesan officials as identified in this section, any Archdiocesan personnel, including those who do not work or volunteer with children, who has reason to believe or suspects that any child has been the victim of physical abuse, sexual abuse, sexual assault or neglect shall make a report to the appropriate civil authorities, identified in Sec. 5.3. The sole exception is that ordained priests shall not report any information subject to the priest-penitent privilege.
- b. Any individual who discloses abuse shall be advised to share this information with civil authorities and will be provided with the necessary support and assistance to do so.
- c. The reporting procedures specified below shall be followed regardless of the nature of the offense, the current age of the alleged victim, the position/role of the accused, when the offense allegedly occurred or any other factors that may be deemed to be exceptions to this rule.

#### 6.2 When Abuse is Suspected in an Parochial/Archdiocesan School or Other Archdiocesan Setting

- a. Anyone who suspects child abuse in a school shall immediately notify the:
  1. Principal of the school via telephone or in-person conversation or, in the absence of the principal, the pastor/parochial administrator.
  2. The principal or pastor/parochial administrator should notify the Superintendent of Catholic Schools.
- b. Anyone who suspects child abuse shall immediately notify the following (in a school situation, the principal shall do this notification):
  1. Pastor/parochial administrator or, in his absence, the parochial vicar via telephone or in-person conversation
  2. Director of Child Protection Services and
  3. Vicar General, who will contact the Archbishop and the Archdiocesan attorney when the accused individual is an Archdiocesan priest, deacon, religious, employee or volunteer.<sup>4</sup>
- c. Within 24 hours the person who suspects abuse shall file a written report with the pastor and the Director of Child Protection Services, who will forward a copy to the Vicar General (sample reporting form is attached as Appendix C; additional forms may be obtained from the Director of Child Protection Services).
- d. The Vicar General will designate a case-specific contact person to coordinate with civil authorities in furtherance of the requirement in Section 5.6.
- e. The Vicar General will provide a report of the suspected child abuse to the provincial of a religious or the bishop of a diocesan priest who is not a priest of the Archdiocese of Washington.
- f. The Vicar General shall cause the allegation to be reported to civil authorities in each and every instance.



### 6.3 When Abuse by an Individual who has no Association with the Archdiocese is Suspected

- a. Any Archdiocesan employee or volunteer who, within the context of his or her duties with an Archdiocesan school, parish, agency or other entity, suspects child abuse by an individual not associated with the Archdiocese (e.g., a child's neighbor or relative), shall notify the:
  1. Civil authorities (Section 5) and
  2. Principal, pastor or agency director of the school, parish or agency.
- b. The principal, pastor or agency director shall notify the Director of Child Protection Services.

### 6.4 Record Keeping

Accurate records of reports received, whether supported or not, and all actions taken and notifications by the Archdiocese and/or other church authorities in response to such reports, and of evidence and relevant comment, shall be kept on file in strict and secure confidence. Copies of original statements provided to the police will be kept on file.

The responsibility for record keeping resides with the Vicar General and records should be retained in his office. For the protections of both the involved individuals and institutions, records shall be kept *ad infinitum*. Continuity of information is essential and shall be assured.

### Footnotes

3 These reporting requirements are to be followed by all agents of the Archdiocese, including clergy, religious, lay employees and lay volunteers.

4 In cases in which the individual designated to receive the report is the accused, the report should be directed to the designee's superior.

## SECTION



## Internal Archdiocesan Procedures

### Principle

The Archdiocese of Washington will take all precautions necessary to ensure that children are safe and protected from harm. Despite such preventive measures, allegations of suspected abuse may occur. When allegations of suspected abuse are made against any party, the Archdiocese will consider the rights and interests of all parties and adhere to procedures that: (1) minimize the potential for further injury, (2) maximize the potential for a speedy and just resolution and (3) remain responsive to the tenets of canon and civil laws.

### 7.1 Allegations Against a Lay Employee or Lay Volunteer

- a. The pastor of a parish, in response to an allegation of child abuse against a lay employee or volunteer, will:
  1. Contact the family of the alleged victim and offer spiritual care and support
  2. Contact the Archdiocesan Director of Child Protection Services (see Section 9) to assure that treatment, support and essential assistance is provided to the victim in a timely manner
  3. Inform the alleged victim or, in the case of a child, the alleged victim's family of the availability of assistance through the Archdiocesan Director of Child Protection Services
  4. Function in a strict pastoral nature without regard to the truth of any accusation or to the circumstances surrounding the alleged incident.
- b. The individual against whom an allegation has been made will receive:
  1. Prompt notification of the general nature of the allegation(s) by the pastor/parochial administrator, principal or agency head

2. Be placed on administrative leave pending outcome of investigations by civil authorities.

Information shared with the accused shall be limited to that which is sufficient to enable the accused to respond to the allegation. Under no circumstances will information be shared that can compromise the civil investigation of the allegation.

Whenever possible, civil authorities will be allowed the first contact with the alleged offender, unless such procedure would put the alleged victim and/or others at risk of harm.

