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## **DIOCESE OF BRIDGEPORT**

### **POLICIES AND PROCEDURES RELATING TO ALLEGATIONS OF SEXUAL ABUSE OF MINORS BY PRIESTS OR DEACONS OR BY LAY EMPLOYEES OR VOLUNTEERS 5/03**

#### **1.0 PREAMBLE.**

In accord with the "Charter for the Protection of Children and Young People", the United States Conference of Catholic Bishops promulgated "Essential Norms for Diocesan/Eparchial Policies Dealing with the Allegations of Sexual Abuse of Minors by Priests or Deacons" as approved by the Apostolic See. The Charter addresses the Church's commitment to deal appropriately and effectively with cases of sexual abuse of minors by priests, deacons, and other church personnel (i.e., employees and volunteers). The Bishops of the United States have promised to reach out to those who have been sexually abused as minors by anyone serving the Church in ministry, employment, or a volunteer position, whether the sexual abuse was recent or occurred many years ago. They stated that they would be as open as possible with the people in parishes and communities about instances of sexual abuse of minors, with respect always for the privacy and the reputation of the individuals involved. They have committed themselves to the pastoral and spiritual care and emotional well-being of those who have been sexually abused and of their families.

In addition, the Bishops will work with parents, civil authorities, educators, and various organizations in the community to make and maintain the safest possible environment for minors. In the same way, the Bishops have pledged to evaluate the background of seminary applicants as well as all Church personnel who have responsibility for the care and supervision of children and young people.

The Diocese of Bridgeport will implement these Norms diligently, compassionately, and fairly. This Policy and the procedures set forth herein will be reviewed on a regular basis, at least annually, by Diocesan legal counsel and competent Diocesan authorities. The following policies and procedures are intended to implement these goals.

#### **2.0 PROHIBITION OF SEXUAL ABUSE OF MINORS.**

Under the Universal Law of the Church, the sexual abuse of minors by a cleric is a grave delict (offense) reserved to the Holy See, and the offender is subject to severe penalties, including dismissal from the clerical state, if the case so warrants. Even a single verified act of sexual abuse of a minor — past, present, or in the future — by a priest or deacon will lead to the permanent removal from the ministry. An act of sexual abuse of a minor by a lay employee or volunteer — past, present, or in the future — will lead to dismissal from any role within the Diocese or any Diocesan organization or institution.

Under both Federal and Connecticut civil and criminal law, the sexual abuse of minors is a grave crime and an offender may be subject to severe penalties, including incarceration, fines, and/or monetary damages.

#### **2.1 DEFINITION OF SEXUAL ABUSE OF MINORS.**

Sexual abuse of a minor includes sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification. This includes, but is not limited to, sexual contact with the intimate parts (genital area, groin, anus, inner thighs, buttocks, or breasts) of a minor for the purpose of sexual gratification or arousal or for the purpose of degrading or humiliating the minor. Deliberate touching of the intimate parts of a minor, a request to touch the intimate parts of the adult, the exposure of the intimate parts of the adult to a minor, or requesting the minor to expose his or her intimate parts also constitute sexual abuse. A minor is a person who has not yet reached his or her eighteenth birthday.

2.1.1 The transgressions in question relate to obligations arising from Divine commands regarding human sexual interaction as conveyed to us by the Sixth Commandment of the Decalogue. Thus, the norm to be considered in assessing an allegation of sexual abuse of a minor is whether conduct or interaction with a minor qualifies as an external, objectively grave violation of the Sixth Commandment (Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, USCC, 1995, p. 6).

2.1.2 A canonical offence against the Sixth Commandment (c. 1395, §2) need not 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. Moreover, imputability (moral responsibility) for a canonical offense "is presumed upon external violation." (c. 1321, §3. Cf. cc 1322-27)

2.1.3 If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians may be consulted and the opinions of recognized experts may be obtained (Canonical Delicts, p. 6). Ultimately, it is the responsibility of the Bishop of Bridgeport, with the advice of the Diocese's Sexual Misconduct Review Board, to determine if the allegation warrants further action.

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## 2.2 CAVEAT: OTHER OBJECTIONABLE CONDUCT.

2.2.1 Even conduct that does not constitute sexual abuse may be offensive or may create misunderstanding or embarrassment. Experience has shown that actions by a priest or deacon with minors such as hugging, patting, tickling, or similar “horseplay,” even if intended innocently, may be misconstrued. Priests and deacons must be especially careful, therefore, to avoid such conduct, especially when other adults are not present. The Diocese of Bridgeport will promulgate and publish separately a Code of Conduct applicable to all personnel and all personnel, will receive training regarding the Code of Conduct.

