

**CHILD
PROTECTION
POLICY**



**Archdiocese of Boston
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www.bostoncatholic.org

Decree of Promulgation



IN THE NAME OF GOD

Whereas on October 4, 2016, in virtue of the authority entrusted to me as Archbishop of Boston, I, Séan P. Cardinal O'Malley, OFM, Cap., decree as particular law for the Archdiocese of Boston, this *Child Protection Policy* to become effective November 4, 2016.

This Child Protection Policy shall be applicable to all clergy, archdiocesan personnel, and volunteers who minister, work or serve in the Archdiocese of Boston.

This Policy replaces and supersedes all other policies as revised, approved and hereby promulgated.

Whereas we are all called upon to protect the children of God, may these policies guide and shape our response and attentiveness to their care.

Given at the Pastoral Center of the Archdiocese of Boston, this 4th day of October 2016.

A handwritten signature in black ink, appearing to read 'Séan P. O'Malley'.

Archbishop of Boston



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Introduction

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

This child protection policy builds on a 2003 policy issued by the Archdiocese of Boston. It is responsive to our concern for children and to the provisions contained in the revised Charter for the Protection of Children and the Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons initially approved by the full body of U.S. Catholic bishops in 2002 with approved revisions.

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

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



SECTION I DEFINITIONS

Following are definitions used for the purposes of this policy.

1.1 Accused

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

1.2 Administrative Leave

While on administrative leave pending an investigation of an allegation of sexual abuse of a minor, clergy are restricted from performing any public ministry.

1.3 Adult

A person who is at least eighteen (18) years old.

1.4 Appropriate Monitoring

Ongoing, in-person monitoring of the conduct and performance of individuals with provisional status (see Sec. 1.13) and individuals who are pursuing status as Archdiocesan personnel (see Sec. 1.5) but who have yet to complete the requisite clearance procedures.

1.5 Archdiocesan Personnel

Priests, deacons, religious, lay employees, contract workers and volunteers who have more than incidental contact with children and are subject to the oversight of the Archdiocese of Boston.

1.6 Background Check

The verification of information provided on Application for Employment or Volunteer Application Form, including reference contacts, and a criminal background check.

1.7 Child

Any person under the age of eighteen (18).

1.8 Child Abuse

Consists of any of the following:

a. Sexual Abuse includes any act or interaction whether it involves genital or physical contact, with or without consent, even if initiated by the child, which involves sexual contact, molestation or sexual exploitation of a child by a parent or any other person who has permanent or temporary care or custody or responsibility for supervision of a child, whether physical injuries are sustained or not, to include:

1. The intentional touching of the genitals or intimate parts including the female breast, the genital area, groin, inner thigh and buttocks of a child, or of a perpetrator by a child, for purposes of sexual arousal or gratification;

2. Rape, sexual intercourse (vaginal or anal), oral/genital, oral/anal contact;
3. The intentional touching and/or displaying of one's own genitals or intimate parts including the female breast, the genital area, groin, inner thigh and buttocks in the presence and view of a child for purposes of sexual arousal or gratification;
4. Permitting, causing, encouraging or assisting in the depiction of or posing for viewing by any person, either in person or by way of graphic means including digital or photographic image of the partially or fully unclothed body of a child, displaying intimate parts, in motion or not in motion, alone or with other persons, or the depiction of a child in apparent observation of sex acts by others in the child's presence;
5. Displaying or distributing to a child any picture, photograph, book, pamphlet, digital image, movie or magazine the cover or content of which is principally made up of descriptions or depictions of sexual acts or contact, or which consists of pictures of nude or partially nude figures posed or presented in a manner which the average person applying contemporary community standards would find, taken as a whole, appeals to the prurient interest.
6. The term sexual exploitation is specifically intended to mean those instances in which there is no physical contact with a child but the child is encouraged, enticed, invited, solicited, or asked about sexual situations or information for the improper prurient interest of the adult.
7. For clergy, the term sexual abuse also incorporates any external sin against the Sixth Commandment of the Decalogue with a minor under the age of 18.

b. Physical Abuse includes any act which:

1. Willfully causes or inflicts physical injury to a child or
2. Willfully causes mental injury or psychological injury to a child by intentionally engendering fear of physical injury to that child.
3. It is the policy of the Archdiocese of Boston that corporal punishment of a child is prohibited in all entities under the auspices of the Archdiocese of Boston. Physical abuse does not include the appropriate physical restraint of a child who is attempting to injure another person or him/herself, or the appropriate physical direction of a child away from danger or the minimum restraint necessary to place a child in "time out" or other appropriate limitation of movement to promote the child's regaining of safety and emotional control.

c. Neglect includes:

1. Abandonment of a child by a parent, custodian or guardian;
2. Lack of care by not providing appropriate and necessary food, shelter, clothing and education;
3. Not providing care or control in respect to physical or emotional health; the refusal or inability to discharge parental or custodial obligations; and expressions of intention by parent, guardian or institution to discontinue care.

