

# Youth Protection program

## Of the

### Roman Catholic Diocese of HARRISBURG

#### Foreword

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The *Youth Protection Program* of the Diocese of Harrisburg consists of two related documents. The first is a statement of pastoral directives for several areas of concern surrounding the important issue of sexual abuse of minors. The second document mandates specific norms for placing the pastoral charter into practice. It includes a lengthy Appendix with the practical details and procedures by which the pastoral charter will be implemented.

#### Part I: Pastoral Charter

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## INTRODUCTION

The tragedy of sexual abuse of minors affects every segment of modern society. The Catholic Diocese of Harrisburg has adopted this *Program*, with the norms and procedures it provides, as a tool of pastoral life and legal discipline. It is intended for all clergy, seminarians, candidates for Holy Orders [in case of a new permanent deacon class] employees, and volunteers (whether parish or Diocesan) serving in or residing in the Diocese.

The Diocese of Harrisburg is committed to meeting its responsibility to its people and to the larger society regarding the problem of the sexual abuse of minors. In this regard, our foremost concern is the safety and welfare of children and youth. We must and will offer victims and their families loving and compassionate pastoral outreach and assistance with their healing. People must know that they can and should seek the help of the Church when misconduct occurs. Victims must be encouraged to report sexual misconduct to the Church and to civil authorities. Indeed, in some circumstances the Church is mandated by law to report the suspected crime. In all circumstances we will report an accusation of sexual abuse of a minor to civil authorities, no matter how long ago such abuse is alleged to have occurred. The entire Church community must pray for the victims of sexual abuse, for their families, and for all who have been hurt and scandalized by sexual misconduct.

Whenever someone reports suspected sexual abuse of a minor, whether a recent or past occurrence, the Diocese will act quickly and decisively, in justice to all concerned, in full compliance with both canon and civil law.

The Church must pay particular attention to the fitness of those whose employment or ministry includes the oversight of and interaction with children and youth, and it must focus special care on those to be ordained. The Church is equally concerned with the continuing education of clergy, seminarians, candidates for Holy Orders, employees, and volunteers in the area of the sexual abuse of minors. The Church's prayer and concern must likewise extend both to offenders, in our pastoral care of them, as well as to those who are falsely accused.

In November 1994, Bishop Nicholas C. Dattilo issued the statement entitled, "What the Catholic Diocese of Harrisburg is Doing about the Problem of Clerical Sexual Misconduct," which called for the appointment of a 12-member Independent Policy Review Board. The board reviewed, revised, and updated the 1992 Diocesan policy on clergy sexual misconduct, and presented its recommendations to Bishop Dattilo in October of 1996. Before promulgating the updated policy, which took effect July 1, 1997, the Bishop undertook broad consultation regarding these policy revisions with the Diocesan Administrative Board, the Priest Personnel Board, the Presbyteral Council, the Diocesan Pastoral Council, and the Deacon Council.

The *Policy Review Board* met annually following the promulgation of the policy to review with staff how the policy and procedures worked in practice, to review in general terms each accusation received and inquiry conducted within that year, and to recommend specific improvements in policy and procedures, all of which were incorporated into subsequent policy revisions promulgated by the Diocesan Bishop.

With the adoption by the United States Conference of Catholic Bishops in June 2002 of the *Charter for the Protection of Children and Young People*, followed by promulgation in December 2002 of its *Essential Norms for Diocesan/Eparchial Policies Dealing with Accusations of Sexual Abuse of Minors by Priests or Deacons*, the Policy Review Board was reconstituted and renamed in 2003. Consisting of 10 persons, including eight laypersons not in the employ of the Diocese or any of its parishes or schools, one priest, and one woman Religious, the board was renamed the *Diocesan Review Board for Youth Protection*.

This Review Board recommended updates to Bishop Nicholas C. Dattilo to bring existing policy into conformity with new documents and standards. As a result, and after appropriate consultation, the current Diocesan policy was promulgated in August 2003. Seven members of the Diocesan administrative staff, each with specific responsibilities under this policy, were appointed to a panel known as the *Youth Protection Council* and commissioned to implement the policy.