2.2.2 Similarly, lay employees and volunteers should refrain from engaging in any non-sexual physical contact with minors under their care, if there is any realistic possibility that the contact may be misunderstood by the minor or found objectionable by the minor’s parents. Notwithstanding the above, a teacher or other school employee or volunteer may use reasonable physical force in a school setting pursuant to Connecticut General Statutes § 53a-18 (6).

2.2.3 Connecticut law prescribes criminal penalties and fines for “any person who, having the control and custody of any child under the age of sixteen years, in any capacity whatsoever, maltreats, tortures, overworks, cruelly or unlawfully punishes such child,” Conn. Gen. Stat. §53-20, or “[a]ny person who willfully or unlawfully causes or permits any child under the age of sixteen years to be placed in such a situation that the life or limb of such child is endangered, the health of such child is likely to be injured, or the morals of such child are likely to be impaired, or does any act likely to impair the health or morals of any such child,” Conn. Gen. Stat. §53-21.

## 2.3 DEFINITIONS; DISTRIBUTION OF POLICY.

2.3.1 “Diocese” encompasses the Roman Catholic Diocese of Bridgeport in accord with canon 369 of the Code of Canon Law; all parishes and other inferior canonical juridical persons whose competent ecclesiastical superior is the Bishop of Bridgeport or Administrator of the Diocese of Bridgeport; The Bridgeport Roman Catholic Diocesan Corporation as chartered by the State of Connecticut; all other corporations (including parish corporations) having the Bishop of Bridgeport or Administrator of the Diocese of Bridgeport as their presiding officer; and all institutions, agencies, and organizations sponsored by these canonical or civil entities.

2.3.2 “Personnel” includes all persons (clergy, religious, and laity) who are employed by, are under personal contract with, or volunteer in any of the entities encompassed by the Diocese. Of special concern are those in supervisory capacities or in particularly sensitive areas, such as: those who work with or around children, the very elderly and the physically or mentally infirm, those who counsel others, and generally those who work with people who are less capable of protecting themselves.

2.3.3 “Reasonable cause” means a prudent estimation based on trustworthy information that an incident occurred or has been perceived as having occurred.

2.3.4 “Credible” allegation, accusation, or information means that, under all the circumstances known at the time of the determination, a prudent person would conclude that there is a significant possibility that an incident occurred or has been perceived as having occurred.

2.3.5 A copy of this Policy will be distributed to all personnel of the Diocese and posted on the website of the Diocese.

2.3.6 This Policy will be incorporated into all Diocesan personnel guidelines and printed in the Pastoral Book.

2.3.7 This Policy will be communicated to the competent ecclesiastical superiors of all members of religious institutes and societies of apostolic life who serve as personnel of the Diocese.

2.3.8 Acknowledgment of receipt and understanding must be included in all personal contracts of employment with the Diocese.

2.3.9 A signed acknowledgment of receipt and understanding will be required of all personnel of the Diocese. The signed acknowledgments of receipt and understanding of these guidelines will be returned by the above personnel to the superior or supervisor and filed in the appropriate personnel file. A copy of the required acknowledgment is attached to this policy as Appendix A.

## 3.0 MAINTENANCE OF SAFE ENVIRONMENT; PASTORAL CARE FOR VICTIMS.

### 3.1 SAFE ENVIRONMENT PROGRAM.

In order to guard against incidents of sexual abuse of minors by personnel of the Diocese, the Diocese will establish and maintain a Safe Environment Program designed to prevent, identify, and respond to abuse, to provide appropriate education and training to Diocesan personnel about inappropriate behavior and about warning signs of possibly abusive behavior. The Safe Environment Program will also evaluate the background of all Diocesan personnel who have regular contact with minors in their ministerial or employment duties. Depending upon the position involved, such background checks may include: fingerprinting and a criminal records check, validation of Social Security number, verification of educational and professional degree(s), verification of previous employment, reference checks, mental health evaluation, illegal substance screening, and/or credit history check. Specific criteria for

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background checks for specific positions will be developed by the appropriate Department head or supervisor in conjunction with the Human Resources Director of the Diocese of Bridgeport.

The Bishop of Bridgeport will appoint a Safe Environment Director, who will be charged with operation of the Safe Environment Program and assuring the monitoring of and compliance with the Policies and Procedures set forth in this document.