1.9 Credible Accusation

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

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

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

1.10 Criminal History Record Check

The submission of a Criminal Offender Record Information (CORI) check to the state to provide information of a criminal history. In some instances, employees or volunteers may be required to submit fingerprints to the state and FBI to provide information on the existence and content of a national Criminal History Record Information (CHRI) listing.

1.11 Temporary Status

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

1.12 Care or Custody or Responsibility for Supervision of a Child

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

1.13 Provisional Status

Employees and volunteers who have completed background checks and Criminal History Record Checks, and the review of which is pending, may obtain “provisional status” from the Archdiocesan Office of Human Resources or appropriate Agency Human Resources Office. During this period, appropriate monitoring is provided and provisional status individuals are not left unattended in the presence of children.

1.14 Sexual Assault

For the purposes of this policy, sexual assault will include any listed sex abuse acts committed by an adult as well as any of the delineated sexual crimes under MGL Ch. 265.

1.15 Substantial Contact

Contact with children in which the duration and scope in both time and exposure to children is neither trivial nor limited and may occur on a routine and/or ongoing basis. Isolated or infrequent interaction with a child or children by a person that is supervised or monitored by an authorized person would not constitute substantial contact.

1.16 Volunteer

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

1.17 Vulnerable Adult

Any individual eighteen (18) or over is also covered by this policy to the same extent as a child —*mutatis mutandis* (with the necessary changes)—when such a person is unable or unlikely to report abuse without assistance because of impairment of physical or mental function or emotional status. This policy specifically includes those persons who “habitually lack the use of reason” as outlined by the Charter for the Protection of Children promulgated by the United States Conference of Catholic Bishops.



SECTION 2 EDUCATION AND TRAINING

Principle

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

2.1 Purpose and Objective

The Archdiocese will continue to offer programs that provide specific training in the prevention, recognition and reporting of child abuse:

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

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

2.2 Personnel

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

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

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

2.3 Educational Requirements and Completion Deadlines

The initial educational requirement for all Archdiocesan personnel is a minimum of one course in *Protecting God's Children*.

New staff and volunteers who will have substantial contact with children shall enroll in appropriate preventive education programs (as specified in Section 2.4) at the earliest possible date following the assumption of their duties. This requirement may be extended, voluntarily, to staff and volunteers who do not work directly or have any substantial contact with children.

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

2.4 Educational Curriculum

Archdiocesan priests, deacons and religious shall attend training that includes but is not limited to the following subjects:

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

Staff and volunteers shall attend scheduled training that includes but is not limited to the following subjects:

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

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

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

Children shall attend scheduled training that includes but is not limited to the following subjects:

- a. Basic safety skills;
- b. Recognition of dangerous and abusive situations;

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

2.5 Availability of Training

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

- a. Attend a regularly scheduled training session in the parish, Archdiocese, religious community/institute or organization; or
- b. Arrange for individual training if no other training is available.

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

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

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

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

2.7 Assessment and Evaluation of Educational Efforts

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

- a. The number of training courses offered;
- b. The number of training courses attended by:
 - 1. Priests, deacons and religious,
 - 2. Staff members,
 - 3. Volunteers,
 - 4. Parents,
 - 5. Children;

- c. The number of web-based training courses;
- d. The number of attendees requesting additional training or assistance;
- e. Proportion of new staff and volunteers trained in compliance with Section 2.3; and
- f. Participant evaluations of training content and learning opportunities.



SECTION 3 Applications and Background Checks: Lay Employees and Volunteers

Principle

The Archdiocese of Boston recognizes that criminal history record checks (CORI; Criminal Offender Record Information) are a critical element in ensuring the safety of children and vulnerable adults and protecting them from inappropriate actions or behaviors of others. Therefore, all employees and volunteers who may come into more than incidental contact with children while working or volunteering for any Archdiocesan institution and/or program will, as a condition to such activity, be required to undergo the relevant state and federal Criminal History Record Checks.

3.1 Completion of Clearance Requirements

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

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

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

3.2 Personnel

Employees and volunteers of any Archdiocesan entity or assignment who have more than incidental contact with children or vulnerable adults shall complete and have returned to the Archdiocesan Office of Human Resources or the appropriate Agency Human Resources Office the appropriate Archdiocesan Application for Employment or Volunteer Application Form and shall also submit to a Criminal History Record Check:

- a. All principals, assistant principals, teachers, contract workers who have substantial contact with children, guidance counselors, librarians, staff (e.g., clerical, teacher aides, maintenance, food service) and all volunteers of all elementary, middle and high schools operated by the Archdiocese and/or any parish(es);
- b. All directors, coordinators, catechists and staff of religious education programs and all teachers of religious education;
- c. All persons providing child care services under the auspices of the Archdiocese and/or any parish, mission and/or other Catholic organizations which are subject under civil law to the administration,

authority and/or governance of the Archdiocese;

d. All youth ministers, directors/coaches of children's activities (e.g., athletics, scout leaders, choir, etc.) and similar Archdiocesan personnel having substantial contact with children and who provide such services under the auspices of the Archdiocese or any parish, mission or other Catholic organizations which are subject under civil law to the administration, authority and/or governance of the Archdiocese.