This updated policy and its methods of implementation are known by the collective title, *Youth Protection Program of the Diocese of Harrisburg*. It consists specifically of three parts: Part I – this document – is a statement of pastoral norms and broad policy; Part II is an outline of specific objectives and policies; a listing of detailed implementation methods is given in the Appendix to Part II.

The Diocese of Harrisburg will respond promptly and decisively to accusations of suspected sexual abuse of a minor by any person connected with the Church. The Diocese will abide by the provisions of the *Charter for the Protection of Children and Young People*, the *Essential Norms for Diocesan/Eparchial Policies Dealing with Accusations of Sexual Abuse of Minors by Priests or Deacons* and this *Youth Protection Program* and will further comply fully and without exception with all pertinent elements of the prevailing canon law and civil law.

To provide for the continuing review and revision of this policy and to ensure that the policy is evaluated regularly, the *Diocesan Review Board for Youth Protection*, a standing board of no more than 12 members appointed by the Diocesan Bishop, will review cases in the manner described herein and recommend revisions of this policy annually to the Diocesan Bishop. Members of the board are appointed by the Diocesan Bishop for five-year terms, which are renewable.

## **Guiding Principles: A Pledge**

### **The Diocese of Harrisburg pledges...**

1. To recognize forthrightly the tragedy of sexual abuse of minors in society and in the Church. We are committed to recognizing and addressing the problem, and we pledge the resources of the Diocese to this end.
2. To maintain as our primary concern the healing, reconciliation, and spiritual well being of the victims of sexual abuse and their families. We pledge that in each case we will reach out to victims of abuse and their families to offer whatever pastoral and professional care we can, and to address their spiritual and emotional needs. We pledge also to assist victims of sexual abuse and

- their families in locating resources and providers to address their emotional and mental-health needs that arise from the tragic experience of abuse.
3. To observe without exception the demands of the two laws under which the Church operates: the canon law of the Roman Catholic Church and the secular or civil law of the Commonwealth of Pennsylvania and the United States of America. We pledge also to assist accuser and accused in knowing and fulfilling their rights under both laws.
  4. To forward to appropriate civil authorities, even when not required by civil law, every report of suspected sexual abuse of a minor, unless the accuser has made a complete retraction.
  5. To receive every accusation of suspected sexual abuse of a minor with compassion and to treat it with seriousness and diligent attention. Response to accusations will be the priority of all who are involved.
  6. To make our policies and procedures regarding the sexual abuse of minors known and available in openness and transparency. We pledge to follow these policies and procedures consistently in each case.
  7. To educate the Church community — youth and adults — in matters related to the sexual abuse of minors, especially its prevention, identification, and reporting.
  8. To make known to all clergy, seminarians, candidates for Holy Orders, employees, and volunteers the provisions of this program along with a Code of Conduct to guide interactions with minors.
  9. To undertake a comprehensive practice of screening seminarians, clergy, candidates for Holy Orders, employees, and volunteers who have more than sporadic and infrequent contact with minors. This screening shall include criminal-history checks.

## SECTION I: Applicability & Organization

### Applicability of this Document

The provisions of the *Youth Protection Program* regarding the prevention of, reporting of, and response to the sexual abuse of minors apply to all who serve or work within the Diocese of Harrisburg and all who have some connection to the Catholic Church. To this end, our policies and procedures will be binding upon all clergy, seminarians, candidates for Holy Orders, all employers and employees, and all volunteers within the 15 counties of South Central Pennsylvania that comprise the Diocese of Harrisburg.

In practice, our response to accusations of sexual abuse of minors must respect the proper organization of our local Church. In responding to accusations of sexual abuse, inquiry and decision-making will take into account the role of the employer or supervisor of the person accused, while ensuring consistency in the inquiry process and in the assessment of its findings. The role of supervisors or employers from outside this Diocese will also be preserved, so that proper authority, direction, and accountability are evident in our practices.

