

Sexual Abuse Policies for the Protection of Children and Response to Allegations

Missionaries of the Precious Blood Cincinnati Province

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Preamble and Introduction

1. C.P.P.S. Mission

“The Congregation dedicates itself to the service of the Church through the apostolic and missionary activity of the ministry of the Word.” (Normative Texts of the Missionaries of the Precious Blood C-3) To be faithful witnesses to the Gospel, Members of the Missionaries of the Precious Blood, Cincinnati Province are to reflect its values in their lives and ministry. The Missionaries of the Precious Blood believe in the sanctity of human life and that all children have the right to be protected from harm in all environments. It considers abuse and neglect of children as contrary to Christian morality and as an offense against God and against the dignity of the human person.

The Missionaries of the Precious Blood, Cincinnati Province adopted a policy for addressing issues of sexual abuse of minors in 1989 when it approved its Child Protection Policy. This policy was reviewed and updated in 2001. *The Charter for the Protection of Children and Young People* and the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* were approved by the United States Conference of Catholic Bishops in 2002 and were given subsequent *recognitio* by the Holy See. In 2003 the Cincinnati Province revised its policy in light of the Bishops’ *Charter for the Protection of Children and Young People*. The Cincinnati Province is updating this policy in light of the input it has received from Praesidium Religious Services and its program entitled: *“Instruments of Hope and Healing.”* The following policies are based upon a set of *Model Policies* drafted by Praesidium, Inc. All of

these efforts seek to provide on-going safety and protection for children and young people.

2. Rationale

As Members of a Society of Apostolic Life in the Catholic Church, our Members are expected to observe evangelical chastity on behalf of the Kingdom of God.

Therefore, sexual abuse by Members of the Cincinnati Province:

- a) is contrary to the mission of this Congregation,
- b) is not in keeping with the gospel values we are to witness,
- c) is a violation of the chastity expected of Members of a Society of Apostolic Life, and
- d) will not be condoned in any manner.

3. Scope

These policies are limited to responses to allegations of sexual abuse of minors. While the focus of these policies is on sexual abuse, the Missionaries of the Precious Blood, Cincinnati Province is against any abuse of minors.

4. Those covered by these policies

These policies cover all definitively incorporated living Members within the Cincinnati Province of the Missionaries of the Precious Blood.

Candidates in formation, who are not yet definitively incorporated, are covered by formation policies regarding sexual abuse.

This policy does not cover our parishes or schools or its employees, which fall under guidelines of the diocese in which we act as agents of the diocese. Nor does it cover our Precious Blood Companions or volunteers who make covenant with us or work with us, and are not salaried by the Missionaries.

These policies may also serve as resources for allegations involving former Members or deceased Members.

5. Guiding Principles of these Policies

- a. Allegations of child abuse are to be taken seriously.
- b. Any member who suspects or knows of child sexual or physical abuse will comply with the reporting laws in his area.
- c. Incidents of child abuse are to be handled forthrightly, but with due regard for confidentiality and privacy, especially with regard to the victim.
- d. The Cincinnati Province and its Members will cooperate with the civil authorities responsible for handling incidents of child abuse.
- e. The Province and its Members are concerned about the well-being of the victim, the victim's family and the accused.
- f. An accused person has the right to due process, both civilly and canonically. He will receive the care and concern of the province.

6. Implementation

- a. The Missionaries of the Precious Blood will adopt practices and procedures to publicize and implement this policy.
- b. The successful implementation of this policy will require a judicious vigilance by all Community Members.

Part I. Policies for Maintaining Ethical Ministry with Minors

Section 1. Standards of Conduct for Ministry with Minors

The sexual abuse of minors is contrary to the teachings of the Church and is prohibited. Members have a responsibility to protect minors from all forms of abuse. Therefore, the Province provides the following guide for boundaries with minors in which the Member is primarily acting as a representative of the Province, which may include social and familial relationships. Each Member and Candidate will sign the policies for boundaries with minors indicating he has read and understood the policies of the Province.

A **Member** may be a definitively incorporated priest, brother or deacon of the Province, or a candidate in formation.

A **minor** is anyone under the age of 18. For the purposes of this policy, the term "minors" also includes an adult who is uniquely vulnerable to abuse because of a physical or mental disability.