3.3 Applicants for Employment or Volunteer Services

All applicants for any position identified in Section 3.2 (a-d) shall complete the agency specific Archdiocesan Application for Employment or Volunteer Application Form and have it returned, prior to employment or acceptance of volunteer services, to the Archdiocesan Office of Human Resources or the appropriate Agency Human Resources Office. In addition, all applicants will have submitted to a Criminal History Record Check. Employment or acceptance of volunteer services is contingent upon, and will not commence until, a favorable result of the Criminal History Record Check.

3.4 Authority of Vicar General

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

3.5 Review and Approval by Office of Background Screening

Completed application forms and Criminal History Record Checks shall be reviewed by the Archdiocesan Office of Background Screening or appropriate Agency Human Resources Office and, as appropriate, may be investigated by the Vicar General. Should an investigation due to information discovered in the application/reference check, criminal history report or at any other point in the screening process be deemed necessary by the Vicar General, the pastor/parochial administrator, principal or agency director will be contacted promptly. The pastor/parochial administrator, principal or agency director will contact the prospective employee or volunteer to clarify questions or findings consistent with Massachusetts and federal law regarding background checks.

Employment or volunteer services may commence only after approval from the Archdiocesan Office of Background Screening. Applications and Criminal History Record Checks shall be maintained in the files of the Archdiocese with access limited only to the Archbishop's designee(s) subject to section 3.1.

3.6 Updating Clearance Information

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



SECTION 4 Background and Reference Checks - Clergy and Religious

Principle

The Archdiocese of Boston recognizes that background checks are a critical element in ensuring the safety of children or vulnerable adults and protecting them from inappropriate influences. Therefore, all clergy, and religious who come into substantial contact with children while working for an Archdiocesan entity will undergo the Criminal History Record Check. It is the responsibility of the Episcopal Vicar for Clergy to ensure that all priests and religious have completed the appropriate applications prior to beginning their work with children.

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

4.1 Members of Religious Communities Who Are in the Archdiocese of Boston

All superiors of religious communities proposing names of individual religious for ministry or residence in Archdiocesan parishes or other Archdiocesan facilities, as well as those simply requesting parochial faculties in the Archdiocese, are required to state clearly in writing to the Vicar General's Office that there is no history which would render the individual unsuitable to work with children. A religious superior must state in writing that he/she has reviewed employment and Criminal History Records of the individual proposed.

The Vicar General's Office will review all background check results. The Archdiocese of Boston will maintain a list of all clergy and religious in the Archdiocese who have been refused employment or not allowed to provide volunteer services based upon a background investigation.

4.2 Priests from Other Dioceses Who Are in the Archdiocese of Boston

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

4.3 Applicants for Priesthood or Permanent Diaconate in the Archdiocese of Boston

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

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

No pastor/parochial administrator, parochial vicar or director of any Archdiocesan facility in the Archdiocese of Boston is permitted to grant residence or full-time or part-time or regular weekend ministry to an extern priest or religious until confirmation has been received from the Episcopal Vicar for Clergy that the required Criminal History Record Checks and background checks have been obtained and are consistent with the Archdiocese of Boston criminal-free history requirements.¹

4.5 Waivers of Comprehensive Clearance Information

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

¹ The Archdiocese of Boston requires criminal histories in which there are no occurrence of misdemeanor and/or felony offenses that constitute any form of child endangerment, assault, battery, rape, any other violent crime, or other crimes which reflect dishonesty.



SECTION 5 Civil Reporting Requirements

Principle

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

5.1 Who Must Report?

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

5.2 What Must be Reported?

Any suspected physical abuse, sexual abuse, sexual assault or neglect of a child or young person shall be reported as soon as possible, regardless of where the incident occurred or by whom it was committed. Past incidents of sexual abuse that are alleged to have occurred when the victim was a minor, even if the victim is now an adult, also must be reported. In the Commonwealth of Massachusetts a mandated reporter who, in his professional capacity, has reasonable cause to believe that a child is suffering physical or emotional injury resulting from: (i) abuse inflicted upon him which causes harm or substantial risk of harm to the child's health or welfare, including sexual abuse; (ii) neglect, including malnutrition; (iii) physical dependence upon an addictive drug at birth, shall immediately communicate with the department orally and, within 48 hours, shall file a written report with the department detailing the suspected abuse or neglect; or (iv) being a sexually exploited child; or (v) being a human trafficking victim as defined by section 20M of MGL chapter 233. (as defined under MGL c. 119 §51A).