## Organization

<ul style="list-style-type: none"> <li>• <b>Review Board:</b> To assist in the development of the <i>Youth Protection Program</i> and to assist in assessing accusations of the sexual abuse of minors, an independent review board will continue in existence. This board will be known as the <i>Youth Protection Review Board</i>. It will assist in drafting, amending, and implementing this <i>Program</i> and will also assist in assessing the results of preliminary inquiries.</li> <li>• <b>Youth Protection Council:</b> To facilitate the implementation of the entire <i>Youth Protection Program</i>, a <i>Youth Protection Council</i> will be created, consisting of Diocesan employees, each mandated with a specific area of policy or program implementation, as outlined in other parts of this <i>Program</i>.</li> <li>• <b>Program Director:</b> An overall <i>Director</i> of the <i>Youth Protection Program</i> will chair the <i>Youth Protection Council</i>, convene the meetings of the <i>Diocesan Youth Protection Review Board</i>, and oversee the implementation of this <i>Program</i>.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Assistance Coordinator:</b> The Diocesan Bishop will appoint an <i>Assistance Coordinator</i> to provide outreach to victims of sexual abuse, to maintain our focus on healing and reconciliation, and to maintain contact with accusers or victims and their families regarding assistance toward healing and reconciliation.</li> <li>• <b>Support Counselors:</b> Several persons with experience and expertise in therapy or counseling will be designated to assist in individual cases to help the accuser or victim to identify needs for healing and reconciliation and to locate appropriate providers for these services.</li> <li>• <b>Inquiry Team:</b> When an accusation is received, two persons will conduct a brief, initial fact-finding inquiry. One of these persons will be the <i>Support Counselor</i>. Who the other person is will be dependent on whether the accused is a cleric, an employee, or a volunteer, but normally it will be either a canon lawyer or the employer/supervisor of the accused.</li> </ul>
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## Adherence to Canon and Civil Law

<p>Whenever someone reports suspected sexual abuse of a minor to the Diocese, whether a recent or past occurrence, the Diocese will act quickly and decisively, in justice to all concerned, to comply with both canon and civil law. The <i>Diocesan Program</i> will be consistently applied. This will be true whether the accused is a cleric, a seminarian, or candidate for Holy Orders, a member of a Religious community or Order, an employee, a volunteer, or an independent contractor (or subcontractor) It will be true whether the person is associated</p>	<p>with the Diocese, a parish, a school, a corporation, or another institution or agency related to the Diocese of Harrisburg.</p> <p>The sexual abuse of a minor is a serious legal offense or crime in canon law. When an accusation of this crime is received, the Diocesan Bishop is to see that a prudent and deliberate inquiry is conducted. Conducting an inquiry is a matter of pastoral responsibility and not just a legal requirement. It is oriented toward the discovery and healing of victims as</p>
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much as toward a determination of the truth of the accusation.

The sexual abuse of a minor is a serious crime in the law of the Commonwealth of Pennsylvania as well. It is the right of any victim of sexual abuse to report the crime to the appropriate civil authorities. The Diocese of Harrisburg pledges to protect and foster this right and will never hinder the reporting of suspected criminal activity to civil authorities, whether police, prosecutor, or an agency that protects child welfare.

We will encourage and offer to assist each person who brings forward an accusation in reporting that accusation to the civil authorities. Furthermore, we pledge our cooperation to the law-enforcement agencies of the Commonwealth of Pennsylvania and those of other civil jurisdictions, in the investigation of any suspected criminal activity. If civil authorities are

investigating a case, we will seek to cooperate closely, so that our resolution of the case is not delayed in accord with the law of the church.

Even if the accuser chooses not to make a report to the civil authorities, the Diocese of Harrisburg will do so in every case in which the alleged abuse involved or involves a minor. Where mandated by law, we will do so promptly upon receipt of the accusation. In all other cases, we will do so after our initial fact-finding inquiry. We will do so even when the accused person is deceased or when the alleged crime occurred many years ago. However, this broad promise of openness cannot include matters conveyed to a priest confessor under the seal of sacramental confession or conveyed in spiritual direction or spiritual counseling where confidentiality was expected by the accuser.

### Adherence to Policy

The process used for responding to an accusation of suspected sexual abuse of a minor is published in the Appendix to this *Program*. The elements of the process are available and may be known to all, as part of a promise of transparency and openness in our process. The Diocese of Harrisburg pledges to follow this process consistently and rigorously, while preserving the required confidentiality and privacy of the parties involved.