Abuse and neglect of minors are contrary to the teachings of the Church and are prohibited. Members have a responsibility to protect minors from all forms of abuse and neglect.

1. Prohibited Behaviors

- a. Using, possessing, or being under the influence of illegal drugs while in the presence of minors.
- b. Using, possessing, or being under the influence of alcohol while supervising minors.
- c. Providing or allowing minors to consume alcohol or illegal drugs.
- d. Swearing in the presence of minors.
- e. Speaking to minors in a way that is or could be construed by any observer as harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating.
- f. Discussing sexual activities with minors unless it is a specific job requirement and the Member is trained to discuss these matters.
- g. Engaging in any sexually oriented conversations with minors unless the conversations are part of a legitimate lesson and discussion for teenagers regarding human sexuality issues. On such occasions, the lessons will convey to youth the Church's teachings on these topics. If youth have further questions not answered or addressed by their individual teachers they should be referred to their parents or guardians for clarification or counseling.
- h. Being nude in the presence of a minor or being in the presence of a nude minor.
- i. Possessing sexually oriented or morally inappropriate printed materials (magazines, cards, videos, films, clothing, etc.).
- j. Sleeping in the same beds, sleeping bags or tents with a minor(s).
- k. Engaging in sexual contact with minors. For the purposes of this policy, sexual contact is defined as vaginal intercourse, anal intercourse, oral intercourse or the touching of an erogenous zone of another (including but not limited to the thighs, genitals, buttocks, pubic region or chest) for the purpose of sexually arousing or gratifying either person.
- l. Inappropriate or excessive contact through email, chat rooms, social media, letters or gifts.

2. Off-site events

- a. Members are prohibited from transporting a minor without written permission of the minor's parent or guardian.
- b. Members are prohibited from unnecessary and/or inappropriate physical contact with minors while in vehicles.
- c. A minor should be transported directly to his or her destination. No unplanned stops should be made.
- d. Members are prohibited from having minors stay at their residence. Requests for exceptions should be submitted to the Provincial Director in writing two weeks prior to the visit.
- e. Changing and showering facilities or arrangements for Members must be separate from facilities or arrangements for minors.

3. Physical contact

- a. Members are prohibited from using physical discipline in any way for behavior management of minors. No form of corporal punishment is acceptable. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force as retaliation or correction for inappropriate behaviors by minors.
- b. Appropriate affection between Members and minors constitutes a positive part of Church life and ministry. The following forms of affection are regarded as appropriate examples for Members in ministry roles with minors:
 - Side hugs.
 - Pats on the shoulder or back.
 - Handshakes.
 - "High-fives" and hand slapping.
 - Verbal praise.
 - Touching hands, faces, shoulders and arms of minors.
 - Arms around shoulders.
 - Holding hands while walking with children under the age of six.
 - Sitting beside minors.
 - Kneeling or bending down for hugs with children under the age of six.
 - Holding hands during prayer.
 - Pats on the head when culturally appropriate. (For example, this gesture should typically be avoided in some Asian communities).
- c. Some forms of physical affection have been used by adults to initiate inappropriate contact with minors. In order to maintain the safest possible

environment for minors, the following are examples of affection that are not to be used by Members in ministry roles with minors:

- Inappropriate or lengthy embraces.
- Kissing on the mouth.
- Holding minors over three years old on the lap.
- Touching buttocks, chests or genital areas.
- Showing affection in isolated areas such as bedrooms, closets, staff-only areas or other private rooms.
- Being in bed with a minor.
- Touching knees or legs of minors.
- Wrestling with minors.
- Tickling minors.
- Any type of massage given by minor to adult.
- Any type of massage given by adult to minor.
- Any form of unwanted affection.
- Compliments that relate to physique or body development

4. Training for Members who Work with Minors

- a. Members shall review the Sexual Abuse Policies for the Protection of Children and Response to Allegations and agree in writing to comply with it.
- b. Members who work with minors must participate in training that addresses their role in protecting minors.

5. Supervision of Programs that Involve Minors

- a. Programs for minors in which Members are involved must be supervised by at least two adults who have been through appropriate child-safety training as designated by the diocese.
- b. Members in leadership roles shall be aware of all programs for minors that are sponsored by their parish, school or agency. A list of these programs shall be maintained in the central office of the ministry site and include activities, purpose, sponsors or coordinators of the programs, meeting times and locations. Leaders shall examine these programs and consider whether there is adequate supervision.

