

RESTORING TRUST:

The Sexual Abuse Policies of the Archdiocese of Louisville

2013 Revision



Archdiocese of Louisville

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Dear Sisters and Brothers in Christ:

May God bless you!

In 2011, the John Jay College of Criminal Justice of the City University of New York released a landmark study on *The Causes and Context of Sexual Abuse of Minors by Catholic Priests in the United States, 1950-2010*. In this report, the researchers supported the emphasis of the Church, since the passage of the *Charter for the Protection of Children and Young People*, on zero tolerance of sexual abuse among priests and Church personnel, reporting sexual abuse to the authorities, transparency, promoting safe environments, and strengthening formation in seminaries. Though recognizing the progress that has been made, researchers also emphasized that these efforts must remain essential best practices and become routine responses. Organizational systemic change takes decades, and we cannot afford to become complacent about the need to improve.

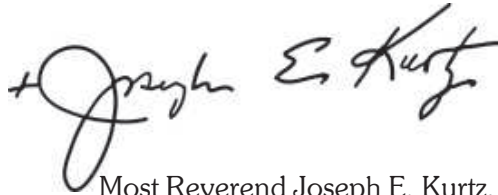
Recognizing the need to review and strengthen progress made in the Archdiocese of Louisville, I am pleased to present our revised sexual abuse policies. The policies released in 2003 served us well. This revision contains some minor clarifications of existing policies and includes new insights into the necessary safeguards in the areas of social media, as well as a revision from the *Charter for the Protection of Children and Young People* about the serious problem of child pornography.

Service on behalf of our Lord Jesus and His Church is a precious and sacred trust, and no person should ever experience abuse from any individual with pastoral responsibilities within the Church. Thus, the key elements of these sexual abuse policies continue the mandates to respond with compassion and care to victims of sexual

abuse, to report all instances of child abuse to the authorities, and to permanently remove from ministry those offenders with substantiated allegations of sexual abuse. Clear procedures and expectations are outlined to address all of these issues.

Please join me in seeking forgiveness for the sins of members who have misused authority and in working with me in efforts to protect all God's children. May God's grace guide us!

Sincerely yours in our Lord,

A handwritten signature in black ink that reads "Joseph E. Kurtz". The signature is written in a cursive style with a large, prominent initial "J".

Most Reverend Joseph E. Kurtz, D.D.
Archbishop of Louisville

Introduction

On June 14, 2002, the United States Conference of Catholic Bishops approved the *Charter for the Protection of Children and Young People*. The *Charter* addresses the Church's commitment to deal pastorally and effectively with cases of sexual abuse of minors by priests, deacons, and Church personnel (i.e., employees and volunteers). In addition, the *Charter* calls for the creation of safe environment programs that will help to create communities where children and adults will be protected from being the objects of sexual abuse and exploitation.

The Apostolic See issued the *recognitio* for the original *Charter* on December 8, 2002, and the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* were promulgated by the Episcopal Conference on December 12, 2002. These *Essential Norms* constitute particular law for all the dioceses/eparchies of the United States of America and are the basis for these revised policies of the Archdiocese of Louisville. Both the *Essential Norms* and *Charter* have been revised since, and this revision of the *Archdiocese of Louisville Sexual Abuse Policies* includes revised content from the *Essential Norms* and *Charter*.

These policies are complementary to the universal law of the Church, which considers sexual abuse and exploitation a grave sin.

This booklet, *Restoring Trust: The Sexual Abuse Policies of the Archdiocese of Louisville*, summarizes procedures related to the sexual abuse of minors and vulnerable adults by Church personnel and adult sexual misconduct involving Church personnel. This publication introduces the initiatives that the Archdiocese of Louisville is putting in place to insure compliance with these policies and the basic elements of a safe environment program. It also provides victims with information about how to contact the Archdiocese about sexual abuse.

Definition of Terms

Archdiocese, diocese, or archdiocesan includes the Roman Catholic Archdiocese of Louisville as a corporation sole, all parishes, diocesan elementary and secondary schools, diocesan agencies, and all other diocesan owned and operated facilities.

Archdiocese of Louisville Sexual Abuse Review Board is a group of individuals appointed by the Archbishop. This board will assist the Archbishop as he assesses allegations of sexual abuse and will make recommendations to the Archbishop about the fitness for ministry or employment of someone who has been accused of sexual abuse. The Sexual Abuse Review Board also will regularly review archdiocesan sexual abuse policies and procedures and may be asked to assist the Archbishop in reviewing cases of adult sexual misconduct. See Guidelines for the Archdiocese of Louisville Sexual Abuse Review Board in Appendix C.

Child Pornography: According to the *Charter for the Protection of Children and Young People*, child pornography is defined as the acquisition, possession, or distribution by a cleric or Church personnel of pornographic images of minors for purposes of sexual gratification, by whatever means and using whatever technology. Child pornography is a form of sexual abuse.

Church Personnel includes all employees and volunteers (clergy, religious, seminarians, and laity) of the parishes, schools, agencies, or other entities owned by the Archdiocese and other Catholic youth-serving organizations. See definition of volunteer below.