The individual against whom an allegation has been made is to be:

1. Directed to remain away from the school, agency, parish church, worship services or other location(s) which are the subject matter of the complaint until a resolution of the complaint is concluded
  2. Directed not to contact or attempt to contact the alleged victim nor the victim's family
  3. Informed of the investigative process and the expectations for his/her cooperation and participation in said process
  4. Advised of his or her right to obtain his or her own attorney.
- c. If the employee is arrested and charged, a review of the facts will be made to determine if he or she should be continued on administrative leave. Compensation and benefits will only be continued for three months or until the preliminary report of the police is made, whichever comes first. Thereafter, benefits only will continue, at the discretion of the Vicar General, up to a maximum of twelve (12) months.
- d. If a lay employee or volunteer admits guilt, does not contest guilt or there is a finding of guilt in criminal court or of liability in civil court, he or she will be terminated immediately. The pastor/parochial administrator, principal or agency head should notify the Vicar General in writing so that the employee's or volunteer's file may be properly noted and adequate safeguards taken in an effort to ensure that the individual is not employed or utilized by the Archdiocese of Washington in any capacity. The name will be sent to the Archdiocesan Office of Human Resources to be placed on a "Do Not Hire" list for employees and volunteers. This information shall become part of the employee's/volunteer's permanent employment file and may be made available in response to employment-related inquiries.

- e. In instances where allegations of abuse are not supported, a consultation by the pastor /parochial administrator, principal or agency head with the Vicar General will take place to determine the most appropriate course of action and the disposition of the accused.

## **7.2 Allegations Against Clergy or Religious in Service to the Archdiocese or Residing in an Archdiocesan Rectory, Convent or Facility**

- a. In response to an allegation of child abuse in a parish by a priest, deacon or religious, the Vicar General will immediately notify the Archbishop via telephone or in-person conversation.
- b. The Vicar General or his representative will:
  1. Contact the family of the alleged victim and offer spiritual care and support
  2. Contact the Archdiocesan Director of Child Protection Services (see Section 9) to assure that treatment, support and essential assistance is provided to the victim in a timely manner
  3. Inform the alleged victim or, in the case of a child, the alleged victim's family of the availability of assistance through the Archdiocesan Director of Child Protection Services
  4. Function in a strictly pastoral nature without regard to the truth of any accusation or to the circumstances surrounding the alleged incident.
- c. The priest, deacon or religious suspected of abuse, after civil authorities have been informed, will be:
  1. Called for an immediate meeting with the Vicar General, who will inform him or her of the nature of the allegation(s), unless the civil authorities deem otherwise (Civil authorities will be offered first contact with the accused, except when such procedure would put the alleged victim and/or others at risk of harm.)
  2. Informed of the investigative process and the expectations for his/her cooperation and participation in said process
  3. Immediately placed on administrative leave
  4. Advised by the Vicar General of his or her right to obtain civil and canonical counsel and
  5. Requested to seek and voluntarily comply with a comprehensive psychological evaluation (at the discretion of the Vicar General).



- d. In response to credible allegations against an Archdiocesan priest or deacon as determined by the Archbishop and informed by the advisory Case Review Board (see Section 7.4), the Vicar General will notify the Congregation for the Doctrine of the Faith. The Congregation of the Doctrine of the Faith will determine whether a church tribunal or the Congregation will adjudicate allegations.
- e. A priest or deacon who admits guilt or eventually is found guilty will be permanently removed from the ministry and not allowed to function or represent himself as a priest or deacon and may be laicized. Priests or deacons found not guilty may also be removed from the ministry if the Archbishop deems them to be a danger to children and young people. These matters may be appealed in accordance with the Code of Canon Law.
- f. In the case of a priest, deacon or religious from another diocese, the Vicar General will, after an allegation of child abuse has been deemed credible, immediately direct the priest, deacon or religious to leave the Archdiocesan facility(ies) and will notify the appropriate bishop or superior advising of the individual's immediate removal from our Archdiocesan facility(ies).

- b. This Board will perform the following functions in accordance with the policies and procedures articulated in the Guidelines for the Case Review Board (see Appendix D):
  1. Assess allegations of sexual abuse of minors by priests and deacons in order to advise the Archbishop on the credibility of the allegations and whether the allegations fall within the definition of sexual abuse. Cases of alleged child abuse, other than allegations of sexual abuse, may be referred to the Case Review Board and assessed in a comparable manner as described above.
  2. Advise the Archbishop in his determination of suitability for ministry on a case-specific basis.

This Board will report to the Archbishop directly or through his delegate. The Archbishop will review the recommendations made to him by this Board.

In each and every instance, if the Case Review Board makes a determination that the allegation is credible and falls within the definition of sexual abuse, the Archbishop will make the decision as to whether the person suspected of abuse will be relieved of or continued on leave from any ecclesiastical ministry or function and referred to an appropriate residential facility for evaluation and/or treatment. The Vicar General, with the assistance of the Secretary for Ministerial Leadership, will be responsible for making these arrangements. The priest or deacon retains the right to refuse the referral for evaluation and/or treatment.

Where the Case Review Board determines that the allegations either are not credible or do not meet the definition of sexual abuse and the Board nonetheless concludes that there remains reason(s) for concern, a consultation between the Archbishop and the Vicar General will take place to deter-

### 7.3 Allegations Against Individual Who has No Association with the Archdiocese

- a. In response to an allegation of child abuse committed by an individual who has no association with the Archdiocese, the pastor of the parish should:
  1. Contact the family of the alleged victim and offer information and support
  2. Cooperate with civil authorities as requested
  3. Notify the Director of Child Protection Services.