Section 2. Reporting Procedures for Reporting Abuse of Minors or Vulnerable Adults

1. Any Member shall report known or suspected current abuse of minors or vulnerable adults to civil authorities immediately.
2. In addition to reporting to the civil authorities, Members shall report any suspected or known abuse of minors or vulnerable adults that may have been perpetrated by Members directly to the Provincial Director.
3. An anonymous, specific and verifiable letter of concern may be sent to the Provincial Director. Anonymous concerns will be investigated to the extent that is feasible based on known information.
4. All allegations of sexual abuse that may have been committed by a Member or other agent of the Province shall be immediately reported to civil authorities in the jurisdiction in which the alleged incident occurred.
 - a. Allegations of sexual abuse will be reported to civil authorities regardless of whether the person making the accusation is a minor or an adult at the time the allegation is received.
 - b. Allegations of sexual abuse will be reported to civil authorities regardless of whether the accused Member is living or dead, or whether he is a current or former Member of the Province.
 - c. Allegations of sexual abuse will be reported to civil authorities regardless of whether the alleged victim's identity is known.
5. If abuse of a minor is confirmed through investigation, civil authorities shall be re-contacted and a follow-up report will be submitted, if requested. If further investigation indicates the allegation is not credible, civil authorities will be contacted and provided with the additional information.
6. Files of allegations will be created at the time the allegation is received and will contain information about how the allegation was handled.
7. The Province will cooperate fully with investigations by civil authorities.

Section 3. Responding to Incidents and Allegations of Sexual Abuse

Allegations of sexual abuse may come from a variety of sources, including alleged victims or their family members, diocesan offices, the laity, a colleague in the workplace or from an alleged perpetrator. Because each case is distinct, the following is a general outline of the response system for allegations of abuse but is not a procedure that is to be followed in the same way for each unique case. The process is to be modified according to the nature of the allegation, the needs of the alleged victim and the circumstances of the accused Member. In every case, the Province commits itself to dealing pastorally with, and protecting the rights of, all those involved.

A. Initial Response

1. The Provincial Director (or his delegate) shall receive allegations of sexual abuse and coordinate assistance to anyone who brings an allegation of abuse by a Member or former Member of the Province.
2. When an allegation of abuse is first received, the Provincial Director shall attempt to gather sufficient information to complete a preliminary report. The information would include the following:
 - a. Name of the alleged victim;
 - b. Age of alleged victim;
 - c. Address and phone number of alleged victim;
 - d. Name of alleged perpetrator;
 - e. Approximate dates of alleged abuse;
 - f. Nature, type and location of alleged abuse;
 - g. Any additional relevant details.
3. Upon receipt of an allegation of sexual abuse of a minor, the Provincial Director will promptly follow Province reporting procedures and report the allegation to civil authorities (see Reporting Procedures).

4. The Provincial Director and the Province will cooperate fully with any investigation by civil authorities.
5. The Provincial Director will offer to meet in person with the alleged victim. The Provincial Director will maintain a compassionate and pastoral manner regardless of the demeanor of alleged victim, recognizing that the experience of abuse and difficulty of coming forward may bring out strong emotions during the disclosure process.
6. An Assistance Coordinator may be assigned to assist with the immediate and ongoing needs of individuals who have experienced abuse and their families.
7. If the Member is living, the Provincial Director will notify him of the allegation and its substantial details. The Member will be temporarily removed from ministry and assigned to live in a supervised environment with no access to minors while the credibility of the allegation is evaluated.
8. The Provincial Director will take steps to ensure that the accused Member receives the support and assistance he needs while the allegation is being investigated. This support may take the form of assigning a mentor for the accused.
9. The Provincial Director will inform the accused Member of his right to seek canonical and civil counsel before any further conversation into the matter. The Province recognizes that the Member may need assistance to engage such counsel. The Provincial Director and his Council will make all decisions regarding such assistance.
10. The Provincial Director will prepare a list of all assignments where the Member has served and will write to the bishops of all of these dioceses informing them of the allegation.
11. The Provincial Director will also notify, when applicable, the employer of the place where the alleged abuse took place, and if applicable the current place of employment of the Member should it be a non-parochial assignment.
12. The Provincial Director, in consultation with the Provincial Council, shall prepare appropriate statements for communicating the incident, when appropriate, and decide when and in what manner these statement will be made to:
 - a. The Members of the Congregation
 - b. The parish or ministry site(s) where the Member ministered

c. The public at large

13. The Provincial Director will contact the Chair of the Missionaries of the Precious Blood Review Board and inform the Chair of the allegation.