5.3 To Whom Should Reports be Made?

Reports of abuse or neglect alleged to have occurred in Massachusetts shall be reported to the local law enforcement agency and/or the local Department of Children and Families depending on the circumstances presented. This reporting is in addition to internal Archdiocesan reporting requirements (see Section 6).

Contact information for the appropriate authorities for the Commonwealth of Massachusetts and each county within in the Archdiocese can be found in Appendix A.

5.4 What Specific Information Should be Reported?

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

required to the Department of Children and Families.

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

- a. Name, address and age of the child;
- b. Name and address of the child's parent, guardian or caretaker;
- c. Whereabouts of the child;
- d. Nature and extent of the alleged maltreatment and any past history of injury possibly occurring from abuse or neglect;
- e. Name, address and whereabouts of the person or persons suspected of perpetrating the abuse or neglect, if known; and
- f. Any other information which might help to determine the cause of the suspected abuse or neglect or the identity of the person responsible.

5.5 Reporting by Victims

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

5.6 By When Must a Report be Made?

Reports of abuse to the Department of Children and Families (DCF) are to be made orally within 24 hours and additionally to DCF with a written submission within 48 hours.

5.7 Requirements for Further Cooperation

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

5.8 Immunity Protections for Those Making a Report

Under statute, the Commonwealth of Massachusetts provides civil and criminal immunity to those who are mandated to report suspected child abuse and do so in good faith and not frivolously. This immunity extends to investigations and judicial proceedings arising from the reports.



SECTION 6 Internal Archdiocesan Reporting Requirements²

Principle

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

6.1 All Situations and Every Instance

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

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

1. Anyone who suspects child abuse *in a school* shall immediately notify
 - a. The principal of the school via telephone or in-person conversation or, in the absence of the principal, the pastor/parochial administrator.
 - b. The principal or pastor/parochial administrator shall notify the Superintendent of Catholic Schools.
2. Anyone who suspects child abuse shall immediately notify the following (in a school situation, the principal shall do this notification):
 - a. Pastor/parochial administrator or, in his absence, the parochial vicar via telephone or in-person conversation;
 - b. Director of Professional Standards and Oversight and
 - c. Vicar General, who will contact the Archbishop when the accused individual is an archdiocesan priest, deacon, religious, employee or volunteer.³
 - c. Within 24 hours the person who suspects abuse shall file a written report with the pastor and the Director of Professional Standards and Oversight, who will forward a copy to the Vicar General.
3. The Vicar General will designate a case-specific contact person to coordinate with civil authorities in furtherance of the requirement in Section 5.3.

² These reporting requirements are to be followed by all representatives of the Archdiocese, including clergy, religious, lay employees and lay volunteers.

³ In cases in which the individual designated to receive the report is the accused, the report should be directed to the designee's superior.

4. The Vicar General will provide a report of the suspected child abuse to the provincial of a religious or the bishop of a diocesan priest who is not a priest of the Archdiocese of Boston.

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

a. Any Archdiocesan personnel who, within the context of his or her duties with an Archdiocesan school, parish, agency or other entity, suspects child abuse by an individual not associated with the Archdiocese (e.g., a child's neighbor or relative), shall notify the:

1. Civil authorities (Section 5) and
2. Principal, pastor or director of the school, parish or agency.

b. The principal, pastor or director shall notify the Director of Professional Standards and Oversight.

6.4 Record Keeping

Accurate records of reports received, whether supported or not, and all actions taken and notifications by the Archdiocese and/or other church authorities in response to such reports, and of evidence and relevant comment, shall be kept on file in strict and secure confidence. Copies of original statements provided to the police will be kept on file. For the protection of both the involved individuals and institutions, records shall be kept indefinitely. Continuity of information is essential and shall be assured.



SECTION 7 Internal Archdiocesan Procedures

Principle

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

7.1 Allegations Against a Lay Employee or Lay Volunteer

a. The pastor of a parish, in response to an allegation of child abuse against a lay employee or volunteer, will:

1. Contact the alleged victim, or his or her parents or legal guardians, and offer spiritual care and support;
2. Contact the Archdiocesan Director of Pastoral Support and Child Protection (see Section 9) to assure that treatment, support and essential assistance is provided to the victim in a timely manner;
3. Inform the alleged victim or the alleged victim's parents or legal guardians of the availability of assistance through the Archdiocesan Director of Pastoral Support and Child Protection and;
4. Function in a strict pastoral nature without regard to the truth of any accusation or to the circumstances surrounding the alleged incident.

b. The individual against whom an allegation has been made will:

1. Receive prompt notification of the general nature of the allegation(s) by the pastor/parochial administrator, principal or agency head;
2. Be placed on administrative leave pending outcome of investigations by civil authorities.