Sexual Abuse includes sexual molestation or sexual exploitation and any behavior by which an adult uses a minor or a vulnerable adult (hereafter described as vulnerable persons) as an object of sexual gratification. It includes behavior that is contrary to Catholic moral doctrine and to canon law of the Roman Catholic Church and that is unlawful as described by the laws of Kentucky. Sexual abuse does not need to be a complete act of intercourse. Nor, to be objectively grave, does an act need to involve force, physical contact, or a discernible harmful outcome. The acquisition, possession, or distribution of pornographic im-

ages of minors for purposes of sexual gratification, by whatever means or using whatever technology, is a form of sexual abuse.

Sexual Misconduct is inappropriate adult behavior by Church personnel related to Church employment or ministry. Two categories of behavior are included:

1. Sexual exploitation is sexual contact between Church personnel and an adult who is receiving counseling or other ministerial care from that priest, deacon, employee, seminarian, religious, or volunteer.

2. Sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment occurs whenever a hostile environment is created through humor, vulgar comments, sexually suggestive cartoons, e-mail messages, or posters, as well as actual physical abuse.

Victim Assistance Coordinator is a person appointed by the Archbishop to assist victims and their families when they report sexual abuse or misconduct by Church personnel. The Victim Assistance Coordinator will take the initial report, make sure that the authorities have been properly notified, inform victims/survivors about counseling and pastoral assistance opportunities, and keep the victim informed about the progress of any internal investigation.

Volunteer (see Church Personnel) is defined in these policies as a person who works in a volunteer (unpaid) capacity for a parish, school or agency and who has ongoing ministerial responsibilities within that parish, school, or agency. This category includes but is not limited to coaches, youth ministers, catechists and religious educators, retreat leaders, after-school activity coordinators, classroom assistants, parish ministry coordinators, tutors, etc.

Vulnerable Persons are all persons under 18 years of age and vulnerable adults as defined in Section 209.020(4a) of the Kentucky Revised Statutes. An adult 18 years or older is considered vulnerable when, because of impairment of mental or physical functions, that person is unable or unlikely to report abuse or neglect without assistance.

Procedures Concerning Sexual Abuse

Reporting Procedures for Suspected Child Abuse:

As stated in KRS 620.030, “any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused shall immediately cause an oral or written report to be made to a local law enforcement agency, or the Kentucky state police, the cabinet or its designated representative, or the Commonwealth’s attorney by telephone or otherwise.”

This reporting requirement includes all clergy, employees, and volunteers. (See Appendix A for a list of agencies and phone numbers for each county.) When the accusation involves Church personnel, such a report also must be forwarded to the Chancellor of the Archdiocese.

Persons making a report should provide the following information:

1. The names and addresses of the child and his or her parents or other persons who have custodial responsibility for the child.
2. The child’s age.
3. The nature and extent of the child’s suspected dependency, neglect, or abuse, including any previous charges of dependency, neglect, or abuse, if known.
4. The name and address of the person who is allegedly responsible for the abuse or neglect, and
5. Any other information that will be helpful to the child abuse investigator.

No internal investigation shall be initiated before this report is made to the authorities and to the Chancellor. Failure to report suspected child abuse to the civil authorities is a Class B misdemeanor punishable by law and is grounds for the termination of employment and/or the termination of a volunteer relationship with a diocesan entity. The only exceptions to this requirement involve information learned within the Sacrament of Reconciliation or within an attorney-client relationship. [KRS 620.050(3)]

Reporting Procedures When Adults Come Forward About Abuse Experienced During Childhood:

Information from adults who are reporting cases of sexual abuse when they were children should be immediately forwarded to the Chancellor. While the laws of the Commonwealth of Kentucky do not require the reporting of instances where adults come forward about their own childhood sexual abuse, it will be the policy of the Archdiocese of Louisville to report all such cases to the police. The Archdiocese may consider an exception to this policy if serious reasons not to do so are brought forward by the victim/survivor, though possible danger to other victims has to be weighed against the victim/survivor's request for privacy. In all cases, the Archdiocese will provide adult accusers with information about how to make their own report to the police, if they have not already done so, and will encourage them to make a report.

The Archdiocese of Louisville Sexual Abuse Review Board will be advised of all accusations of childhood sexual abuse that are reported to the Archdiocese.

Investigative Procedures:

When an accusation of sexual abuse is made, the archdiocesan investigation will proceed with a high level of pastoral care, compassion, and confidentiality for the person making the accusation, the accuser's family, and for the person who has been accused. The following actions will be taken when a report of child abuse is received:

- Inform law enforcement and cooperate fully with any criminal investigation.
- When civil authorities are conducting a criminal investigation, the Archdiocese will defer to their investigative processes and will notify the accused of his or her right to retain the assistance of civil and canonical counsel.
- If an accusation involves a priest or deacon, the Archbishop or his delegate will direct him to take an administrative leave of

absence from his present assignment. He will refrain from all public ministries and all unsupervised contact with children, pending the outcome of the internal or criminal investigation. The Archdiocese will inform selected coworkers or others with whom the accused lives or works that an accusation has been made and that the accused has been placed on administrative leave. These individuals will be directed to report inappropriate behavior or violations of ministerial restrictions to a designated archdiocesan official.