B. Internal Investigation

1. The Provincial Director will designate an investigator to gather information regarding the allegations
 - a. In the cases of verified or undisputed allegations, an investigation will be conducted to identify any other potential victims and to obtain information to inform the on-going supervision plans for the Member who has abused.
 - b. In the case of all other allegations, 45 days will be used for determination of credibility of the allegation. During that period the Member will live in a supervised environment. No formal safety plan will be instituted at this time, but there will be restrictions, including suspension from any public ministry during the 45-day period.
2. In order to fulfill his responsibilities, the Provincial Director will consult with the Review Board at each juncture of the process and the Review Board will convene after receipt of the final report from the Investigator.
3. If allegations of sexual abuse of a minor or vulnerable adult against a Member are deemed credible, the Province will provide for the pastoral care of the victim and the victim's family.
4. If allegations of sexual abuse of a minor or vulnerable adult against a Member are deemed credible, the Province will also provide for the pastoral care and treatment of the Member.
5. Should an allegation be unsubstantiated, the Province will reinstate the accused Member to ministry and will work towards the restitution of his good name, as well as providing needed pastoral care or treatment and fraternal support.
6. Province investigations will be documented. Documentation of province investigations will be stored in the office of the Provincial Director. A summary of the investigation findings will be stored in the personnel file of the Member who is the subject of the investigation.

7. Documentation of investigations is the property of the Province and shall remain with the office of the Provincial Director following election of a new Provincial Director.
8. The Provincial Director will usually assign/engage an investigator to review the allegations, question the parties involved, and act in the service of the Province. The investigator, who shall obtain statements from the parties and any witnesses, will keep the Provincial Director informed regarding the status of the investigation.
9. The Provincial Director will maintain contact with the accused Member throughout the entire process.
10. When he has received the completed investigation report, the Provincial Director will present the results of the investigation to the Member for response.

C. Decision-Making

1. Upon the conclusion of the investigation, the Provincial Director will exercise his judgment in delivering an appropriate response. If the accused Member has admitted to the substance of the allegation, or in those cases where the allegation continues to be deemed credible or has been substantiated, the Provincial Director response may include, but is not limited to, any of the following:
 - psychological and medical assessment and intervention; including an assessment of risk and recommendation of risk-reduction strategies;
 - restrictions on community life and personal activities; and
 - limitations imposed on ministerial activities, including total removal from public ministry.
2. In cases where the allegation has been deemed credible or has been substantiated, the Provincial Director will contact the appropriate diocesan offices to communicate the nature of the allegation and to inform the diocese of the procedure followed and the response of the Provincial Director to the allegation.
3. In cases where an allegation of sexual abuse of a minor is substantiated, the Member may not return to public ministry.

4. If an allegation is deemed to be without merit, the Provincial Director will coordinate communication with all appropriate parties so that reconciliation can take place where possible and repair of damage to reputations can be undertaken.
5. In all instances, the final disposition of the matter rests with the Provincial Director, always recognizing
 - The Member's right to appeal to the Moderator General.
 - It is the Provincial Director's responsibility to communicate his decision to the person who made the complaint, to the Member involved, and to other parties, including the Moderator General, as necessary and appropriate.
6. The Member has a right to seek recourse concerning his case with the Holy See. The Congregation for the Doctrine of the Faith is the official dicastery appointed to examine grave delicts against morals including a delict against the sixth commandment of the Decalogue committed by a cleric with a minor below the age of eighteen years. (See note below.)
7. If at any time during the course of implementing these procedures, civil or criminal proceedings are initiated against the accused Member, the Missionaries' procedures may be suspended immediately, to be resumed, if deemed necessary, only after the completion of the civil or criminal proceedings. In such a case, the Provincial Director's delegate shall recommend to the Provincial Director a possible course of action with respect to the accused Member, in keeping with the intention of these procedures and in the interests of justice