### 3.2 ASSISTANCE TO VICTIMS.

The Diocese of Bridgeport recognizes that sexual abuse of minors often causes serious and continuing emotional and psychological problems for the victim. Therefore, the Diocese is committed to providing victims of such misconduct with appropriate professional assistance to address these consequences of abuse by any personnel of the Diocese.

The Bishop of Bridgeport will appoint a Victims Assistance Coordinator, who will be responsible for receiving notification of all allegations of sexual abuse against a minor involving personnel of the Diocese. The Victims Assistance Coordinator will advise the alleged victim of his/her rights and the procedures to be implemented under this Policy.

3.2.1 When credible accusations are made of sexual misconduct with a minor involving any personnel of the Diocese, contact by the Victims Assistance Coordinator with the alleged victim and family will be promptly initiated. Contact should be made for the purpose of offering whatever concern or solace may be needed, with no comment as to the truth of any accusation. Medical, mental health, and spiritual assistance and, in appropriate instances, economic assistance may be offered in the spirit of Christian justice and charity, determined according to the specific situation presented.

3.2.2 Under the direction of the Victims Assistance Coordinator, competent counselors and social workers employed or designated by Catholic Family Services of the Diocese of Bridgeport will offer to provide for appropriate assistance to persons who make a credible claim that any personnel of the Diocese sexually abused them when they were minors. This outreach will be made regardless of whether the alleged abuse was recent or occurred many years in the past. The outreach will include the offer of counseling, spiritual assistance, support groups, or other social services agreed upon between the victim and the Diocese.

### 4.0 SEXUAL MISCONDUCT REVIEW BOARD

4.1 The Diocese will maintain a Review Board that will function as a confidential consultative body to the Bishop of Bridgeport in discharging his responsibilities. The functions of this Board may include:

- a. advising the Bishop in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry or dismissal from employment or service to the Diocese as a lay person;
- b. reviewing Diocesan policies for dealing with sexual abuse of minors; and
- c. offering advice on all aspects of these cases, whether retrospectively or prospectively.

4.2 The Review Board will be appointed by the Bishop and will be composed of at least five persons of outstanding integrity and good judgment in full communion with the Church. The members of the Review Board will be selected to bring to their deliberations a variety of relevant skills and experience. The skills and experience may include psychology, social work, children's rights, law enforcement, Canon law, civil law, personnel administration, and pastoral care. The majority of the Review Board members will be laypersons who are not in the employ of the Diocese. At least one member will be a priest who is an experienced and respected pastor of the Diocese of Bridgeport. At least one member should have expertise in treating individuals (and possibly their families) who have been sexually abused as minors. The members will be appointed for a term of five years, which may be renewed. If not a member of the Review Board, the Promoter of Justice will participate in the meetings of the Review Board. The Bishop may designate a member to chair the Review Board.

### 5.0 PROCEDURES FOR REPORTING TO THE DIOCESE SUSPECTED SEXUAL ABUSE OF A MINOR OR FOR MAKING A COMPLAINT OF SEXUAL ABUSE.

#### 5.1 OBLIGATION TO REPORT SUSPECTED SEXUAL ABUSE; COMPLAINT PROCEDURE.

Any personnel of the Diocese, including, but not limited to, mandated reporters as set forth in Paragraph 13.1.1, who have actual knowledge of or who have reasonable cause to suspect sexual misconduct against a minor by any personnel of the Diocese (including a priest or deacon), must report that information (unless to do so would violate the priest/penitent relationship of the Sacrament of Reconciliation). The report must be made to the Victims' Assistance Coordinator together with either the General Counsel or the Moderator of the Curia.

#### 5.2 OPPORTUNITY TO REPORT.

Any person, whether or not employed by the Diocese, who believes that he or she, when a minor, was subjected to sexual abuse by any personnel of the Diocese, or who obtains credible information about such misconduct, is encouraged to report it immediately to

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the Diocese. The report should be made to the Victims Assistance Coordinator of the Diocese. The reporting statement may be made by telephone, by mail, or by e-mail. The reporting statement should include the name and contact information of the complainant, the name and position of the person alleged to have engaged in the misconduct, and the details of the incident or practice. The Victims Assistance Coordinator will maintain a log of all such statements. The report will be handled in confidence and no other personnel, including supervisory personnel, need be advised of this action.