- If an accusation involves a religious priest, deacon, or lay religious, the Archbishop or his delegate also will immediately contact the member's competent ecclesiastical superior.
- If an accusation involves a lay employee, that person also will be suspended with pay pending the outcome of the archdiocesan or criminal investigation, and the administrator at the location of his or her employment will be informed of the accusation and suspension. Lay personnel will be notified of their right to obtain the assistance of civil counsel.
- If an accusation involves a volunteer, that person also will be directed not to participate in any volunteer activities during the archdiocesan or criminal investigation, and the administrator at the location of his or her volunteer ministry will be informed of this restriction. Volunteer personnel will be notified of their right to obtain the assistance of civil counsel.
- The accused will be asked to seek a medical and psychological assessment from a provider mutually acceptable to the Archdiocese and to the accused. This assessment is requested whether or not the accused admits to wrongdoing. The Archdiocese will pay for this evaluation. Agreement to participate in an assessment does not constitute an admission of guilt.
- Accused personnel will be asked to authorize the release of diagnostic information related to the accusation to the Archbishop or his designee.
- When an adult contacts the Archdiocese directly about an incidence of abuse from his or her childhood, the Victim Assistance

Coordinator or other designee of the Archbishop will contact this individual to provide support, counseling, and pastoral care. The Victim Assistance Coordinator also will provide adult accusers with information about how to make their own report to the police, if they have not already done so. Throughout the process, the Victim Assistance Coordinator will keep the accuser informed about the progress of the archdiocesan investigation.

- During an archdiocesan investigation, the person making the accusation will be contacted to obtain additional information. The archdiocesan investigator will ask the person making the allegation for permission to use his or her name. If the accuser wishes to remain anonymous, the Archdiocese will determine whether or not an investigation can proceed. An internal investigation will proceed if a judgment is made that there is danger to other possible victims, even when the risk to the accuser's anonymity may be compromised.
- In an archdiocesan investigation, the accuser and other corroborating witnesses will be interviewed. If the accused is still living, the accused will be interviewed and his or her work history and psychological assessment will be reviewed.
- The Archdiocese of Louisville Sexual Abuse Review Board will examine the results of the archdiocesan investigation to determine the validity of the claim and to make a recommendation to the Archbishop. (See Appendix C, "Guidelines for the Archdiocese of Louisville Sexual Abuse Review Board.")
- Notification of all accusations will be given to insurers in accordance with the terms of applicable insurance policies.

Procedures When An Accusation is Substantiated:

Whether through a criminal process or an archdiocesan investigation, when an accusation of sexual abuse of a vulnerable person is considered substantiated, the accused will be immediately relieved of the exercise of any function or responsibility for ministry and/or employment in the Archdiocese of Louisville.

Substantiation is determined through several factors, including but not limited to: findings from criminal trials, admissions, reviews of work histories and employment records, data gathered from psychological assessments, and testimony from victims/survivors and other witnesses. After an accusation has been substantiated, the following steps will be taken:

- If the offender is a lay employee, his or her employment will be immediately terminated.
- If the offender is a volunteer, that person will be removed immediately from any and all volunteer positions within the Archdiocese. A volunteer position is defined in these policies as one in which a person works in a volunteer (unpaid) capacity for a parish, school or agency and who has ongoing ministerial responsibilities within that parish, school, or agency. The prohibition from volunteer positions includes those positions that involve regular contact with minors as well as those positions that have a broader context, such as a lector or Eucharistic minister.
- If the offender is a religious priest, deacon, or lay religious, his or her employment or ministry will end within the Archdiocese of Louisville, and the Archbishop or his delegate will immediately inform his or her competent ecclesiastical superior.
- If the offender is a diocesan priest or deacon, the Archbishop has the executive power of governance, through an administrative act, to remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of ordained ministry. The Archbishop will exercise this power of governance to insure that any diocesan priest or deacon who has committed even one act of sexual abuse of a minor, now or in the past, will not continue in active ministry. According to the 2011 revision of the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, the acquisition, possession, or distribution by a cleric of pornographic images of minors, for purposes of sexual gratification, by whatever means or using whatever technology, also will result in the permanent prohibition from ministry.

The offending priest or deacon will be removed permanently from ministry, not excluding dismissal from the clerical state. Removal from ministry is required whether or not qualified experts diagnose the cleric as a pedophile or as suffering from a related sexual disorder that requires professional treatment.

- When there is sufficient evidence from either the civil or criminal investigation that sexual abuse of a minor has occurred by a priest or deacon, the Congregation for the Doctrine of the Faith will be notified. In every case involving canonical penalties, the processes provided for in canon law must be observed, and the various provisions of canon law will be considered. The Congregation for the Doctrine of the Faith will direct the Archbishop how to proceed unless it calls the case to itself because of special circumstances.
- If the case would otherwise be barred by prescription (e.g. statute of limitations), the Archbishop will apply to the Congregation for the Doctrine of the Faith for an exception to the prescription, while indicating appropriate pastoral reasons. For the sake of due process, the accused is to be encouraged to retain the assistance of civil and canonical counsel.
- If the penalty of dismissal from the clerical state has not been applied because of advanced age or infirmity, the offender will lead a life of prayer and penance. He may not celebrate Mass publicly or administer the sacraments. He may not wear clerical garb or present himself publicly as a priest. He will be directed not to have any unsupervised contact with vulnerable persons. The Archdiocese will provide appropriate psychological and medical care to clergy in this circumstance.
- The priest or deacon may at any time request a return to the lay state and a dispensation from the obligations of the clerical state.
- Members of the parish/school or other agency in which the accused last served will be notified by the Archbishop's office. Parishioners will be informed about how to report child abuse, and parents will be advised on how to discuss child abuse with their children. Care will be taken at all times to protect the iden-

tity of the victim/survivor and his or her family. If the clergy or lay employee had previous assignments or employment, these parishes, schools, or agencies also will be notified.