Reports or concerns regarding a cleric, Religious, seminarian, or candidate for Holy Orders, that do not fall under the definition of sexual abuse of a minor

as defined in the *Youth Protection Program* will be handled by the Secretary for Clergy and Religious Life, in accord with the norms of civil and canon law and the appropriate Diocesan *Program* and practice.

Reports or concerns that fall outside the definition of sexual abuse of a minor, when they involve a lay employee, volunteer, or independent contractor, will be forwarded to the appropriate supervisor for investigation, in accord with the normal and customary process followed by that supervisor.

**A Note Regarding Language**

Throughout the *Youth Protection Program* the term “accuser” is used to designate the person making an accusation of suspected sexual abuse of a minor. “Accused” designates the person accused of the sexual abuse of a minor. These terms are used whether or not an inquiry concludes there is a basis to an accusation. The decision not to use the terms “victim” or “abuser” or their equivalents is not intended to indicate a predisposition toward a finding of innocence or mistrust of an accusation. These terms are used solely to provide consistency of vocabulary throughout the various parts of this *Program*.

**SECTION II: Prevention & Education**

Prevention and Education consists of four parts: mandatory screening, educational programs, standards of conduct, and compliance auditing. To assist in implementing Diocesan standards for education and screening, the Diocesan Bishop will name an Education Coordinator and Compliance Coordinator, both of whom will serve as members of the *Youth Protection Council*.

**Mandatory Screening**

The screening of clergy, seminarians, candidates for Holy Orders, Religious, employees, and volunteers is an important part of our *Youth Protection Program*. Performing a criminal-history and child-abuse check (“background check”) is one part of the screening process, along with obtaining and checking references for previous employment or volunteer positions.

Background checks are required for all clergy, seminarians, Religious, and employees currently serving in the Diocese, including the Diocesan Bishop. Additionally, each candidate for ordination will undergo a psychological assessment as part of the application process.

Background checks are required as well for all volunteers or independent contractors whose responsibilities

include more than sporadic and infrequent contact with minors.

Background checks are also required for all persons receiving a certificate for specialized ministry given by a Secretariat or office of the Diocese.

If a cleric from another Diocese or religious community wishes to receive an assignment in the Diocese of Harrisburg, we will require a letter attesting to the good standing of the cleric from the cleric’s own Bishop or major religious superior. This letter, which must state that the cleric has never been the subject of a credible accusation of sexual abuse of a minor, is necessary before the cleric can be given an assignment within the Diocese or granted the faculties of the Diocese. In addition, we will perform a background check of the cleric as well, prior to any assignment.

**Educational Programs**

<p>The Diocese of Harrisburg will provide educational programs regarding the recognition and prevention of sexual abuse of minors and the policies and procedures of this <i>Program</i>. This measure is intended primarily for the prevention of sexual abuse of minors, by making known the warning signs of abuse and by encouraging the reporting of any incidents of attempted or actual sexual abuse.</p> <p>Educational programs are to be conducted for clergy, seminarians, candidates for Holy Orders, employees, and appropriate volunteers, as well as for students in Catholic schools and programs of</p>	<p>Religious Education, and also for participants in all youth ministry programs or youth athletics. In addition, education is to be provided for parish and interparochial Boards of Education.</p> <p>Training in mandated reporting to civil authorities is required for all clergy, teachers, counselors and caseworkers.</p> <p>A report on these educational programs, including attendance, is to be presented annually to the Diocesan Review Board, which will offer recommendations on content and mandated audiences.</p>
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**Standards of Conduct**

<p>Standards for ethical behavior with minors will be published for clergy, seminarians, candidates for Holy Orders, employees, and appropriate volunteers. All clergy, seminarians, candidates for Holy Orders, and employees will be asked to read and sign a document defining these standards and to agree to abide by</p>	<p>them as a condition of (continuing) employment or ministry.</p> <p>A Code of Conduct for Youth will also be published, as an aid in educating youth in matters of sexual abuse, proper relationships with adults in youth ministry programs, and in reporting suspected abuse.</p>
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**Compliance Auditing**