## 6.0 INVESTIGATION OF INCIDENT REPORTS; INTERIM PROTECTIVE MEASURES.

### 6.1 NOTIFICATIONS OF REPORT.

The Victims Assistance Coordinator will immediately notify the Bishop of Bridgeport and the General Counsel of the Diocese of the receipt of any report of sexual misconduct against a minor by any personnel of the Diocese. The report to the Bishop must be made within twenty-four hours, if possible. The General Counsel will assure that all appropriate civil authorities are immediately notified of every allegation of sexual abuse of a minor by personnel of the Diocese. The General Counsel will give notice of the report to insurers in accordance with the terms of applicable insurance policies.

### 6.2 REQUIREMENT OF INVESTIGATION.

When an allegation of sexual abuse of a minor is received, a preliminary investigation will be initiated and conducted promptly and objectively. In the case of a priest or deacon, the investigation will be conducted in harmony with canon law including appointment of an Investigator for this purpose. The Diocese will obtain legal advice, both civil and canonical, as soon as possible. (c. 1717)

### 6.3 CONFIDENTIALITY.

All personnel of the Diocese who are involved in the investigation and disposition of the report of sexual abuse, including the members of the Review Board, will refrain from publicly commenting on the report. Any public statements about the report or about any action taken in response to it may be made only with the explicit approval of the Bishop. Any media contact or inquiries regarding an incident of sexual misconduct by personnel of the Diocese must be directed to the Diocesan Director of Communications.

### 6.4 INTERIM MEASURES.

The Bishop of Bridgeport may immediately remove the priest or deacon from the ministry temporarily and may immediately suspend any lay employee or volunteer, if the circumstances appear to the Bishop to warrant immediate action pending completion of the investigation. The alleged offender may be requested to seek, and may be urged voluntarily to comply with, an appropriate medical and psychological evaluation at a facility mutually acceptable to the Diocese and to the accused.

### 6.5 INVESTIGATION OF INCIDENT REPORTS.

Each reported incident will be promptly investigated under the direction of the General Counsel, with care taken not to interfere with any confidential or civil/criminal investigation, and with a high level of Christian care, concern, and confidentiality for the alleged victim, the family of the alleged victim, the person reporting the incident, and the alleged perpetrator. The Diocese may elect to retain a person with investigative expertise in any or all cases of alleged abuse. A written report about the investigation of the incident will be provided to the Bishop of Bridgeport.

Unless circumstances warrant in a particular instance, the investigation ordinarily will be conducted in accordance with the following guidelines.

#### 6.5.1 PROCESS FOR INVESTIGATION.

- a. Any report of alleged sexual abuse of a minor by any personnel of the Diocese will be referred immediately by the Victims Assistance Coordinator to the General Counsel of the Diocese, if the report was not made to the General Counsel in the first instance. If the report was made to the General Counsel in the first instance, the General Counsel will refer the alleged victim to the Victims Assistance Coordinator.
- b. All appropriate steps will be taken to protect the reputation of the accused during the investigation. The accused will be encouraged to retain the assistance of civil (and in the case of a priest or deacon, canonical) counsel .
- c. Promptly after receiving a report of alleged sexual abuse of a minor, the General Counsel of the Diocese will initiate an investigation of the allegation. (For purposes of paragraphs 6.5.1 c and d, "General Counsel" includes any person specially designated by the General Counsel and acting under the direction of the General Counsel). A canonical investigation will be initiated by the Bishop of Bridgeport in accord with the norms of Canons 1717-1719. The General Counsel will also report the allegation to civil authorities as set forth in Paragraph 13 below. If the alleged victim is not the source of the report, the General Counsel will endeavor to contact the alleged victim to obtain information directly from her or him. The alleged victim and any other witnesses will be encouraged to submit a written description of the incident or incidents, but it will be made clear that the report will be investigated even without a written complaint.

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d. The General Counsel will attempt to identify and contact any other persons, in addition to the alleged victim, who may have relevant knowledge about the allegation.

e. The General Counsel will promptly notify the accused person about the substance of the report. The General Counsel (and, in the case of a priest or Deacon, the Moderator of the Curia) will interview the accused person to obtain the accused's response to the allegations contained in the report. The accused person will be informed of the right to obtain counsel in connection with the investigation and any ensuing proceedings.

f. The General Counsel will immediately notify the Bishop and the Moderator of the Curia of any information developed in the course of the investigation that, in the General Counsel's judgment, warrants immediate attention. In all events, no more than thirty days following the initial receipt of the report, the results of the General Counsel's investigation, even if not yet completed, will be conveyed to the Bishop and to the Moderator of the Curia and to the Sexual Misconduct Review Board.