Information shared with the accused shall be limited to that which is sufficient to enable the accused to respond to the allegation. Under no circumstances will information be shared that can compromise the civil investigation of the allegation. Whenever possible, civil authorities will be allowed the first contact with the alleged offender, unless such procedure would put the alleged victim and/or others at risk of harm.

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

1. Directed to remain away from the school, agency, parish church, worship services or other location(s) which are the subject matter of the complaint until a resolution of the complaint is concluded;
2. Directed not to contact or attempt to contact the alleged victim or the victim's family;

3. Informed of the investigative process and the expectations for his/her cooperation and participation in said process and;

4. Advised of his or her right to obtain his or her own attorney.

c. If the employee is arrested and charged, a review of the facts will be made to determine if he or she should be continued on administrative leave. Benefits will only continue at the discretion of the Vicar General.

d. If a lay employee or volunteer admits guilt, does not contest guilt or there is a finding of guilt in criminal court or of liability in civil court, he or she will be terminated. The pastor/parochial administrator, principal or agency head should notify the Vicar General in writing so that the employee's or volunteer's file may be properly noted and adequate safeguards taken in an effort to ensure that the individual is not employed or utilized by any organization under the control of the Archbishop of Boston in any capacity. The name will be sent to the Archdiocesan Office of Human Resources to be placed on a "Do Not Hire" list for employees and volunteers. This information shall become part of the employee's/volunteer's permanent employment file and may be made available in response to employment-related inquiries.

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

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

a. In response to an allegation of child abuse (which is not manifestly false or objectively could not be true) in a parish by a priest, deacon or religious, the Vicar General will immediately notify the Archbishop.

b. The Vicar General or his representative will:

1. Contact the alleged victim, or his or her parents or legal guardians, and offer spiritual care and support;

2. Contact the Archdiocesan Director of Pastoral Support and Child Protection (see Section 9) to assure that treatment, support and essential assistance is provided to the victim in a timely manner;

3. Inform the alleged victim or the alleged victim's parents or legal guardians of the availability of assistance through the Archdiocesan Director of Pastoral Support and Child Protection and;

4. Function in a strictly pastoral nature without regard to the truth of any accusation or to the circumstances surrounding the alleged incident.

c. The priest, deacon or religious suspected of abuse, after civil authorities have been informed, will be:

1. Called for an immediate meeting with the Director of Professional Standards and Oversight

who will inform him or her of the nature of the allegation(s), unless the civil authorities deem otherwise. (Civil authorities will be offered first contact with the accused, except when such procedure would put the alleged victim and/or others at risk of harm.);

2. Informed of the investigative process and the expectations for his/her cooperation and participation in said process;

3. Placed on administrative leave;

4. Advised of his or her right to obtain civil and canonical counsel; and

5. Requested to seek and voluntarily comply with a comprehensive psychological evaluation (at the discretion of the Vicar General).

d. In response to credible allegations, that is, allegations that are supported by evidence that sexual abuse of a minor has occurred, against an Archdiocesan priest or deacon as determined by the Archbishop and informed by the Review Board (see Section 7.4), the Vicar General will notify the Congregation for the Doctrine of the Faith. The Congregation for the Doctrine of the Faith will determine whether a church tribunal or the Congregation will adjudicate allegations.

e. A priest or deacon who admits guilt or eventually is found guilty will be permanently removed from ministry and not allowed to function or represent himself as a priest or deacon and may be dismissed from the clerical state. Priests or deacons found not guilty may also be removed from ministry if the Archbishop deems them to be a danger to children. These matters may be appealed in accordance with the Code of Canon Law.

f. In the case of a priest, deacon or religious from another diocese, the Vicar General will, after an allegation of child abuse has been deemed credible, immediately direct the priest, deacon or religious to leave the Archdiocesan facility(ies), suspend his faculties to minister, and will notify the appropriate bishop or superior of the individual's removal from our Archdiocesan facility(ies).

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

a. In response to an allegation of child abuse committed by an individual who has no association with the Archdiocese, the pastor of the parish should:

1. Contact the alleged victim or the alleged victim's parents or legal guardians and offer information and support;

2. Cooperate with civil authorities as requested and;

3. Notify the Director of Professional Standards and Oversight.

All individuals who suspect child abuse and have a duty to report child abuse as defined in civil law (see Section 5.1) should do so in a manner consistent with statutory guidance; in addition, the Director of Professional Standards and Oversight will ensure the allegation is properly reported to civil authorities.

7.4 Review Board

a. When a priest or deacon of the Archdiocese is suspected of past or recent child sexual abuse, the Archbishop shall consult with the Review Board. This Board may also be consulted in cases of other forms of child abuse or misconduct at the discretion of the Archbishop. The Review Board is an advisory body to the Archbishop that consists of at least five persons of outstanding integrity and good judgment in full communion with the Church. The majority of the Review Board members will be lay persons who are not in the employ of the Archdiocese. At least one member should be a priest who is an experienced and respected pastor of the Archdiocese and at least one member should have particular expertise in the treatment of the sexual abuse of minors. It is desirable that the Promoter of Justice participate in the meetings of the Review Board.

b. This Board will perform the following functions in accordance with the policies and procedures articulated in the Guidelines for the Review Board (see Appendix D):

1. Assess allegations of sexual abuse of minors by priests and deacons in order to advise the Archbishop on the credibility of the allegations and whether the allegations fall within the definition of sexual abuse. Cases of alleged misconduct, including other than allegations of sexual abuse, may be referred to the Review Board and assessed in a comparable manner as described above.