All individuals who suspect child abuse and have a duty to report child abuse as defined in civil law (see Section 5.1) should do so in a manner consistent with statutory guidance; in addition, the Director of Child Protection Services is to report the allegation to civil authorities in each and every instance.

### 7.4 Case Review Board

- a. When a priest or deacon of the Archdiocese is suspected of past or recent child sexual abuse, the Archbishop shall consult with the Case Review Board. This Board may also be consult-

mine the most appropriate course of action and the disposition of the accused.

- c. If allegations of past misconduct fall outside the canonical statute of limitations, the Case Review Board will determine whether the allegation is credible and is consistent with the definition of sexual abuse. The Board will develop an advisory recommendation to the Archbishop that is consistent with canon law and indicate, in writing, whether the incident exceeds the statute of limitations. If it does, the Archbishop shall seek an exception to these limitations.
- d. The Archbishop will forward all credible allegations to the Congregation for the Doctrine of the Faith, which will in turn refer cases to a church tribunal or retain the case and determine the future of the accused.

## 7.5 Rights of the Alleged Victims and the Accused

Following an allegation of child abuse, the Archdiocese of Washington shall provide the alleged victim and the person accused with:

- a. A timely response to, investigation of and resolution of the allegation of abuse
- b. An explanation of the Archdiocese's overall process and specific procedures for dealing with allegations of child abuse, including its policy on reporting to civil authorities
- c. An opportunity to provide comments to the Archdiocesan Case Review Board relevant to the nature of the allegations either in person or in writing
- d. Identification and offering of appropriate assistance to help the child/adult victim remediate the abuse experience and to ensure the psychological evaluation and treatment for the accused, as warranted
- e. Discretion in the conduct of the investigation and, to the extent possible, protection of the privacy and good name of both the victim and the accused
- f. Information pertaining to the outcome of the investigation, once it has been concluded.

## 7.6 Record Keeping

Pursuant to Section 6.4, all records of actions taken and notifications by the Archdiocese and/or other church authorities in response to such reports, and of evidence and relevant comment, shall be kept on file in strict and secure confidence. Such records, or portions of them, may be required in civil, criminal and canonical proceedings at the time of the allegation or at a later time.

## 7.7 Child Protection Advisory Board

The Archdiocese of Washington established a Child Protection Advisory Board<sup>5</sup> in July 2002 to demonstrate its commitment to the safety of all children and to respond to the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* that were approved by the U.S. Conference of Catholic Bishops at its November 2002 General Meeting and revised at its June 2005 General Meeting.

The Child Protection Advisory Board, comprised of eight members who serve for three-year terms, reports directly to the Archbishop in carrying out its broad mandate to:

- a. Review Archdiocesan policies and procedures at least every year and recommend ways in which they can be strengthened, improved or modified
- b. Oversee the implementation of the policies throughout the Archdiocese and its ministries
- c. Assist in developing appropriate mechanisms to ensure compliance with the policies
- d. Assess the effectiveness of victim assistance efforts by the Archdiocese and make recommendations for improvement
- e. Review and advise on standards of conduct for those in positions of trust and on education, training and outreach programs for clergy, staff, educators and others, as well as safe environment programs for children.

Both the Vicar General and the Case Review Board shall meet with the Child Protection Advisory Board at least annually to report on and summarize their activities and findings of the previous year and recommendations for the future.

The Child Protection Advisory Board shall present a public report of the status of the Archdiocesan child protection activities in the Archdiocesan newspapers and share the information with the parishes.

## Footnotes

<sup>5</sup> The Child Protection Advisory Board and the Case Review Board of the Archdiocese of Washington, collectively, are responsive to Norm 4 of the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*. The former board will review diocesan/eparchial policies for dealing with sexual abuse of minors; the latter board will advise the diocesan bishop/eparch in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry and offer advice on all aspects of these cases, whether retrospectively or prospectively. In addition to their consultative functions regarding sexual-abuse cases and policy, each Board may advise the Archbishop on matters of non-sexual abuse and/or neglect.



## Archdiocesan Response to False Allegations

### Principle

As in the recognition of significant trauma experienced by abuse victims, the Archdiocese of Washington recognizes the trauma and harm of false accusations. The Archdiocese will strive to minimize any personal or professional adverse consequences of unsupported allegations and to preserve the future ministry opportunities of persons falsely accused of child abuse, in accord with canon law.

#### 8.1 Mental Health Services

The Archdiocese will provide the necessary mental health services to assist individuals wrongfully accused to address the consequences of accusations and to restore the effectiveness in their job duties and/or volunteer services.

#### 8.2 Restoring the Good Name of Someone Falsely Accused

The Archdiocese will work with the accused to restore his or her good name and reputation and to create a workable plan for the future.

#### 8.3 Informing the Community

The Archdiocese will, in consultation with and consent from the individual falsely accused, inform the faith community at large and the local parish of the outcome of the investigative process and of the need for spiritual support and restorative justice in the wake of unsupported allegations.



## Pastoral Care and Victim Assistance

### Principle

The relationship between the Church and its members is sacred. The Archdiocese of Washington recognizes that this sacred trust is broken and profound harm is done when clergy or other Church personnel abuse children. The Archdiocese further recognizes the Church's pastoral responsibility to reach out to every person who has been the victim of abuse as a minor by anyone acting in the name of the Church, whether the abuse was recent or occurred in the more distant past. In order to repair harm and promote healing, the Archdiocese will offer compassionate and timely pastoral care to victims of child abuse, the victims' immediate families and the affected faith communities. Through this pastoral care, as well as ongoing education and training for clergy and other Church personnel, the Archdiocese will work diligently to promote safe, healthy communities of faith.