#### 6.5.2 REPORT TO SEXUAL MISCONDUCT REVIEW BOARD.

The information conveyed to the Sexual Misconduct Review Board by the General Counsel must include the following information:

- (1) unless the allegations are already well-known or unless personally identifying information is otherwise necessary, an anonymous reference to the accused person together with a description of the accused's age, current clerical assignment and date of ordination, if applicable, and a general history of prior assignments;
- (2) an anonymous reference to the alleged victim (as well as to the person who initially submitted the report, if not the alleged victim), describing the alleged victim's gender, current age, and age at the time of the alleged incident(s), marital status, and current employment;
- (3) a complete and thorough recapitulation of the facts as alleged by the victim or of any other person who reported the alleged incident, including
  - (i) the circumstances that lead to the person's decision to make the report, especially if the alleged incident occurred a long time in the past, and
  - (ii) any professional psychological counseling or treatment the alleged victim has received that may be related to the alleged incident;
- (4) a copy of any written statement submitted by the victim or any other person (with personally identifying information redacted to preserve the anonymity of the person);
- (5) a description of all efforts to locate and contact any other persons with relevant knowledge of the alleged incident, including any persons who may have been suggested as witnesses by the priest or deacon who is the subject of the report;
- (6) a complete and thorough recapitulation of the facts as reported by such other persons, including the witness's views about the probable credibility of the allegations,
- (7) a description of further investigative steps the General Counsel recommends be taken before the Review Board makes any final recommendations to the Bishop;
- (8) any conclusions the General Counsel wishes to offer about the weight of the allegations and the reliability and credibility of any persons who submitted information, including the alleged victim and the accused priest or deacon.

#### 6.5.3 RECOMMENDATIONS BY REVIEW BOARD.

After receiving the information conveyed by the General Counsel, the Review Board

- (a) may request that further information be pursued by the General Counsel or by other personnel of the Diocese or
- (b) immediately proceed to make a recommendation to the Bishop.

The recommendations the Review Board may make to the Bishop include (but are not limited to) the following:

- a. the allegations are not supported by sufficient evidence or otherwise are not credible and the matter should be closed without adverse action regarding the accused;
- b. the allegations appear credible, but no final conclusions should be reached pending receipt of

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(i) a report of psychiatric or psychological evaluation of the accused, if the accused is willing to allow the release of such report to the Review Board,

(ii) a similar report from the alleged victim's professional psychiatric or psychological counselor, if the alleged victim is willing to authorize their release to the Review Board, or

(iii) additional specific information that still may be available;

c. the allegations appear to be supported by sufficient, credible evidence and steps should be taken

(i) to remove the priest or deacon from the ministry, either by consent (including retirement) or in accordance with the procedures provided by canon law, if the priest or deacon contests the findings, or

(ii) to terminate the employment of a lay employee or to terminate the service of a lay volunteer.

#### 6.6 DETERMINATION BY THE BISHOP.

The Bishop of Bridgeport and his advisors will review the written report reflecting the results of the investigation as well as the recommendations of the Review Board. If the alleged claim appears substantiated, then after consultation with competent Diocesan officials the Bishop of Bridgeport will notify the accused of the Bishop's determination and the alleged perpetrator may be permitted to freely resign from his/her ministry, or may be relieved from the exercise of any function or responsibility or ministry and/or employment in the Diocese and placed on administrative leave pending the outcome of any further investigation, including an outside investigation, such leave to be with or without pay and/or benefits as the Bishop may decide.

#### 6.7 NOTIFICATIONS OF DECISION

If the alleged perpetrator is a clergyman incardinated in the Diocese of Bridgeport, the report and investigation will be referred to the Bishop of Bridgeport in accordance with Canon Law and subject to the provisions of canon 1722.

6.7.1 If he is a clergyman incardinated in another diocese, the Bishop of Bridgeport will immediately refer the matter to his proper Ordinary for deliberation or further action.

6.7.2 If the alleged perpetrator is a member of a religious institute or a society of apostolic life, the Episcopal Vicar for Clergy of the Diocese of Bridgeport will immediately contact the competent ecclesiastical superior of such member for consultation on the proper procedure to be followed.

#### 6.8 RECORDS.

The Diocese will keep appropriate written records of each reported incident, the investigation, and the results thereof. The records will be marked confidential and be kept in a secure place, with access limited to the Bishop of Bridgeport and other Diocesan officials designated by him on a strictly need-to-know basis. The records will be maintained for a minimum of thirty years.