2. Advise the Archbishop in his determination of suitability for ministry on a case-specific basis.

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

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

Where the Review Board determines that the allegations either are not credible or do not meet the definition of sexual abuse and the Board nonetheless concludes that there remains reason(s) for concern regarding continued ministry, the Archbishop will determine the most appropriate course of action and the disposition of the accused.

c. Even if allegations of past misconduct fall outside the canon law statute of limitations, the Review Board will determine whether the allegation is credible and is consistent with the definition of sexual abuse. The Board will develop an advisory recommendation to the Archbishop that is consistent with canon law and indicate, in writing, whether the incident exceeds the statute of limitations. If it does, the Archbishop shall seek an exception to these limitations.

d. The Archbishop will forward all credible allegations to the Congregation for the Doctrine of the Faith, which will either refer cases to a church tribunal or retain the case and determine the future of the accused.

7.5 Rights of the Alleged Victims and the Accused

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

- a. A timely response to, investigation of and resolution of the allegation of abuse;
- b. An explanation of the Archdiocese's overall process and specific procedures for dealing with allegations of child abuse, including its policy on reporting to civil authorities;
- c. An opportunity to provide comments to the Archdiocesan Review Board relevant to the nature of the allegations;
- d. Offering of appropriate assistance and counselling to help the child/adult victim according to the policies of the Office of Pastoral Support and Outreach;
- e. Offering psychological evaluation and counselling treatment for the accused, as warranted;
- f. Discretion in the conduct of the investigation
- g. Information pertaining to the outcome of the investigation, once it has been concluded.

7.6 Record Keeping

Pursuant to Section 6.4, all records of actions taken and notifications by the Archdiocese and/or other church authorities in response to such reports, and of evidence and relevant comment, shall be kept on file in strict and secure confidence and maintained indefinitely.



SECTION 8 Archdiocesan Response to False Allegations

Principle

The Archdiocese of Boston recognizes the harm that may occur from a false accusation. The Archdiocese will strive to minimize any personal or professional adverse consequences of unsupported allegations of abuse and to preserve the future ministry opportunities of persons falsely accused of child abuse, in accord with canon law.

8.1 Mental Health Services

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

8.2 Restoring the Good Name of Someone Falsely Accused

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

8.3 Informing the Community

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



SECTION 9 Pastoral Care and Victim Assistance

Principle

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

9.1 Pastoral Outreach to Victims, Families and the Community

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

- a. Open discourse about child abuse that allows education, healing and reconciliation;
- b. Expressions of compassion;
- c. Acknowledgement and acceptance of feelings of anger, pain and mistrust as part of the healing process;
- d. Education of the parish and the community in order to facilitate their understanding, acceptance and support of victims whose pain may require both immediate and ongoing intervention to repair the harm and promote the healing of their lives;
- e. Pastoral counseling for an affected faith community.
- f. Through pastoral outreach to victims and their families, the Archbishop or his representative is to offer to meet with them, to listen with patience and compassion to their experiences and concerns, and to share the "profound sense of solidarity and concern" expressed by His Holiness, Pope John Paul II, in his Address to the Cardinals of the United States and Conference Officers (April 23, 2002).

9.2 Director of Pastoral Support and Child Protection

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

The Archdiocesan Director of Pastoral Support and Child Protection will serve as the liaison with any person who alleges abuse as a child, will explain Archdiocesan policies and reporting requirements and will ensure that

the person receives appropriate pastoral care. The Archdiocesan Director of Pastoral Support and Child Protection will meet with the victims, their families, and the affected parish and faith communities and will monitor their pastoral needs to confirm that ongoing care is available for the appropriate period of time.

9.3 Counseling Assistance for Victims and Their Families

Pastoral care to persons harmed by abuse shall be offered in a variety of ways to bring healing to all those affected including, but not limited to, information about the availability of mental health services and support. The Archdiocesan Director of Pastoral Support and Child Protection, on behalf of the Archdiocese, will facilitate assessment, counseling and therapeutic interventions according to the policies and procedures maintained by the Office of Pastoral Support and Child Protection.