#### 9.1 Pastoral Outreach to Victims, Families and the Community

The Archdiocese will provide restorative pastoral responses to victims, families, parishes and communities that are essential to begin the healing process. These may include, but are not limited to:

- a. Open discourse about child abuse that allows education, healing and reconciliation
- b. Expressions of compassion
- c. Acknowledgement and acceptance of feelings of anger, pain and mistrust as part of the healing process
- d. Admission of wrongdoing and apology by the perpetrator and the provision of an unambiguous statement of remorse by an Archdiocesan official

- e. Education of the parish and the community in order to facilitate their understanding, acceptance and support of victims whose pain may require both immediate and ongoing intervention to repair the harm and promote the healing of their lives
- f. Pastoral counseling for an affected faith community.

### 9.2 Director of Child Protection Services

The Archdiocese shall designate a Director of Child Protection Services<sup>6</sup> who will receive notification of all allegations of abuse, promptly inform the alleged victim of his/her rights and obligations, and who will organize and direct timely and responsive pastoral care provided by the Archdiocese.

The Archdiocesan Director of Child Protection Services will serve as the liaison with any person who alleges abuse as a minor, will explain Archdiocesan policies and reporting requirements and will ensure that the person receives appropriate pastoral care. The Archdiocesan Director of Child Protection Services will meet with the victims, their families, the affected parish and faith communities and will monitor their pastoral needs to confirm that ongoing care is available for the appropriate period of time.

### 9.3 Counseling Assistance for Victims and Their Families

Pastoral care to persons harmed by abuse shall be offered in a variety of ways to bring healing to all those affected including, but not limited to, information about the availability of mental health services and supports. The Archdiocesan Director of Child Protection Services, on behalf of the Archdiocese, will facilitate assessment, counseling and therapeutic interventions by accredited and competent counselors, as mutually agreed upon by the individual receiving pastoral care or the victim's parent/guardian in the case of a minor child and the Archdiocese.

The reasonable cost of assessment and counseling for the victim and, in certain cases, family members will be assumed by the Archdiocese provided that:

- a. An initial assessment, found acceptable by the Archdiocese, is made by a qualified professional counselor
- b. The assessment contains recommendations for length of counseling and treatment goals

- c. The recommendations are in accordance with the standard of care practiced in the community and
- d. Treatment plans and goals are routinely monitored by a qualified professional counselor and reviewed no less than every six months.

### 9.4 Additional Forms of Pastoral Care

Appropriate pastoral care also may include medical evaluation and treatment, spiritual guidance, identification of support groups and other social services and resources for healing, depending upon the circumstances and particular needs of the victim, which shall be determined and mutually agreed upon by the victim or the victim's parent/guardian in the case of a minor child and the Archdiocese.

### 9.5 Measuring Accountability of Victim Assistance and Child Protection Outreach

Progress reports on victim assistance and child protection will be prepared on a biannual basis by the Archdiocesan Director of Child Protection Services and submitted to the Vicar General. These reports will address both case-specific and institutional issues including, but not limited to:

- a. Identification of victims' needs
- b. Availability and provision of services and supports that are responsive to the needs of victims
- c. Financial costs accrued to the victim assistance program
- d. Availability and provision of resources for guidance, support and intervention with secondary victims such as family members and friends
- e. Availability of and access to child protection training programs for Archdiocesan personnel and schools to meet training requisites
- f. Compliance with provisions of Archdiocesan Child Protection Policy.

### Footnotes

<sup>6</sup> The establishment of an Office of Child Protection Services for the Archdiocese of Washington is responsive to Norm 3 of the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*. Norm 3 states, "Each diocese/eparchy will designate a competent person to coordinate assistance for the immediate pastoral care of persons who claim to have been sexually abused when they were minors by priests or deacons."

## Communications

### Principle

The Archdiocese of Washington's policies and procedures governing its internal and external communications should promote the development of cooperative, responsive and candid relationships. The Archdiocese should engage the community and the media in its efforts to prevent child abuse, protect children, support families and inform the public. Within the confines of respect for privacy of the individuals involved, the Archdiocese will communicate as openly as possible with the members of the media, faith community and general public regarding allegations of child abuse and related issues.

#### 10.1 Public Awareness of Child Abuse Issues

The Office of Communications will work with the faith community and the general public to disseminate information in order to increase the awareness and understanding of the prevention, identification and treatment of child abuse and neglect.

#### 10.2 Timeliness of Communications

Communications with an affected parish and/or school, the media and the broader archdiocesan community are to be timely, open and clear. All communications shall occur within the confines of respect for the privacy and reputation of those involved, as well as any applicable canon and civil laws.

#### 10.3 Responding to the Media

The director of the Office of Communications is to be responsible for coordinating all media contacts. All media inquiries made to schools, parishes, etc. should be referred to that office or responded to in consultation with that office. The director of the Office of Communications will consult with, guide and coordinate relevant persons in the handling of media inquiries.