<p>To assist in ensuring the proper implementation of the <i>Youth Protection Program</i>, specifically the requirements for education and screening, the Diocesan Bishop will name a <i>Compliance Coordinator</i>, who will serve as a member of the <i>Youth Protection Council</i>. This person will implement procedures for auditing and reporting the compliance of Diocesan Secretariats, parishes, schools, and other institutions or agencies with the norms and dictates of the <i>Youth Protection Program</i>.</p>	<p>A report on compliance will be presented annually to the Diocesan Bishop and the Diocesan Review Board.</p> <p>Failure of a pastor, principal, or other administrator to implement the background checks and the education programs mandated by this Policy will be considered a serious omission and may be a basis for disciplinary action, including dismissal from office or employment.</p>
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## SECTION III: Outreach and Assistance for Victims & Families

Victims of sexual abuse and their families must know that the Church cares for them and that the Diocese's primary focus is on the healing and reconciliation of those who have suffered because of sexual abuse. The Diocese will offer pastoral and professional assistance to victims and their families. The help of the Church is available whenever abuse occurs, and victims can expect compassion and solicitude. To facilitate assistance and outreach to victims of sexual abuse and their family members, the Diocesan Bishop will name an *Assistance Coordinator*, who will serve as a member of the *Youth Protection Council*.

### Provision for Outreach and Assistance

The primary concern of the Diocese of Harrisburg is the healing and reconciliation of the accuser and the accuser's family. No accuser/victim will be left without required spiritual, pastoral, or mental health assistance, regardless of their ability or willingness to pay for these services.

The Assistance Coordinator will designate one or more therapists or counselors with an understanding of the needs of accusers and victims of sexual abuse to serve during the initial fact-finding inquiry as the *Support Counselor*. The role of this *Support Counselor* is to participate actively in the initial inquiry, and in so doing to assess the pastoral, emotional, and mental-health needs of the accuser and the accuser's family, and to respond to their expressed needs. The Support Counselor will act as the liaison between the Diocese and the accuser until the inquiry is completed.

The Support Counselor will not serve as a therapist, counselor, or care-giver for any person involved in the case, but will work with the Assistance Coordinator to locate resources mutually agreeable to the Diocese and the accuser to meet the appropriate assistance needs of the accuser or victim and his or her family.

If it is judged that the accused person has committed sexual abuse of a minor, it is the financial responsibility of the abuser to provide for the counseling or therapy of his or her victim(s). The Diocese of Harrisburg will take whatever legal action is available and appropriate to ensure that an abuser meets this serious responsibility, including but not limited to the attachment of wages. In no instance will a victim be denied assistance because of the inability or unwillingness of the accused to pay.

If it becomes evident during an inquiry that a person currently or recently in ministry or employment within the Diocese of Harrisburg has committed sexual abuse of a minor, the Diocese may choose to communicate this to the accused person's place of ministry or employment, as a means of reaching out to other potential victims.

If it is necessary to communicate the fact of abuse to a parish or other faith community, Diocesan officials will make the announcement and will be accompanied by other staff and experienced counselors, who will be available to meet with additional accusers or concerned parishioners.

**Assessment of Counseling Effectiveness**

<p>In circumstances where the Diocese assists financially with therapy for an accuser or victim, a signed release will be required in order to permit the therapist to release brief progress reports to the Assistance Coordinator. These will help in assessing the progress and efficacy of the therapy. The Assistance Coordinator may enlist the assistance of members of the <i>Diocesan Youth Protection Review Board</i> in assessing therapeutic effectiveness or authorizing further payments.</p>	<p>In cases in which the Diocese of Harrisburg assists the accuser or victim financially in obtaining counseling or mental-health therapy, the financial assistance will normally not exceed one year or 52 weekly sessions, in a manner to be determined by this <i>Program</i> and overseen by the Assistance Coordinator. In no case will a victim of abuse be left without financial assistance to help pay for needed therapy for up to one year.</p>
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**SECTION IV: Response to an Accusation**

The hallmarks of an effective response to any accusation of suspected sexual abuse of a minor are timeliness, thoroughness, and fairness. This *Program* is designed to ensure all three of these values, along with the added values of accountability and openness.