- Accurate and complete reports of the accusation and investigation, as well as all actions and notifications by the Archdiocese and/or other authorities, will be kept by the Chancellor in strict and secure confidence. These records will be maintained indefinitely.

Procedures When An Accusation Cannot Be Substantiated:

When an accusation cannot be substantiated by diocesan or civil authorities, the Archbishop shall:

- Convene the Archdiocese of Louisville Sexual Abuse Review Board to determine fitness for ministry and to decide upon any restrictions of ministry.
- Inform the accuser and the accused of the results of the investigation and the recommendation of the Sexual Abuse Review Board and offer pastoral assistance as necessary.
- Require the accused to observe any recommendation of his or her psychological assessment.
- Maintain accurate and complete reports of the accusation and investigation, as well as all actions and notifications by the Archdiocese and/or other authorities. These records will be kept by the Chancellor in strict and secure confidence and will be maintained indefinitely.

False Accusations:

Victims of abuse suffer significant trauma. Those who are subject to false accusations of sexual abuse or misconduct also suffer greatly. The Archdiocese will strive to minimize the adverse personal or professional consequences of false accusations and to preserve future ministry and employment opportunities of persons falsely accused of sexual abuse or misconduct.

- The Archdiocese will provide necessary emotional and spiritual support through counseling and other pastoral services.
- The Archdiocese will work with the accused to restore his or her good name and to create a workable plan for the future.
- In consultation with the person who has been falsely accused, the Archdiocese will appropriately inform the faith community and the local parish of the outcome of the investigative process and of the need for support and justice.
- The Archdiocese will advise the person who has been falsely accused of his or her options under both civil and canon law (cc.1390-1391) to address false accusations.

Procedures Concerning Sexual Misconduct

Sexual misconduct is inappropriate adult behavior by Church personnel related to Church employment or ministry. Two categories of behavior are included: 1) sexual exploitation (sexual contact between Church personnel and an adult who is receiving counseling or other ministerial care from that priest, deacon, employee, seminarian, religious, or volunteer) and 2) sexual harassment. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment occurs whenever a hostile environment is created through humor, vulgar comments, sexually suggestive cartoons, e-mail messages, or posters, as well as actual physical abuse.

The Archdiocese prohibits any form of sexual misconduct. This prohibition applies to all employees and volunteers, including clergy, religious, seminarians, and lay persons.

Reporting Procedures

If criminal behavior (e.g. rape, attempted rape, assault, stalking) is involved, the behavior should be immediately reported to the police and to the Chancellor. If in doubt about whether behavior is criminal, call the police.

Those adults who believe they have been sexually exploited or harassed, or anyone else who becomes aware of the possibility of sexual misconduct related to Church personnel in Church employment or ministry, must report this information to the alleged offender's immediate supervisor and to the Chancellor of the Archdiocese. If the accused is a pastor, the information should be reported to the Archbishop or his delegate.

For employment-related harassment, please see the *Archdiocese of Louisville Personnel Policies*.

Investigative Procedures

When an accusation of sexual misconduct is made, the archdiocesan investigation will proceed with a high level of pastoral care, compassion, and confidentiality for the person making the accusation and the accused. The following actions will be taken when an accusation of sexual misconduct has been received:

- If civil authorities are conducting a criminal investigation, the Archdiocese will defer to their investigative processes and will notify the accused of his or her right to retain the assistance of civil and canonical counsel.
- Diocesan priests or deacons against whom an allegation has been lodged may be placed on administrative leave or have ministry restrictions placed upon them.
- Religious priests, deacons, or lay religious against whom an allegation has been lodged also may be placed on administrative leave with pay, pending the results of the archdiocesan investigation. The Archbishop or his delegate also will immediately contact the member's competent ecclesiastical superior.
- Lay personnel against whom an allegation has been lodged may be suspended with pay, pending the results of the archdiocesan or criminal investigation.
- Volunteers against whom an allegation has been lodged may be directed not to participate in all volunteer ministry or activities in the Archdiocese, pending the results of the archdiocesan or criminal investigation.
- The accused may be asked to seek an appropriate medical and psychological assessment from a provider mutually acceptable to the Archdiocese and to the accused. This assessment may be requested whether or not the accused admits to wrongdoing. The Archdiocese will pay for this evaluation. Agreement to participate in an assessment does not constitute an admission of guilt.
- Accused personnel may be asked to provide the Archbishop or his designee with an authorization for release to the Arch-

diocese of diagnostic information related to the accusation in question.