9.4 Additional Forms of Pastoral Care

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



SECTION 10 Communications

Principle

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

10.1 Public Awareness of Child Abuse Issues

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

10.2 Timeliness of Communications

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

10.3 Responding to the Media

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

10.4 Communications Training

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

10.5 Communicating with Directly Affected Communities

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

10.6 Communicating with Broader Community

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



SECTION 11 Measuring Progress and Accountability

Principle

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

11.1 Responsibility for Implementation of Policy

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

11.2 Measurement of Objectives

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

11.3 Annual Report

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

11.4 Policy Compliance

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

11.5 Consultation

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

11.6 Review of Child Protection Policy

The Archdiocesan Child Protection Policy will be reviewed by the Review Board one year following the date of its enactment and periodically thereafter.



APPENDIX A Persons to Whom Reports are Made

A.1 Department of Children and Families

a. Suspected instances of sexual abuse of children must be reported to

Child-At-Risk-Hotline: 24 hours per day
800-792-5200 www.mass.gov/dcf

Local Contacts for the Department of Children and Families BOSTON REGION:

- Roxbury 617-989-2800
- Hyde Park 617-363-5000
- Harbor Area, Chelsea 617-660-3400
- Park Street, Dorchester 617-822-4700

WESTERN MA REGION:

- Greenfield 413-775-5000
- Holyoke 413-493-2600
- Springfield 413-452-3200
- East Springfield 413-205-0500
- Whitinsville 508-929-1000
- Worcester, East 508-929-2000
- Worcester, West 508-929-1000
- Leominster 978-353-3600
- Pittsfield 413-236-1800

NORTHEASTERN MA REGION:

- Lowell 978-275-6800
- Framingham 508-424-0100
- Haverhill 978-469-8800
- Lawrence 978-557-2500
- Cambridge 617-520-8700
- Malden 781-388-7100
- Cape Ann, Salem 978-825-3800
- Lynn 781-477-1600

SOUTHERN MA REGION:

- Arlington 781-641-8500
- Braintree 781-794-4400
- Cape Cod & Islands 508-760-0200
- Plymouth 508-732-6200
- Fall River 508-235-9800
- New Bedford 508-910-1000
- Brockton 508-894-3700
- Taunton/Attleboro 508-821-7000

A.2 Law Enforcement Agencies

a. Contact the following offices to report suspected instances of sexual abuse of children which occurred in

Boston - Boston Police Department Sexual Assault Unit:	617-343-4400
Suffolk County – Suffolk County District Attorney	617-619-4000
Middlesex County - Middlesex County District Attorney	781-897-8300
Norfolk County - Norfolk County District Attorney	781-830-4800
Plymouth County – Plymouth County District Attorney	508-584-8120
Essex County – Essex County District Attorney	978-745-6610



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

Important!

Copy a blank version of the following report, complete and send it in an envelope marked “Confidential,” to:

**Director of Professional Standards and Oversight
Archdiocese of Boston
66 Brooks Drive
Braintree, MA 02184-3839**

Or fax to 617-746-5920 and call 617-746-5624 to notify that this confidential document is being sent.

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



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

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

Report Date:

1. Person submitting this report:

Name: _____ Title: _____
Parish/School/Facility Name: _____
Street Address: _____
City: _____ State: _____ Zip: _____
Daytime Phone: _____
E-mail: _____

2. Person(s) suspected of misconduct:

Name: _____ Title: _____
Parish/School/Facility Name: _____
Date of Birth (m/d/y): _____ Age: _____
Sex (circle one): Male Female
Now deceased? (circle one) Yes No
Street Address: _____
City: _____ State: _____ Zip: _____
Daytime Phone: _____
E-mail: _____

3. Suspected victim(s) of misconduct:

Name: _____
Date of Birth: _____ Age Now: _____ Age at time of incident: _____
Sex (circle one): Male Female
Street Address: _____
City: _____ State: _____ Zip: _____
Daytime Phone: _____
E-mail: _____

4. Report to civil authorities:

Agency Name:

County/City:

Phone:

Date of Report:

Individual Receiving Report:

INCIDENT INFORMATION

(Please provide on a separate sheet of paper, preferably typed)

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



APPENDIX C Guidelines for the Review Board

Preamble

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

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

1. To assist the Archbishop, the Archdiocese of Boston will have a Review Board that will function as a confidential consultative body to the Archbishop in discharging his responsibilities. The functions of this board may include:
 - a. Advising the Archbishop in his assessment of allegations of sexual abuse of minors⁴ by priests or deacons of the Archdiocese of Boston and in his determination of suitability for ministry; and
 - b. Offering advice on all aspects of the cases, whether retrospectively or prospectively.
2. The Review Board will be composed of at least five persons of outstanding integrity and good judgment in full communion with the Church. The majority of the review board members will be lay persons, who are not in the employ of the Archdiocese, but at least one member should be a priest who is an experienced and respected pastor of the Archdiocese, and at least one member should have particular expertise in the treatment of the sexual abuse of minors. The members will be appointed for a term of five years, which can be renewed. It is desirable that the Promoter of Justice participate in the meetings of the Review Board.
3. When an allegation of sexual abuse of a minor by a priest or deacon is received, a preliminary investigation in harmony with canon law will be initiated and conducted promptly and objectively (c. 1717). All appropriate steps shall be taken to protect the reputation of the accused during the investigation. The accused will be encouraged to retain the assistance of civil and canonical counsel and will be promptly notified of the results of the investigation. When there is sufficient evidence that sexual abuse of a minor has occurred, the Archbishop shall apply the precautionary measures mentioned in canon 1722, i.e., remove the accused from the sacred ministry or from any ecclesiastical office or function, impose or prohibit residence in a given place or territory and prohibit public participation in the Most Holy Eucharist pending the outcome of the process. In addition, the Congregation for the Doctrine of the Faith shall be notified.