#### 10.4 Communications Training

The director of the Office of Communications will provide training to pastors/parochial administrators, principals and agency directors so that they can, when required to do so, competently respond to media inquiries and provide initial media response designed solely to reassure the community that abuse allegations are taken seriously and that the Archdiocese of Washington will cooperate fully with civil authorities.

#### 10.5 Communicating with Directly Affected Communities

Recognizing the importance of supporting parishes and/or schools directly affected by misconduct involving the victimization of minors, the director of the Office of Communications will coordinate with the Vicar General; relevant archdiocesan offices, such as the Catholic Schools Office; and school and/or parish leadership to ensure parishioners and/or school families receive timely, factual and pastorally appropriate communication from the archdiocese, school and/or parish.

#### 10.6 Communicating with Broader Community

The Archdiocese may communicate with priests at other parishes, particularly those where an accused person previously served; school principals; and/or pastoral center staff in order to assist them in reaching out pastorally to all parishioners and school families in the Archdiocese.



## Measuring Progress and Accountability

### Principle

In order to restore the trust and confidence of victims, parishioners, all Catholics and the public at large in the Church's ability to prevent child abuse and identify and heal those who have been abused, the Archdiocese of Washington shall be accountable for its efforts and performance in these matters. The Archdiocese shall evaluate the effectiveness of its child protection efforts at regular intervals to determine whether it is meeting the needs of the Church, the faith community and the victims and their families in the most effective and responsive ways possible.

#### 11.1 Responsibility for Implementation of Policy

The Archdiocese will be responsible for the effective and timely implementation of this policy.

#### 11.2 Evaluation Process

The Vicar General will establish a formal evaluation process for the policy. The process will include data needed to assess the effectiveness of the victim's assistance efforts, professional in-service training activities, supervisory support for the policy, outreach and education programs.

#### 11.3 Measurement of Objectives

The Archdiocese will measure both short-term objectives, such as the percentage of employees who interact with children and vulnerable adults who have background checks, and long-range desired outcomes, such as an end to child abuse and neglect in Catholic ministries.

#### 11.4 Annual Report

The Vicar General shall compile data for and produce an annual report that includes allegations that occurred, employee and volunteer training, community education and outreach to victims. The reports shall document full compliance with this policy.

#### 11.5 Policy Compliance

All clergy, employees and volunteers of the Archdiocese of Washington are expected to adhere to this policy. Failure to adhere to the Child Protection Policy may result in sanction or termination of employment.

#### 11.6 Consultation

In determining the effectiveness of this policy and its related components, the Archdiocese will consult with victims of abuse, the clergy, victims' assistance programs, educational staff and others directly impacted by the policy.

#### 11.7 Annual Report to Child Protection Advisory Board

The Vicar General should report his findings under this section at an annual meeting of the Child Protection Advisory Board.

#### 11.8 Annual Report to Parishioners

The Child Protection Advisory Board shall present a public report of the status of the Archdiocesan child protection activities in the Archdiocesan newspapers and share the information with the parishes.

#### 11.9 Review of Child Protection Policy

The Archdiocesan Child Protection Policy will be reviewed by the Child Protection Advisory Board one year following the date of its enactment and at least every two years thereafter. This review shall include: (1) an assessment of the adequacy of the Archdiocesan reports and methods that have been implemented to measure progress and accountability and (2) recommendations for amended measures and methods of progress and accountability.





## Persons to Whom Reports are to be Made

### A.1 District of Columbia

- a. Suspected instances of sexual abuse of children must be reported to Metropolitan Police Youth and Preventative Services Division: 202-576-6768/9 or 202-576-6762/3.
- b. Every call is investigated. If no investigator is available to take a call, a message should be left and an investigator will return the call.
- c. Suspected cases of child physical abuse and neglect should be reported to D.C. Department of Child Protective Services: 202-671-7233 (24 hours).

### A.2 Montgomery County

- a. Reports should be made to Child Welfare Division and Montgomery County Police Department (MCPD) Family Crimes Division: 240-777-4417 or 240-773-5400 (answered 8:30 a.m.-midnight, then answered by Crisis Center).
- b. The Child Welfare telephone number is for all cases of child neglect and child abuse. The MCPD Family Crimes Division investigates serious physical abuse and all sexual abuse complaints.

### A.3 Prince George's County

- a. Reports should be made to Department of Social Services, Child Protective Services: 301-909-2450 (direct) or 301-909-2000 (receptionist), Monday-Friday, 8:00 a.m.-4:30 p.m.
- b. After 4:45 p.m. and on weekends and holidays, call the Crisis Center: 301-699-8605.
- c. The Police Child and Vulnerable Adult Abuse Unit may be reached at 301-772-4930.

#### A.4 Calvert County

- a. Reports should be made to the Department of Social Services: 443-550-6969 (CPS Intake direct line), Monday-Friday, 8:00 a.m.-5:00 p.m.
- b. The Child Abuse Referral Service (24 hour emergency service) may be reached at 443-550-6900; 410-535-1400 (state police); or 410-535-2800 (sheriff's office, 24 hours).
- c. The answering service for Calvert County Department of Social Services is 1-800-787-9428 (24 hours).
- d. In Calvert County, the Department of Social Services works with the State Police and Sheriff's Office. Calls should generally be directed to Social Services during regular working hours, but if there is difficulty in reaching Social Services, the police or sheriff's office may be contacted at any time.