- The Victim Assistance Coordinator or other designee of the Archbishop will contact the person making the accusation to provide support and counseling. Throughout the process, the Victim Assistance Coordinator will keep the accuser informed about the progress of the archdiocesan investigation.
- During an archdiocesan investigation, the person making the accusation will be contacted to obtain additional information.
- In an archdiocesan investigation, the archdiocesan investigator will interview the accuser and other corroborating witnesses. If the accused is still living, that person will be interviewed and his or her work history and any psychological assessments will be reviewed.
- When necessary, the Archdiocese of Louisville Sexual Abuse Review Board may review the results of the internal investigation to determine the validity of the claim and make a preliminary recommendation to the Archbishop about the claim and about the accused's fitness for ministry or employment.
- Notification of all accusations will be given to insurers in accordance with the terms of applicable insurance policies.

Procedures When An Accusation is Substantiated:

Whether through a criminal process or an internal investigation, when an accusation of sexual exploitation is considered substantiated, the following actions will be taken.

Substantiation is determined through several factors, including but not limited to findings from criminal trials, admissions, reviews of work histories and employment records, data gathered from psychological assessments, and testimony from victims/survivors and other witnesses.

- The accused may be 1) immediately relieved of the exercise of any function or responsibility for ministry and/or employment in the Archdiocese; 2) have permanent restrictions placed upon

his or her ministry or employment; or 3) be returned to ministry or employment.

- If the offender is to continue in ministry or employment, he or she will be asked to develop a behavior contract. This contract will state clearly what the Archdiocese expects. It will stipulate acceptable behavior, help define ministerial boundaries, establish a monitoring team, develop an aftercare program, and state explicit consequences if the offender violates the terms of the contract.
- Whether the accusation is substantiated or not, accurate and complete reports of the accusation and investigation, as well as all actions and notifications by the Archdiocese and/or other authorities, will be kept by the Chancellor in strict and secure confidence. These records will be maintained indefinitely.

Procedures When An Accusation Cannot Be Substantiated:

When an accusation cannot be substantiated the Archbishop will:

- Determine fitness for ministry or employment and decide upon any restrictions of ministry.
- Inform the accuser and accused of the results of the investigation and offer pastoral assistance as necessary.
- Require the accused to observe any recommendation of his or her psychological assessment, when applicable.
- Maintain, whether the accusation is substantiated or not, accurate and complete reports of the accusation and investigation as well as all actions and notifications by the Archdiocese and/or other authorities. These records will be kept by the Chancellor in strict and secure confidence and will be maintained indefinitely.

False Accusations:

See page 16.

Initiatives for Addressing Sexual Abuse by Church Personnel

Victim Assistance

The Archbishop will appoint one or more Victim Assistance Coordinator(s) to provide assistance to those who report that they have been abused. The Victim Assistance Coordinator will offer victims/survivors and their families counseling services, will maintain a list of community support services for victims of sexual abuse, and will coordinate a meeting with the Archbishop or his delegate if desired by the victim/survivor. The Victim Assistance Coordinator also will keep the victim/survivor apprised of the results of any archdiocesan or criminal investigations.

Several principles guide the victim assistance policies and procedures of the Archdiocese:

- The Archdiocese presumes that victims/survivors who come to the Church about sexual abuse, exploitation, or harassment are being truthful. The Archdiocese is committed to responding to victims/survivors with justice and compassion. For the sake of the victims/survivors and also for the integrity of the Church's witness and ministry, it is critical that the Archdiocese knows about and responds appropriately to sexual abuse and sexual misconduct.
- The Victim Assistance Coordinator will encourage victims to bring an advisor or advocate with them when they are making a complaint. The prospect of bringing this information to the Church can be frightening and intimidating, and the support of a knowledgeable companion is invaluable.
- Sexual abuse, exploitation, and harassment cause deep hurt. This can be addressed through the assistance of skilled and reputable professional therapists. If requested and necessary, the Victim Assistance Coordinator will coordinate financial assistance from the Archdiocese. From time to time, the ongoing necessity and appropriateness of treatment will be reviewed.

The Victim Assistance Coordinator also will provide information about local support groups and about resources elsewhere if the victim/survivor lives outside of the diocese.

- The Victim Assistance Coordinator will provide victims/survivors with referrals to spiritual direction and counseling. The damage caused by abuse is spiritual as well as emotional. When victims/survivors are ready for this step, the Victim Assistance Coordinator will help find competent spiritual help.
- If the abuse occurred in another diocese or in a religious order setting, the Victim Assistance Coordinator will assist the victim/survivor with the process of contacting that diocese or religious order.

How to Bring A Complaint:

- Victims/survivors should call the Archdiocese of Louisville at (502) 636-1044 or email victimassistance@archlou.org and ask to speak to the Victim Assistance Coordinator. This individual will do the initial intake, explain how the Archdiocese can help, and provide information about the appropriate support services.
- Those who wish to file a report of sexual abuse or misconduct also may write to the Victim Assistance Coordinator at: 1200 South Shelby Street, Louisville, KY 40203. The letter should be marked “personal and confidential.” Victims/survivors should indicate how they should be contacted.