⁴ The Archbishop reserves the right to also convene the Review Board to assess allegations of all forms of abuse, including sexual abuse and misconduct, physical abuse and neglect, which means these guidelines extend beyond the provisions of the Charter for the Protection of Children and Young People and address the expectations of clerical conduct in harmony with canon law (c. 277, c.285, c.1395, c. 1397, c.1399).

Guidelines

1. The Archbishop will convene the Review Board after an allegation of sexual abuse of a minor by a priest or deacon of the Archdiocese of Boston has been received and the Archbishop has completed a preliminary investigation in accordance with canon 1717. The Archbishop will convene the Review Board to examine the allegation.
2. The Review Board will receive from the Archbishop or his delegate a complete written record of the allegations made against a priest or deacon; a detailed description of the interviews of alleged victims and the priest or deacon in question; and will review any information pertinent to the allegation from the priest's or deacon's personnel file. The priest or deacon and his advocate will be informed that the allegations will be presented to the Review Board. The priest or deacon and/or the alleged victim(s) may choose to make a submission in writing to the Review Board. The Review Board is not an investigative body.
3. The Review Board will be required to assess the credibility of the allegations, specifically whether the allegation has a "semblance of truth" under canon law, using a standard of proof approximating probable cause, and whether the allegations conform to the definition of sexual abuse of a minor as outlined in the policy developed and adopted by the Archdiocese of Boston.
4. The Review Board may be asked to comment on the suitability of a priest or deacon for future ministry.
5. The Review Board may recommend further investigating allegations and interviewing alleged victims or witnesses as it deems necessary and appropriate in each particular case.
6. The Vicar General of the Archdiocese of Boston will present the recommendations of the Review Board to the Archbishop.
7. The deliberations of the 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 Director of Professional Standards and Oversight. All documents given to the Review Board will be collected at the conclusion of each meeting and returned to the Archdiocese.

Steps to be followed in an Investigation

1. When an allegation of sexual abuse of a minor by a priest or deacon is received, an expeditious determination will be made as to whether the allegation made is credible. The Director of Professional Standards and Oversight, one of the Archdiocesan attorneys, will be immediately informed and in turn will notify the civil authorities.
2. Civil authorities will be offered first contact with the accused except when such procedure would put the alleged victim and/or others at risk of harm. The Archdiocese of Boston will, after consultation with civil authorities, confront the priest or deacon unless such authorities deem otherwise. The alleged perpetrator (priest or deacon) will be advised to obtain a civil attorney and a canonical advocate to represent him.
3. The Archdiocese of Boston will provide the person against whom an allegation has been made an explanation of the overall investigative process and specific procedures for dealing with allegations of

child abuse.

4. The Archdiocese of Boston will initiate an investigation in accordance with canon 1717 of the Code of Canon Law (1983)⁵.

5. The alleged perpetrator will be relieved of his assignment and required to leave the parish and be encouraged to obtain the appropriate psychological evaluation at a facility acceptable to the Archdiocese of Boston.

6. The Review Board will be convened in accordance with the guidelines.

7. If an act of child abuse by a priest or a deacon is admitted or is established at the conclusion of this process, the Archbishop will take the appropriate canonical action.

⁵ Canon 1717 reads, “sec. 1: Whenever an ordinary has knowledge, which at least seems true, of a delict, he is carefully to inquire personally or through another suitable person about the facts, circumstances and imputability, unless such an inquiry seems entirely superfluous. Sec. 2: Care must be taken so that the good name of anyone is not endangered from this investigation. Sec. 3: The person who conducts the investigation has the same powers and obligations as an auditor in the process; the same person cannot act as a judge in the matter if a judicial process is initiated.”



APPENDIX D

Archdiocese of Boston Pastoral Center Contact Information

Office of Pastoral Support and Child Protection 617-746-5985
Archdiocese of Boston
66 Brooks Drive
Braintree, MA 02184

Office of Professional Standards and Oversight 617-746-5624
Archdiocese of Boston
66 Brooks Drive
Braintree, MA 02184

Secretary for Communications 617-746-5775
Communications and Public Affairs
Archdiocese of Boston
66 Brooks Drive
Braintree, MA 02184