**Simplified Reporting Procedures**

<p>A uniform procedure is to be adopted for reporting the suspected sexual abuse of a minor within the Diocese of Harrisburg. Reports of the suspected sexual abuse of a minor are normally to be made without delay to the Director of the <i>Youth Protection Program</i>. These reports may be made by toll-free telephone to 1-800-626-1608, by e-mail to <a href="mailto:safeyouth@hbgdiocese.org">safeyouth@hbgdiocese.org</a> or by any other effective means. A report received by any priest or deacon, or</p>	<p>any employee or volunteer, is to be forwarded promptly to the Director of the <i>Youth Protection Program</i>.</p> <p>It is especially important for clergy who are appointed to office within the Diocese of Harrisburg to understand that they must report suspected child abuse as soon as they learn of it. Failure to report suspected sexual abuse of a minor is a serious offense under canon law and may be a violation of civil law as well.</p>
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**Anonymous Reports**

<p>The Diocese of Harrisburg strongly discourages anonymous reports of suspected sexual abuse of a minor. Anonymous reports prevent us from addressing the healing and reconciliation of the accuser.</p>	<p>Anonymous reports generally provide insufficient content for a competent and fair inquiry. Such reports will be investigated and reported to civil authorities only if sufficient and compelling information is provided.</p>
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Strong insistence on knowing the identity of the accuser is based on the fundamental rights of due process, including the right of the accused to self-defense. Protection of due process is necessary to maintain the integrity of the Church’s ministry and to indicate the seriousness of false accusations.

The consequences of untrue accusations cannot be overestimated,

since they may involve permanent emotional trauma, loss of reputation, crime, and litigation. Anonymous reports generally fail to provide the Diocese or civil authorities with enough facts to investigate an allegation. An anonymous report, because it may fail to provide adequate information to conduct a fair inquiry, may in fact inadvertently allow criminal abuse to continue.

**Fair and Thorough Inquiry Procedures**

Uniform procedures for inquiring into an accusation will be followed as defined in this *Program*. The procedure will vary as to the status of the accused person — cleric, seminarian, candidate for Holy Orders, Religious, employee, or volunteer. These procedures preserve the decision-making authority of the accused person’s proper superior,

supervisor, or employer.

To ensure consistency and thoroughness, the Director will either oversee the initial fact-finding inquiry personally or appoint another person (in most cases, an experienced canon lawyer) to oversee and coordinate the inquiry in each accusation.

**Assessment of the Inquiry Results**

Upon completion of a preliminary fact-finding inquiry, the Director will convene an *Assessment Team*, which will confidentially hear the results of the inquiry and offer counsel to the accused person’s superior prior to a final determination of the matter.

The Assessment Team will consist of those who conducted the fact-finding inquiry plus legal counsel in both canon law and civil law, the Assistance Coordinator, and members of the

Diocesan Review Board.

At the discretion of the accused person’s superior, the accused may be placed on “administrative leave” at any time after the initial accusation has been received, until the supervisor makes a final determination of the matter in accord with the pertinent policy or procedure. For clergy, seminarians, and candidates for Holy Orders, the final determination rests with the Diocesan Bishop.

**SECTION V: Practical Considerations**

As this *Program* is implemented in practice, the Diocese of Harrisburg pledges that the fundamental values of protecting children and young people, reaching out to victims of sexual abuse, and prevention of abuse in the future, will form the basis of

our work. To that end, these practical considerations must be borne in mind.

**Openness and Confidentiality**

<p>The inquiry into any accusation of the sexual abuse of a minor will be kept as confidential as possible given the circumstances of the case. Determination of what disclosure is to be made, and when, will be made on a case-by-case basis. Disclosure may be made in order to reach out to other possible victims, to repair harm caused</p>	<p>by sexual abuse, to provide for punishment of criminal activity, or to restore the good name of one falsely accused. Disclosure will respect and preserve the rights of all parties in both canon and civil law. Disclosure will be made in every case to the appropriate civil authorities.</p>
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**Administrative Leave**

<p>At any stage of the inquiry process, a person accused of the sexual abuse of a minor may be placed on enforced leave from his or her employment, with no stoppage of salary and accrual of benefits. This action is effective immediately upon notice to the accused, and is taken at the discretion of the accused person’s proper supervisor.</p> <p>Administrative leave is not to be understood as a penalty, and is not penal in nature, but is a tool to assist in the free and unhindered investigation of an accusation of a serious offense or crime, and to reduce the possibility of continued abuse.</p>	<p>Unless serious circumstances suggest otherwise, no publicity will be given to this leave. Co-workers and colleagues of the accused will not be informed by the Diocese of this action. If a person is placed on leave, it will normally not extend beyond the meeting of the Assessment Team upon conclusion of the inquiry process.</p> <p>Placing an accused person on enforced leave will not provide grounds under canon law for a possible action for reinstatement or for damages, either during the leave or at any time thereafter. The reputation of the accused person will be protected from damage as much as possible.</p>
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**Reassignment or Return to Ministry or Employment**