Archdiocese of Louisville Sexual Abuse Review Board

The Archbishop has appointed a review board composed primarily of lay persons not in the employ of the Archdiocese. This Board functions as a confidential consultative body to the Archbishop in discharging his responsibilities. The functions of this board include:

- To assess allegations of sexual abuse of minors by priests, deacons, and other Church personnel in order to advise the Archbishop on whether or not the allegations appear to be credible.

- To make recommendations to the Archbishop concerning an individual's fitness to continue in ministry. Options might include complete removal from ministry, limited ministry, or continuing in ministry.
- To review archdiocesan policies and procedures for dealing with allegations of abuse and to recommend modifications as necessary.
- When necessary, the Board also may assist the Archbishop in reviewing cases of sexual misconduct involving adults.

See Appendix C for a description of the Board, its responsibilities, and its operational guidelines.

Prevention/Education

Education alone cannot shape mature attitudes and behavior. It is, however, a powerful tool in raising awareness and in educating staff and volunteers about child abuse and about their legal and moral responsibilities to report abuse.

The Archdiocese is instituting a "safe environment" program to insure that children and youth who worship, study, or participate in Church programs can do so safely. The following elements will be included in this safe environment program:

- The Archdiocese has established a code of conduct for all adults who work with youth on a regular basis. This code defines and establishes acceptable behavior that is legal, professional, and responsible. See Appendix D for a copy of this code. Signatures on the attached "Church Personnel Acknowledgement Card" (Appendix E) reflect employees and volunteers agreement to abide by these guidelines.
- The Archdiocese will conduct regular training for parents, clergy, educators, volunteers, and other Church personnel regularly involved with minors. This training will address child abuse, including sexual abuse, and will focus on what child abuse is, how to prevent child abuse, how to identify instances of child abuse,

and how to report child abuse. (For information, contact safe@archlou.org or go to www.ArchLou.org/Safe.)

- In addition to routine screening of seminarians and the application process for lay employees, criminal background checks will be conducted on all Church personnel who have regular contact with children. References and the voluntary reporting of any accusation or convictions of child abuse also will be required. Depending on the position, other background investigations may be conducted.

Background and Reference Checks

Every five years, all Church personnel (clergy, staff, and volunteers) who work with vulnerable persons are required to undergo a criminal background check, from the state of Kentucky or the state in which they live presently. Church personnel from other states must undergo a national criminal records check. The employment or volunteer service of personnel whose criminal check reveals records of sex crimes against vulnerable persons will be terminated immediately.

Transfer Policies

No priest or deacon who has committed an act of sexual abuse of a minor may be transferred for ministerial assignment or residence to another diocese/eparchy or religious province. Before a priest or deacon will be accepted for assignment or residence in this Archdiocese, the Archbishop or his delegate will obtain a written statement from the Bishop of the diocese and/or the religious superior regarding the existence of any past act of sexual abuse of a minor or sexual misconduct by the priest or deacon in question. In a similar fashion, the Archbishop or his delegate will provide a written statement to any bishop or religious superior who is receiving a priest or deacon from our Archdiocese.

Distribution of Policy

A copy of this policy will be distributed to every employee of the Archdiocese and to all volunteers who work with children or vulnerable adults. As a condition of employment or volunteer service, all Church personnel must sign the card in the back of the book indicating that they have read and understood the policies and that they agree to abide by the code of conduct contained in Appendix D. This card shall be maintained in the personnel files of employees and in a general file for volunteers. A copy of this acknowledgement card is included as Appendix E.

This policy must be reflected in all diocesan personnel policies, and applicable sections should be included in all parish and school handbooks.

This policy and all updates will be published on the archdiocesan web page. Periodic notifications about the policy and its availability will be included in the archdiocesan newspaper, *The Record*.

Communication Policies

The communications policy of the Archdiocese of Louisville will reflect a commitment to transparency and openness with regard to sexual misconduct by Church personnel with due regard owed to the privacy and reputations of all persons – accused, victims, and others.

The following are the communication and media policies of the Archdiocese:

- Once an accusation of sexual abuse of a minor is substantiated, the parishes, schools, and/or agencies in which the offender served will be informed of the incident. The primary notification will be carried out either through direct correspondence with parishioners or through a general notice in *The Record*. In all cases, a general notice will be included in *The Record*. In this notice, parishioners will be reminded about how to make a report of child abuse to the civil authorities and to the Archdiocese.
- When communicating with a parish, school, or agency about sexual abuse or misconduct allegations, the removal of an employee or volunteer, or related events, the Archdiocese will make it a priority to communicate first to the members of the parish, school, or agency directly involved.
- Media calls related to sexual abuse or accusations of sexual abuse will be handled by the staff of the Archdiocesan Communications Center. Parishes, schools, and other agencies will be provided with contact information (cell and home telephone numbers) of appropriate communications personnel.
- Media personnel always will be treated professionally and courteously and will receive a response from the personnel of the Archdiocesan Communications Center.
- Reporters will be asked not to enter churches or schools without permission. During a crisis, they will have access to designated spokespersons and will be provided with information, as appropriate, by the Archdiocesan Communications Center.