#### A.5 Charles County

- a. Reports should be made to Department of Social Services, 301-392-6739 (Monday-Friday, 8:00 a.m.-5:00 p.m.); 301-870-3665 (Metro DC number); or 301-932-2222 (after hours, weekends and holidays; Sheriff's Department).

#### A.6 St. Mary's County

- a. Reports should be made to Department of Social Services, Child Protection Division: 240-895-7016 (Monday-Friday, 8:00 a.m.-5:00 p.m. (2nd and 4th Tuesdays of each month until 7:00 p.m.) or 301-475-8016 (after hours; Police Control Center has access to the person on call).
- b. The Child Protection Division of the Department of Social Services takes all calls during regular hours. After hours calls are taken by the Control Center at the Police Department.

#### A.7 Multiple Jurisdictions

- a. Since our Archdiocese encompasses the District of Columbia and five (5) Maryland counties, it is possible that a child may have been abused in more than one jurisdiction. Even though the authorities of each jurisdiction cooperate with each other in investigating and prosecuting complaints, it is prudent to call each jurisdiction in which an act of abuse is alleged to have occurred.
- b. Our primary concern must always be the care and welfare of the victim and we therefore urge cooperation with the investigating authorities. We must also, however, show due respect for the rights of the accused.



## Sample Applications

All applicants for any position identified in Section 3.2 of the Child Protection Policy shall complete the appropriate Archdiocesan Application for Employment or Volunteer Application Form.

The Application for Employment is available through the Archdiocesan Office of Human Resources and at all Archdiocesan parishes, schools and agencies.

The Volunteer Application Form is available from the volunteer location (e.g., parish, school or agency) and online at the Archdiocese of Washington's website, [www.adw.org](http://www.adw.org), under "Protecting Our Children." A sample is included in this Appendix.





## ARCHDIOCESE OF WASHINGTON

### Volunteer Application Form

This form is to be completed, signed and returned to the Child Protection Compliance Coordinator of the parish, school or agency at which you are to provide volunteer services. A copy of this completed form will be retained in a file on site. The original will be sent to the Archbishop's Office of Human Resources.

Last Name	First	Middle	Last 4 Digits of SSN	Date
Present Street Address			City	State Zip
Daytime Phone			Evening Phone	
Parish/School Address (if different from present address)			Cell Phone No.	
Have you ever volunteered for an Archdiocesan location? <input type="checkbox"/> Yes <input type="checkbox"/> No			Are you 18 years of age or older? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, give details: _____				
I am interested in VOLUNTEERING at <input type="checkbox"/> school; <input type="checkbox"/> parish; <input type="checkbox"/> agency;				
Interested in volunteering for <input type="checkbox"/> school activities <input type="checkbox"/> religious education <input type="checkbox"/> youth ministry <input type="checkbox"/> missions <input type="checkbox"/> other _____				
I am available <input type="checkbox"/> mornings <input type="checkbox"/> afternoons <input type="checkbox"/> evenings <input type="checkbox"/> weekdays <input type="checkbox"/> weekends <input type="checkbox"/> other _____				
<b>VOLUNTEER ACTIVITIES</b>				
Please list all present and former volunteer activities beginning with your most recent position first. Use additional pages if needed. Include all other names, last names if possible, of the volunteer(s) you used on this form.				
Parish/Company/Organization Name		From	To	
Address		City, State Zip		
Duties/Responsibilities				
Parish/Company/Organization Name		From	To	
Address		City, State Zip		
Duties/Responsibilities				
Parish/Company/Organization Name		From	To	
Address		City, State Zip		
Duties/Responsibilities				
<b>REFERENCES</b>				
Please provide 2 personal/professional references. If you have resided in this area for less than 2 years please provide at least one reference from your previous area of residence.				
Name	City, State			
Phone	Relationship	Years Known		
Name	City, State			
Phone	Relationship	Years Known		

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### IMPORTANT – PLEASE READ THIS

You must complete questions I, II, III & IV only if the volunteer position(s) for which you are applying for will involve significant contact with children or other vulnerable individuals, i.e. elderly, mentally or emotionally handicapped, etc. Such positions include but are not limited to catechist, coaching, school volunteer, scout leader, youth minister, counseling, and maintenance.

**I. Has a civil or a criminal complaint ever been filed against you that alleged sexual misconduct or child abuse by you or your participation in or facilitation of such activities (including internal complaints given to management or supervisors at places of employment)?**  Yes  No *If yes, please explain below and attach a separate sheet if additional space is necessary. Please provide the date, nature, and place of the incident leading to the complaint; where the complaint was filed; disposition of the complaint; and identify by name and title the person(s) who investigated the complaint.*

**II. Do you presently serve, or have you ever served, as a volunteer for any organization, entity or group in which you had significant contact with children or other vulnerable populations (e.g. elderly, mentally or emotionally handicapped, etc.)?**  Yes  No *If yes, please provide the name, address, and phone number of the organization, period of volunteer service, supervisor's name, and briefly describe your activities and/or duties. Attach a separate sheet if additional space is necessary.*

**III. Have you ever chosen not to renew or continue any employment or volunteer service; had your employment or volunteer service terminated; or been subject to any disciplinary action for reasons relating to allegations of sexual misconduct or child abuse by you?**  Yes  No *If yes, please explain below and attach a separate sheet if additional space is necessary. Please include in your explanation the date, nature, and place of the incident(s) or allegation(s) and the disposition of the matter(s). Also, identify the name of your supervisor and provide by name, address and telephone number.*

**IV. Have you ever been convicted of any crime (felony or misdemeanor) other than a minor traffic violation?**  Yes  No *If yes, please explain below and attach a separate sheet if additional space is necessary. Please include in your explanation the date and nature of any conviction(s) and the name of the court for which you were convicted.*

**IMPORTANT – A read-through is required.** If accepted as a volunteer, any misstatement or omission of information provided in this application may result in termination of my services. I grant permission to check my background and references with the Archdiocese of Washington and Archdiocesan locations from any and all relevant liability.