#### 6.9 REPORT TO COMPLAINANT.

Except in unusual circumstances, the General Counsel of the Diocese will notify the person who submitted the complaint about the results of the investigation and about any personnel action taken as a result of the investigation.

#### 7.0 ACTIONS TO ADDRESS INCIDENTS OF SEXUAL ABUSE OF MINORS BY PRIESTS OR DEACONS.

When even a single act of sexual abuse by a priest or deacon is admitted or is established after an appropriate process in accord with Canon Law, the offending priest or deacon will be removed permanently from ecclesiastical ministry. In addition, in appropriate cases, other canonical penalties may be imposed, which may include dismissal from the clerical state. Removal from ministry is required whether or not the cleric is diagnosed by qualified experts as a pedophile or ephebophile or as suffering from any other sexual disorder that may require professional treatment.

#### 7.1 JURISDICTION.

In every case involving canonical penalties, the processes provided for in Canon Law must be observed, and the various provisions of Canon Law must be considered (cf. Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, 1995; Letter from the Congregation for the Doctrine of the Faith, May 18, 2001). Unless the Congregation for the Doctrine of the Faith, having been notified, assumes direct responsibility for the case because of special circumstances, the Bishop of Bridgeport will proceed according to the directives of the Congregation for the Doctrine of the Faith (Article 13, "Procedural Norms" for Motu proprio Sacramentorum sanctitatis tutela, AAS, 93, 2001, p. 787).

#### 7.2 WAIVER OF PERIOD OF LIMITATIONS

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Since sexual abuse of a minor is a grave offense, if the case would otherwise be barred by the statute of limitations prescribed by Canon Law, the Bishop of Bridgeport will petition the Congregation for the Doctrine of the Faith for a dispensation from this prescription, while indicating appropriate pastoral reasons rendering so.

### 7.3 ASSISTANCE OF COUNSEL.

For the sake of due process, the accused is to be encouraged to retain the assistance of civil and canonical counsel. When necessary, the Diocese will supply canonical counsel to a priest or deacon. The provisions of canon 1722 will be implemented during the pendency of the penal process.

### 7.4 FINDING OF CULPABILITY.

When there is sufficient evidence that sexual abuse of a minor has occurred, the Congregation of the Doctrine of the Faith will be notified. The Bishop will then apply the precautionary measures mentioned in canon 1722; that is, the Bishop will 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.

### 7.5 SANCTION IN LIEU OF DISMISSAL FROM MINISTRY.

If the priest or deacon has either admitted culpability or been found culpable after a trial in accordance with Canon Law and if the penalty of dismissal from the clerical state has not been applied for (e.g., for reasons of advanced age or infirmity) or prescribed by the tribunal after a trial, the offender ought to lead a life of prayer and penance. He will not be permitted to celebrate Mass publicly or to administer the sacraments. He is to be instructed not to wear clerical garb, or to present himself publicly as a priest.

### 8.0 ADDITIONAL AUTHORITY OF THE BISHOP TO TAKE ADMINISTRATIVE ACTION.

In addition to the sanctions that the Bishop of Bridgeport or the Congregation for the Doctrine of Faith may impose under Sections 2, 6, and 7 of this Policy, the Bishop of Bridgeport has the executive power of governance, through an administrative act,

(a) to remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly ministry. (see canons 35-58, 149, 157, 187-189, 192-195, 277 §3, 381, 383, 391, 1348, 1740-1747); and

(b) to limit, suspend, or terminate the employment of any "at will" lay employee and to terminate the service of any lay volunteer.

### 8.1 "SINGLE INCIDENT" POLICY.

Because sexual abuse of a minor is a crime in all jurisdictions in the United States, for the sake of the common good and observing the provisions of canon law, the Bishop of Bridgeport will exercise this power of governance to ensure that any priest or deacon who has committed even one act of sexual abuse of a minor as described above will not continue in active ministry.