- The names of those making an accusation of sexual abuse or misconduct will never be released by the Archdiocese.
- The Archdiocese does not release personal information about employees, volunteers, parishioners, students, or clients beyond the dates and locations of their service or involvement with the Church. Address, phone, or e-mail information is never released without prior authorization from the individual involved.
- The Archdiocese does not comment on civil or criminal cases other than to confirm assignment or employment location information.
- Parish, school, and archdiocesan meetings are generally not open to the media. Exceptions may be granted, but all parties involved must be informed of the media's presence.

Appendixes

Appendix A

Sexual Abuse Reporting Contacts

The following page has a list of agencies that take child abuse reports in each county of the Archdiocese. The Protection and Permanency Agency is part of the Community Based Services Department of the Cabinet for Families and Children.

Please note that the statewide child abuse hotline is 1-877-KYSAFE1 (1-877-597-2331). Individuals who need to report child abuse can also call their local police.

Child Abuse Reporting Contacts

COUNTY	PHONE #'S	AGENCY NAME
Adair	(270) 384-4731	Protection and Permanency
Barren	(270) 651-8396	Protection and Permanency
Bullitt	(502) 955-6591 OR (502) 543-7051	Protection and Permanency Child Protective Services
Casey	(606) 787-8369	Protection and Permanency
Clinton	(606) 387-6655	Protection and Permanency
Cumberland	(270) 864-3834	Protection and Permanency
Green	(270) 932-7484	Community Based Services
Hardin	(270) 766-5099	Protection and Permanency
Hart	(270) 524-7111	Protection and Permanency
Henry	(502) 845-2922	Protection and Permanency
Jefferson	(502) 595-4550 OR (502) 574-2465	Protection and Permanency Crimes Against Children
Larue	(270) 358-4175	Protection and Permanency
Marian	(270) 692-3135	Protection and Permanency
Meade	(270) 422-3942	Protection and Permanency
Metcalfe	(270) 432-2721	Protection and Permanency
Monroe	(270) 487-6701	Protection and Permanency
Nelson	(502) 348-9048	Protection and Permanency
Oldham	(502) 222-9472	Protection and Permanency
Russell	(270) 343-3512	Protection and Permanency
Shelby	(502) 633-1892	Protection and Permanency
Spencer	(502) 477-8808	Protection and Permanency
Taylor	(270) 465-3549	Protection and Permanency
Trimble	(502) 255-3236	Protection and Permanency
Washington	(859) 336-9395	Protection and Permanency

Appendix B

Local Resources - Sexual Abuse

The Advocacy Support Center (270) 234-9236

Elizabethtown rape crisis center.

Archdiocese of Louisville (502) 636-1044

Provides services and assistance through the Victim Assistance Coordinator (victimassistance@archlou.org) to those who report that they have been abused by Church personnel; provides counseling referrals to individuals, couples, and families; and coordinates safe environment programming for the Archdiocese (safe@archlou.org). www.Archlou.org/Family.

The Caring Place (270) 692-9300

Center for abused women and children serving Marion, Nelson, Taylor, and Washington counties.

Center for Women and Families (877) 803-7577 Toll Free Crisis Line

Provides services to victims of domestic violence and sexual abuse. www.TheCenterOnline.org

- Bullitt County (502) 538-0212
- Jefferson County (502) 581-7222
 - West Louisville (502) 775-6408
- Shelby County (502) 633-7800

Family & Children's Place (502) 893-3900

Broad-based family counseling serving child and adult victims of violence and families in which a child has been sexually abused by an adult family member or adolescent. www.FamilyandChildrensPlace.org

Our Lady of Peace (502) 451-3330

Treatment and counseling for victims and offenders. www.KentuckyOneHealth.com/locations/

Seven Counties Services, Inc. (502) 589-1100 or 1-800-221-0446

Treatment and counseling for victims and offenders. www.SevenCounties.org

Appendix C

Guidelines for Archdiocese of Louisville Sexual Abuse Review Board

The Archdiocese of Louisville Sexual Abuse Review Board has been established in accordance with the *Charter for the Protection of Children and Young People* and the subsequent *Essential Norms for Diocesan/Eparchial 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 and given *recognito* by the Apostolic See on December 8, 2002.

Membership:

The membership of this Board will consist of at least 5 persons of outstanding integrity and good judgment in full communion with the Church. The majority of the Board will be lay persons 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. The Board should include experts in medicine, therapy, law, canon law, and victim advocacy, as well as parents and victims/survivors of childhood sexual abuse. The members will be appointed for a term of five years, which can be renewed.

Responsibilities:

- To assess allegations of sexual abuse of vulnerable persons by priests, deacons, and other Church personnel in order to advise the Archbishop on whether or not the allegations appear to be credible.
- To make recommendations to the Archbishop concerning an individual's fitness to continue in ministry or employment. Options might include complete removal from ministry or employment, limited ministry or employment, or continuing in ministry or employment.

- To review archdiocesan policies and procedures for dealing with allegations of abuse and to recommend modifications as necessary.
- When necessary, the Board also may be asked to assist the Archbishop in reviewing cases of sexual misconduct involving adults.