I further understand that all persons who will have significant contact with children are required to undergo a state and federal criminal background check before working with children. Other volunteer positions that may require undergoing this clearance process include, but are not limited to, payroll, bookkeeping, accounting, and maintenance.

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**This section is to be completed by Pastor, Principal or Agency Director only.**

The necessity of passing a state and federal criminal background check for positions involving significant contact with children or other vulnerable persons while providing volunteer services has been explained to this applicant. Acceptance of volunteer services is contingent upon the applicant successfully completing the state & federal criminal background check. References will be checked before accepting an applicant's volunteer services. Signed applications are to be returned to the Child Protection Compliance Coordinator at your parish, school or agency for forwarding to the Archbishop's Office of Human Resources.

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Name of Parish, School, Agency: \_\_\_\_\_ Location Number: \_\_\_\_\_ Telephone number: \_\_\_\_\_

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## Report of Suspected Child Abuse

### Report of Suspected Child Abuse by Archdiocesan Personnel While Performing the Work of the Archdiocese

#### Important!

Send the completed report, in an envelope marked “confidential,” to  
Director of Child Protection Services  
Archdiocese of Washington  
P.O. Box 29260  
Washington, DC 20017-0260  
Tel.: 301-853-5328  
Fax: 301-853-2787

**NOTE:** Please do not delay in submitting this report even if you cannot fully answer all questions. Additional information can be subsequently provided.

## Report of Suspected Child Abuse by Archdiocesan Personnel While Performing the Work of the Archdiocese

Please print (or type) and, if possible, use black ink. Thank you.

REPORT DATE: \_\_\_\_\_

### CONTACT INFORMATION:

1. Person submitting this report:

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Parish/School/Facility Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ ST: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

2. Person(s) suspected of misconduct:

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Parish/School/Facility Name: \_\_\_\_\_

Date of Birth (m/d/y): \_\_\_\_\_ Age: \_\_\_\_\_ Sex (circle one): Male Female

Now deceased? (circle one) Yes No

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ ST: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

3. Suspected victim(s) of misconduct:

Name: \_\_\_\_\_

Age Now: \_\_\_\_\_ At Time of Incident: \_\_\_\_\_ Sex (circle one): Male Female

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ ST: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

4. Report to civil authorities:

Agency Name: \_\_\_\_\_

County/City: \_\_\_\_\_

Phone: \_\_\_\_\_

Date of Report: \_\_\_\_\_

Individual Receiving Report: \_\_\_\_\_

### INCIDENT INFORMATION (please provide on a separate sheet of paper, preferably typed)

- Describe the incident of suspected child abuse, including date, time and location.
- Identify eyewitnesses to the incident, including names, addresses and telephone numbers, when available.
- Provide other information that may be helpful to an investigation.



## Guidelines for the Case Review Board

### Preamble

The Archdiocesan Case Review Board is established in accordance with the *Essential Norms of Archdiocesan Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* as approved by the United States Conference of Catholic Bishops in November 2002, revised in June 2005 and given *recognitio* of the Apostolic See on January 1, 2006.

The applicable provisions are set forth in Norms 4, 5 and 6 in the official document. The provisions are as follows:

1. To assist the Archbishop, the Archdiocese of Washington will have a review board that will function as a confidential consultative body to the Archbishop in discharging his responsibilities. The functions of this board may include:
  - a. Advising the Archbishop in his assessment of allegations of sexual abuse of minors<sup>1</sup> by priests or deacons of the Archdiocese of Washington and in his determination of suitability for ministry and
  - b. Offering advice on all aspects of the cases, whether retrospectively or prospectively.
2. The Case Review Board will be composed of at least five persons of outstanding integrity and good judgment in full communion with the Church. The majority of the review board members will be lay persons who are not in the employ of the Archdiocese, but at least one member should be a priest who is an experienced and respected pastor of the Archdiocese, and at least one member should have particular expertise in the treatment of the sexual abuse of minors. The members will be appointed for a term of five years, which can be renewed. It is desirable the Promoter of Justice participate in the meetings of the Case Review Board.
3. When an allegation of sexual abuse of a minor by a priest or deacon is received, a preliminary investigation in harmony with

canon law will be initiated and conducted promptly and objectively (c. 1717). All appropriate steps shall be taken to protect the reputation of the accused during the investigation. The accused will be encouraged to retain the assistance of civil and canonical counsel and will be promptly notified of the results of the investigation. When there is sufficient evidence that sexual abuse of a minor has occurred, the Archbishop shall apply the precautionary measures mentioned in canon 1722—i.e., remove the accused from the sacred ministry or from any ecclesiastical office or function, impose or prohibit residence in a given place or territory and prohibit public participation in the Most Holy Eucharist pending the outcome of the process. In addition, the Congregation for the Doctrine of the Faith shall be notified.