Note: In *Sacramentorum Sanctitatis Tutela*, promulgated April 30, 2001, Pope St. John Paul II promulgated Norms concerning the more grave delicts reserved to the Congregation for the Doctrine of the Faith. "The Congregation for the Doctrine of the Faith examines delicts against the faith and more grave delicts whether against morals or committed in the celebration of the sacraments, which have been referred to it and, whenever necessary, proceeds to declare or impose canonical sanctions according to the norm of both common and proper law," thereby further confirming and determining the judicial competence of the same Congregation for the Doctrine of the Faith as an Apostolic Tribunal. (Quote from: Apostolic Constitution *Pastor bonus*, On the Roman Curia, June 28, 1988, art. 52, in AAS 89.)

More specifically, in Part One, under Substantive Norms, Article 4.1 we see that "Reservation to the Congregation for the Doctrine of the Faith is also extended to a delict against the sixth commandment of the Decalogue committed by a cleric with

a minor below the age of eighteen years.” Article 4.2 “One who has perpetrated the delict mentioned in .1 is to be punished according to the gravity of the offence, not excluding dismissal or deposition.”

Section 4. Review Boards

NOTE: In this section the title Major Superior, rather than Provincial Director, is used because the Review Board is shared between three communities

A. Establishment and Purpose

1. The Provincial Director (Major Superior), with the consent of the Provincial Council of the Cincinnati Province of the Missionaries of the Precious Blood, hereby establishes a Review Board for the purpose of providing advice to the Provincial Director on the implementation and administration of the Province Sexual Abuse Policies for the Protection of Children and Response to Allegations. The Review Board exists solely to provide such advice and has no independent power or authority.
2. This Review Board will be shared with the Glenmary Home Missioners and the Comboni Missionaries (The North American Province).
3. The Review Board shall consist of 5 to 7 members, including at least one member of the Glenmary Home Missioners, the Missionaries of the Precious Blood or the Comboni Missionaries and other individuals who are not members of any of the three communities.
4. The three participating groups (Comboni, Precious Blood and Glenmary) shall have one representative that represents the three communities. This representative shall serve a three-year term and shall be drawn from each of the three communities on a rotating basis.
5. The Review Board shall also include representation from the following groups: professionals from the social sciences (psychologists, counselors, victims’ advocates and/or social workers), representatives from the legal or law enforcement profession or state protective services, and laity, preferably parents.
6. The non-Glenmary/Comboni/Precious Blood members of the Review Board shall not be employees of the three participating communities.

B. Appointment and Removal of Members

1. The three Major Superiors of the Glenmary/Comboni/Precious Blood communities shall appoint members of the Review Board by letter of appointment. All three Major Superiors must be in agreement in order for an appointment to take place.
2. With the exception of the initial group of members, Review Board members shall serve a term of 3 years, and are eligible for additional terms.
3. A member of the Review Board may be removed at the discretion of the three Major Superiors after consultation with the chair of the Review Board. Two of the three Major Superiors must be in agreement in order for a member of the Review Board to be removed. members shall be removed by letter of removal signed by the Major Superiors.
4. Vacancies created by the departure of Review Board members during their term shall be filled by appointment by the Major Superiors. Review Board members appointed to fill a vacancy before the expiration of a term shall serve for the remainder of the unfinished term, and may then be reappointed to a full term at the discretion of the three Major Superiors.

C. Officers

1. The Review Board members shall elect a Chairperson who shall serve for a term of one year and may be re-elected at the will of the Review Board. The Chairperson shall call and chair meetings of the Review Board, ensure that the work of the Review Board is properly documented and communicated to the appropriate Major Superior and appoint other ad hoc officers and assistants from among the other Board members as may be required to accomplish its work.
2. Any of the three Major Superiors along with the Chairperson of the Review Board can convene the Review Board at any time he or she deems advisable.
3. At the beginning of each meeting of the Review Board, the Chairperson shall appoint a recording secretary to record the decisions and other relevant actions of the Review Board during that meeting.

D. Record Keeping

1. Each Major Superior shall have access to the files of their respective members whose cases are before the board. The files are the property of that particular Community. All current Review Board members shall have access to all of the

Review Board's files. The Review Board's files shall be stored in the office of the respective Major Superior.