Operational Guidelines

- The Board will meet as often as needed but no less than one time per year to review allegations of sexual abuse of minors by Church personnel. The Board will not normally review cases under criminal investigation, unless a criminal investigation has been completed with an uncertain outcome. The Review Board will only examine accusations involving living clergy, employees, or volunteers who have been accused unless extraordinary circumstances demand otherwise.
- The Review Board will receive from the Archbishop or his delegate a complete written record of the allegations made, a detailed description of the interviews with the accuser and the response of the accused to the accusation made, the results of both criminal and archdiocesan investigations, and any information pertinent to the allegation from the accused's personnel file. The accused will be informed of the information that will be presented to the Review Board and may choose to make a presentation in person or in writing to the Board.
- The Review Board will assess the credibility of the allegation and whether the accusation conforms to the definition of sexual abuse of a minor as outlined in the Archdiocese of Louisville Sexual Abuse Policies.
- The Review Board is authorized to request further investigations of allegations and/or to request the results of psychological evaluations as necessary and appropriate in each particular case.
- The Review Board will present the results of its recommendations in person to the Archbishop. If the Board does not reach

consensus about its recommendations, the Archbishop will have the opportunity to hear all points of view.

- The deliberations of the Sexual Abuse 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 Chancellor. All documents given to the Archdiocese of Louisville Sexual Abuse Review Board will be collected at the conclusion of each meeting and returned to the Archbishop's Office.
- When an accusation cannot be substantiated, the Review Board will review the results of any archdiocesan or criminal investigation, psychological profiles, victim and witness statements, responses from the accused, and information in the accused's personnel file to make recommendations to the Archbishop for further ministry, employment, or volunteer service. The Review Board may recommend a continuation of ministry, employment, or service without restrictions; a continuation of ministry, employment, or service with restrictions; or the termination of ministry, employment, or service.
- Whether or not a criminal investigation is underway, the Archbishop will inform the Review Board of all allegations of the sexual abuse of a minor by a Church employee.
- Once per year, the Archdiocese of Louisville Sexual Abuse Review Board will be presented with a report on the implementation of the Sexual Abuse Policies and safe environment program. The Review Board will make recommendations for improvement and revisions of these policies and procedures.
- When necessary and at the discretion of the Archbishop, the Review Board may be asked to give counsel on adult cases of sexual misconduct.

Appendix D

Code of Conduct for Church Personnel

Because of the many programs and services parishes, schools and other Church organizations sponsor, the Catholic Church is a major youth-serving organization in our community. As such, we must model effective safeguards and proactive initiatives in our safe environment programming. The following “Code of Conduct” is meant to assist employees and volunteers who work with young people to employ good sense and best practices in their ministries.

These policies relate to ministry or employment related circumstances and should be understood in that context. Obvious exceptions exist for employees and volunteers with families.

As someone who ministers to young people I will:

- Maintain a professional role and be aware of the trust and power I possess as a minister to young people.
- Avoid physical contact when alone with a minor. Physical contact with young people can be misconstrued, especially in private settings.
- Never touch a young person in a sexual way or other inappropriate manner.
- Report any suspected child abuse (sexual, physical, neglect) to the authorities.
- Never view, possess, or distribute child pornography.
- Avoid being alone with a minor in a residence, rectory, sleeping facility, locker room, rest room, dressing facility, or other closed rooms.
- Never take an overnight trip alone with a minor.
- Avoid driving alone in a vehicle with a young person.
- Never share a bed with a minor.
- Avoid providing overnight accommodations for minors in rectories or private homes.

- Avoid meeting privately with minors in areas where there is no window or where the door cannot remain open. If one-on-one pastoral care of a minor is necessary (e.g. Sacrament of Reconciliation), avoid meeting in isolated environments.
- Never introduce sexually explicit or pornographic topics, vocabulary, music, recordings, films, games, web sites, computer software, or entertainment.
- Never provide alcohol, drugs, or tobacco to a minor.
- Never use alcohol when engaged in ministering to minor.
- Never use, possess, or be under the influence of illegal drugs.
- Refrain from giving inappropriate or expensive gifts to young people.
- Ensure that all activities (extracurricular, catechetical, youth ministry, scouting, athletics, etc.) for which I am responsible have been approved in advance by the appropriate administrator.
- Have an adequate number of adults present at events. A minimum of two adults must always be present during activities for minors.
- Release young people only to parents or guardians, unless the parent or guardian has provided permission allowing release to another adult.
- Obtain written parental permission, including a signed medical release form, before taking minors away from the parish, school, or agency for events, field trips, etc. Permission slips should include the type, location, dates, and times of the activity and emergency contact numbers.
- Exercise caution in communicating with young people through e-mail, through social media, or through the Internet. Only share work/ministry related e-mail addresses with minors.
- Never participate in chat rooms or video chats with minors unless they have been created for a particular ministry or employment related circumstance. See the social media guidelines for the

Archdiocese of Louisville for more detailed information about the use of social media.

- Ensure that all social media utilized in ministry with minors be approved and monitored by the appropriate administrator (pastor, principal, director). Ensure that parents are informed about all social media communication utilized by the group/ ministry in question.
- Never engage in the physical discipline of minors or in discipline that frightens or degrades them. Discipline should be handled in coordination with a supervisor and parents.