<p>Reassignment to ministry of a cleric who has admitted to or has been found guilty of the sexual abuse of a minor is never possible, even following a course of treatment or therapy. The same “zero tolerance” applies to future employment or volunteer ministry of any person who has admitted to or has been found guilty of the sexual abuse of a minor, even a single act, no matter when the abuse occurred.</p> <p>Seminarians and other candidates for</p>	<p>Holy Orders who admit to or are found guilty of the sexual abuse of a minor will be ineligible to continue toward ordination.</p> <p>For the protection of other potential victims, an employer or supervisor must divulge the reason for termination of employment or volunteer status when contacted by a prospective employer at any time in the future.</p> <p>Following an inquiry into any accusation of the sexual abuse of</p>
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minor which has not been retracted by the accuser, but which has not been proven to be true, the supervisor of the

accused person will meet with the Assessment Team to determine the best manner of proceeding.

**Legal Counsel and Advocacy**

Both the accuser and the accused must have access to legal counsel at any stage of the process. This right to counsel applies under both civil law and that of the Catholic Church. The Diocese of Harrisburg will uphold this

right in every case and will not interfere with it in any manner. Specific information regarding financial responsibility for legal counsel is defined in this *Program*.

**SECTION VI: Communications**

To fulfill our promise of openness while respecting the privacy of those involved in an accusation of sexual abuse of a minor, the Diocese of Harrisburg will follow a published communications policy, which states in advance the nature of our intended communications surrounding the sensitive topic of the sexual abuse of minors.

**Designated Spokesperson**

In accord with the *Charter for the Protection of Children and Young People*, the Diocesan Bishop will designate a Diocesan spokesperson for matters dealing with sexual abuse of minors. This spokesperson will serve as the official voice of the Diocese of Harrisburg in all matters connected with the sexual abuse of minors and sexual misconduct by clergy, seminarians, candidates for Holy Orders, Religious, employees, volunteers, or independent contractors.

Any other person offering statements or commentary to the media or press must be understood as offering merely personal viewpoints and opinions, not necessarily reflecting the position of the Diocese of Harrisburg or any of its parishes or schools in any official manner.

The spokesperson is also designated the Communications Coordinator, and is a member of the *Youth Protection Council*.

**Methods of Communication**

Our communications policy reflects a commitment to openness in a manner that respects the right to privacy and the reputation of all persons involved in matters of sexual abuse of minors, including the accuser as well as the accused.

The primary means of communicating to the Catholic community and the

larger public is our Diocesan newspaper, *The Catholic Witness*. As appropriate and as determined by the Communications Coordinator in consultation with the Director or the Diocesan Bishop, other means of communication, including the Catholic and secular media and parish bulletins, will be used to make known the current policies of the Diocese of

Harrisburg regarding sexual abuse of minors, current inquiries into accusations of sexual abuse, or updates on related matters.

The Diocesan Policy regarding sexual

abuse by clergy, seminarians, candidates for Holy Orders, Religious, employees, or volunteers are to be available to the media and to the public on the diocesan website at [www.hbgdiocese.org/safeyouth](http://www.hbgdiocese.org/safeyouth)

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## **SECTION VII: Implementation & Emendation**

### **Effective Date**

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| This *Program* becomes effective November 1, 2003.

### **General Applicability**

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| Ignorance of this *Program* or its procedures, whether through negligence, inadvertence, or other cause, does not exempt any person included in its terms from its applicability or from any or all provisions of the *Program*.

### **Emendation**

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| The Diocesan *Youth Protection Review Board* will meet annually to review the entire *Program* and its implementation, together with Diocesan staff responsible for its implementation, and will recommend specific changes to the Diocesan Bishop for his review, approval, and promulgation, as specified in this *Program*.