## Guidelines

1. The Archbishop will convene the Case Review Board after an allegation of sexual abuse of a minor by a priest or deacon of the Archdiocese of Washington has been received and the Archbishop has completed a preliminary investigation in accordance with Canon 1717. The Archbishop will convene the Case Review Board to examine the allegation.
2. The Case Review Board will receive from the Archbishop or his delegate a complete written record of the allegations made against a priest or deacon; a detailed description of the interviews of alleged victims and the response of the priest or deacon in question to the allegations made; and will review any information pertinent to the allegation from the priest's or deacon's personnel file. The priest or deacon and his advocate will be informed of the material that will be presented to the Case Review Board. The priest or deacon and/or the alleged victim(s) may choose to make a presentation in person or in writing to the Case Review Board.
3. The Case Review Board will be required to assess the credibility of the allegations and whether the allegations conform to the definition of sexual abuse of a minor as outlined in the policy developed by the Child Protection Advisory Board and adopted by the Archdiocese of Washington.
4. The Case Review Board may be asked to comment on the suitability of a priest or deacon for future ministry.
5. The Case Review Board is authorized to further investigate allegations and interview alleged victims or witnesses as it deems necessary and appropriate in each particular case.

6. The Vicar General of the Archdiocese of Washington will present the recommendations of the Case Review Board to the Archbishop.
7. The deliberations of the Case Review Board will be strictly confidential and no detailed minutes will be taken or maintained. Summary notes indicating the purpose of the meeting, the individuals in attendance, the decisions made and the next steps will be recorded and retained in the office of the Vicar General. All documents given to the Case Review Board will be collected at the conclusion of each meeting and returned to the Vicar General.

## Steps to be Followed in an Investigation

1. When an allegation of sexual abuse of a minor by a priest or deacon is received, an expeditious determination will be made as to whether the allegation made is credible. The Archdiocesan legal counsel will be immediately informed and in turn will notify the civil authorities.
2. Civil authorities will be offered first contact with the accused except when such procedure would put the alleged victim and/or others at risk of harm. The Archdiocese of Washington will, after consultation with civil authorities, confront the priest or deacon unless such authorities deem otherwise. The alleged perpetrator (priest or deacon) will be advised to obtain a civil attorney and a canonical advocate to represent him.
3. The Archdiocese of Washington will provide the person against whom an allegation has been made an explanation of the overall investigative process and specific procedures for dealing with allegations of child abuse.
4. The Archdiocese of Washington will initiate an investigation in accordance with canon 1717 of the Code of Canon Law (1983).<sup>2</sup>
5. The alleged perpetrator will be relieved of his assignment and required to leave the parish and be encouraged to obtain the appropriate psychological evaluation at a facility acceptable to the Archdiocese of Washington.
6. The Case Review Board will be convened in accordance with the guidelines.
7. If an act of child abuse by a priest or a deacon is admitted or is established at the conclusion of this process, the Archbishop will take the appropriate canonical action.



## Acknowledgement

### Acknowledgement of Receipt and Review of the Archdiocese of Washington Child Protection Policy

This is to acknowledge that I have received and reviewed a copy of the *Archdiocese of Washington Child Protection Policy*.

I understand that I am responsible for complying with the policy as stated and, if I am an employee or volunteer, that questions or clarifications regarding this policy should be directed to my immediate supervisor or to the director of the Office of Child Protection Services. If I am a priest, deacon or religious, I understand questions should be referred to the Secretary for Ministerial Leadership or the Delegate for Consecrated Life, whichever is appropriate to my situation.

I further understand that the Archdiocese of Washington reserves the right to change, modify and/or revise any part of this policy at any time.

#### Priest/Deacon/Religious

Signature: \_\_\_\_\_

Name (please print clearly): \_\_\_\_\_

Parish/Assignment: \_\_\_\_\_

Date: \_\_\_\_\_

*Please return this completed form to the Vicar General.*

#### Employee/Volunteer

Signature: \_\_\_\_\_

Name (please print clearly): \_\_\_\_\_

Parish/School/Agency: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_

*This form is to be completed, signed and returned to the appropriate designated individual at the location at which you are employed or provide volunteer services. A copy of this completed form will be retained in a file on site. The original will be sent to the Archdiocesan Office of Human Resources or the appropriate Agency Human Resources Office.*

### Footnotes

<sup>1</sup> The Archbishop also may convene the Case Review Board to assess allegations of all forms of child abuse, including sexual abuse and misconduct, physical abuse and neglect, which means these guidelines extend beyond the provisions of the *Charter for the Protection of Children and Young People* and address the expectations of clerical conduct in harmony with canon law to ensure the protection of children (c. 277, c. 285, c. 1395, c. 1397, c. 1399).

<sup>2</sup> Canon 1717 reads "Sec. 1: Whenever an ordinary has knowledge, which at least seems true, of a delict, he is carefully to inquire personally or through another suitable person about the facts, circumstances and imputability, unless such an inquiry seems entirely superfluous. Sec. 2: Care must be taken so that the good name of anyone is not endangered from this investigation. Sec. 3: The person who conducts the investigation has the same powers and obligations as an auditor in the process; the same person cannot act as a judge in the matter if a judicial process is initiated."