### 8.2 POSSIBLE ADMINISTRATIVE MEASURES.

The Bishop may exercise his executive power of governance to take one or more of the following administrative actions relating to a priest or deacon (cc. 381, 129ff):

a. He may request that the accused freely resign from any currently held ecclesiastical office (cc. 187-189).

b. If the accused declines to resign and if the Bishop judges the accused to be truly not suitable (c. 149, §1) at this time for holding an office previously freely conferred (c. 157), then he may remove that person from office observing the required canonical procedures (cc. 192-195, 1740-1747).

c. For a cleric who holds no office in the Diocese, any previously delegated faculties may be administratively removed (c. 391, §1 and 142, §1), while any de lege faculties may be removed or restricted by the competent authority as provided in law (e.g., c. 764).

d. The Bishop may also judge that circumstances surrounding a particular case constitute the just and reasonable cause for a priest to be allowed to celebrate the Eucharist with no member of the faithful present (c. 906); for the good of the Church and for the priest's own good, the Bishop may urge the priest to celebrate the Eucharist only under such circumstances and not to administer the sacraments.

e. Depending on the gravity of the case, the Bishop may dispense the cleric from the obligation of wearing clerical attire and may prohibit him from doing so (cc.85-88, 284).

Any of these administrative actions will be taken in writing and by means of decrees (cc. 47-58) so that the cleric affected is afforded the opportunity of recourse against them in accord with Canon Law (cc. 1734 ff).

### 9.0 LOSS OF THE CLERICAL STATE.

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A priest or deacon may at any time request a dispensation from the obligations of the clerical state. In exceptional cases, the Bishop may request of the Holy Father the dismissal of the priest or deacon from the clerical state ex officio, even without the consent of the priest or deacon.

#### 10.0 RESTRICTION ON TRANSFERS BETWEEN DIOCESES.

10.1 No priest or deacon who has committed an act of sexual abuse of a minor may be temporarily or permanently transferred (released or incardinated) for ministerial assignment to another diocese/eparchy or religious province. Before a priest or deacon of the Diocese of Bridgeport may be transferred or for residence to another diocese/eparchy or religious province, the Bishop will forward in a confidential manner to the local bishop/eparch and religious ordinary (if applicable) of the proposed place of residence any and all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people. This requirement applies even if the priest or deacon will reside in the local community of an institute of consecrated life or society of apostolic life (or, in the Eastern Churches, as a monk or other religious, in a society of common life according to the manner of religious, in a secular institute, or in another form of consecrated life or society of apostolic life).

10.2 Before the Bishop of Bridgeport receives a priest or deacon from outside his jurisdiction, the Bishop will obtain the necessary information regarding any past act of sexual abuse of a minor by the priest or deacon in question.

#### 11.0 TRANSPARENCY; PROTECTION OF PERSONAL PRIVACY AND REPUTATION.

##### 11.1 DANGER OF FALSE ALLEGATIONS.

Care will always be taken to protect the rights of all parties involved, particularly those of the person claiming to have been sexually abused and the person against whom the charge has been made. When an accusation has proved to be unfounded, every step possible will be taken to restore the good name of the person falsely accused.

##### 11.2 PUBLICATION OF DIOCESAN ACTION.

When an allegation of sexual abuse of a minor has been verified, the Chancellor of the Diocese, with the assistance of the Director of Communications, will publish an appropriate announcement of the action taken in response to the abuse. The Diocese will maintain a public record, including a website, that lists the names of priests and deacons who have been removed from ministry under this Policy.

##### 11.3 CONFIDENTIALITY AGREEMENTS.

The Diocese will not enter into confidentiality agreements regarding allegations of sexual abuse of minors except for grave and substantial reasons advanced by victim and noted in the text of the agreement.

#### 12.0 OUTREACH TO AFFECTED PARISHES.

The Victims Assistance Coordinator will be responsible for taking immediate steps to assist and support parish communities directly affected by ministerial misconduct involving minors. This outreach will be accomplished by the Catholic Charities Emergency Response Team under the direction of the Victims Assistance Coordinator. The outreach may consist of a parish and/or school meeting at the affected parish, an offer of counseling to members of the affected community, explanation of the response process and informing the affected community of the action taken in response to the allegation.

#### 13.0 COMPLIANCE WITH CIVIL LAWS; REPORTING TO CIVIL AUTHORITIES ALLEGATIONS OR SUSPICIONS OF ABUSE OR MALTREATMENT OF MINORS.

The Diocese of Bridgeport will comply with all applicable civil laws with respect to the reporting to civil authorities all allegations of sexual abuse of minors and will cooperate in their investigation. The Diocese of Bridgeport requires all personnel of the Diocese to comply with these requirements, and appropriate sanctions may be imposed for failure to do so. Failure to comply with reporting requirements imposed by law can result in the assessment of substantial fines against persons with relevant knowledge.

The Diocese supports any person's right to make a report to public authorities concerning such allegations and, upon receiving an allegation of sexual abuse, will inform such person of his/her right to do so. See Paragraph 3.2 above.

#### 13.1 REPORTING INCIDENTS OF CHILD SEXUAL ABUSE OR MALTREATMENT OR ENDANGERMENT.

##### 13.1.1 OCCUPATIONS REQUIRED TO REPORT

All Diocesan personnel are required to report suspected child abuse, including sexual abuse, to the Diocese as set forth in this Policy. In addition, Connecticut law requires that persons engaged in certain occupations report incidents of suspected child abuse, including sexual abuse, to state or local authorities. (Conn. Gen. Stat. § 17a-101.) Occupations subject to these requirements include registered physicians and surgeons, residents or interns in hospitals within the state, registered nurses, licensed or practical nurses, psychologists,



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coaches of intramural or interscholastic athletics, school teachers, school principals, school guidance counselors, school paraprofessionals, school coaches, social workers, clergy members, mental health professionals, physician assistants, certified substance abuse counselors, certified family therapists, licensed professional counselors and paid day care workers.

#### 13.1.2 SUBSTANCE OF REPORT.

The reporting requirements under Connecticut law are as follows: Where there is reasonable cause to suspect or believe that any child under the age of eighteen has been abused by a person responsible for such child's health, welfare, or care or by a person given access to such child by that responsible person, or is placed at imminent risk of serious harm by an act or failure to act on the part of such responsible person, an oral report must be made as soon as practicable (but no later than twelve [12] hours after the mandated reporter has reasonable cause to suspect or believe that abuse has occurred) to either the State Commissioner of Children and Families or his representative, or to a law enforcement agency. The oral report must be followed within forty eight hours with a written report. The written report must contain the names and addresses of the child and his parents or other person responsible for the child's care, if known; the age of the child; the gender of the child; the nature and extent of the child's injury or injuries, maltreatment, or neglect; the approximate date and time the injury or injuries, maltreatment, or neglect occurred; information concerning any previous injury or injuries to, maltreatment, or neglect of the child or his/her siblings; the circumstances in which the injury or injuries, maltreatment, or neglect came to be known to the reporter; the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment, or neglect; and whatever action, if any, was taken to treat, provide shelter or otherwise assist the child.

#### 13.1.3 REPORT WHERE SCHOOL EMPLOYEE BELIEVED TO BE RESPONSIBLE FOR INJURIES.

When a school employee is suspected of causing the abuse, the report must first be made to the supervisory agent of the school in which the school employee is employed. That supervisory agent must immediately notify the child's parent or guardian of the report and then make the required oral and written reports to the state or local authorities. The supervisory agent must immediately notify the Diocesan Office for Education. The report must include the information listed above as well as the name of the school employee suspected or believed to be responsible for the injuries or maltreatment.

#### 13.1.4 REPORT OF DANGER OF ABUSE

If any mandated reporter acting outside his/her professional capacity or any other person has reasonable cause to suspect or believe that a child under eighteen years of age is in danger of being abused or has been abused or neglected, that person may cause a written or oral report to be made to the State Commissioner of Children and Families or his representative or a law enforcement agency. (Conn. Gen. Stat. §17a-103.)

#### 13.1.5 DEFINITION OF REASONABLE CAUSE.

For purposes of these reporting obligations, "reasonable cause" means a prudent estimation based on trustworthy information that an incident occurred, has been perceived as having occurred, or is in danger of occurring.

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**ACKNOWLEDGMENT OF RECEIPT**

On \_\_\_\_\_, I was given a copy of the Diocese of Bridgeport's *Policies and Procedures Relating to Allegations of Sexual Abuse of Minors by Priests or Deacons or by Lay Employees or Volunteers*. I have read the *Policies and Procedures*, understand its meaning and agree to conduct myself in accordance with its terms.

I acknowledge that the *Policies and Procedures Relating to Allegations of Sexual Abuse of Minors by Priests or Deacons or by Lay Employees or Volunteers* is not intended to create any contractual obligations, express or implied, on the part of the Diocese of Bridgeport.

**By signing this Acknowledgement of Receipt I am specifically not authorizing the Diocese of Bridgeport or my employer to conduct any background check as specified in Section 3.1 of the *Policies and Procedures*. Such a background check may only be conducted with my specific written permission and for the limited purpose(s) set forth on an appropriate authorization form signed by me.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Parish/Institution/Agency/Department

\_\_\_\_\_  
Job Title