2. The Review Board shall create a file on each case or matter it considers. Each file shall contain a written description of the matter presented to the Review Board, a written summary of the advice given by the Review Board, a written summary of the action ultimately taken by the Major Superior in light of the Review Board's advice, and such other information as the Review Board determines to be relevant to any future consideration of the case or matter by the Review Board or the respective Community.
3. This file shall be available to Praesidium when it considers each community's accreditation only in so far as it relates to the procedures taken by the Review Board but not the personal information concerning the accuser and the accused.

E. Confidentiality

1. Review Board members shall sign a confidentiality agreement and sign an authorization to allow a criminal records check.
2. The records and other information received by the Review Board shall be treated as confidential, subject to the requirements of law and the policies of the three participating Congregations.
3. The Review Board's advice to the Major Superior regarding particular cases shall be confidential; provided, however, that the Major Superior may, at his discretion, disclose the advice he received from the Review Board. The advice or positions taken by particular Review Board members shall not be disclosed and need not be recorded in the Review Board files.
4. The Major Superiors recognize that the Review Board may receive confidential and sensitive information that could be used to injure the reputations of individuals. At the same time, the Major Superiors recognize that the Review Board's records may contain information relevant to civil and criminal law investigations.
5. It is the policy of the three Major Superiors to cooperate fully with all legal requirements and law enforcement agencies while, at the same time, respecting any applicable civil and Canon Law rights and requirements of confidentiality and privacy.
6. The law of certain states and of the United States prohibits the disclosure of certain information, such as mental health communications, substance abuse and alcohol treatment records, and HIV testing and AIDS treatment records. The Review Board

shall protect the confidentiality of such information, which it may receive by way of appropriate releases of information, to the fullest extent of the law.

F. Reporting

1. All credible allegations of child sexual abuse committed by a Member or other agent of the Missionaries of the Precious Blood, Cincinnati Province, shall be promptly reported by the Provincial Director to the appropriate civil authorities in the jurisdiction in which the alleged incidents occurred. (Also see Reporting Policies). He shall also promptly report this fact to the Chairperson of the Review Board.
2. Each Review Board member is required to report any case of child sexual abuse by a Member of the Missionaries of the Precious Blood, Cincinnati Province, in accord with the Sexual Abuse Policies for the Protection of Children and Response to Allegations of the Province. Review Board members need not report matters which have already been reported by the Provincial Director, provided that the report has been documented and is reviewed by the Review Board member.

G. Operating Procedures

1. The Major Superior shall convene the Review Board at each step of the investigation and processing of an allegation of sexual misconduct in which the Review Board is to participate. The Major Superior or the Chairperson of the Review Board may choose to convene the Review Board at other times he or she deems advisable. The Review Board shall meet at least annually.
2. The Major Superior shall convene the Review Board by notifying the Chairperson. The Chairperson shall promptly contact the members of the Review Board and schedule a meeting as soon as practical.
3. A quorum of 4 Review Board members is necessary for a meeting to take place.
4. The Review Board may meet in person or by telephone or other electronic means. The Chairperson shall call the meeting to order and introduce the Major Superior, his representative or Investigator to present the matter(s) brought before the Review Board.
5. After the Review Board receives the presentation and information from the Major Superior or his representative, the Board shall carefully consider and deliberate over the information.

6. The Major Superior shall provide the Review Board with information relevant to the matter under consideration subject to the requirements of civil or Canon Law which may prohibit disclosure of such information. Where possible, the Major Superior shall obtain the necessary consents to release all such information. The Review Board shall maintain the information with great respect to its confidentiality.
7. The Major Superior or his representative may present information in any form, oral, written, graphic or recording, for the Review Board's consideration. After the presentation, the Review Board members may ask questions, request additional information, or discuss the matter with the Major Superior or his representative.
8. After the question and answer period or discussion is completed, the members of the Review Board shall deliberate and formulate their advice outside the presence of an outside investigator. Deliberations may take place in the presence of the Major Superior or his representative, at the discretion of the Review Board.
9. The recommendations of the Review Board shall be summarized in writing for presentation to the Major Superior and a document shall be signed by the Chairperson on behalf of the full committee. The original written recommendation shall be presented to the Major Superior.
10. The Major Superior shall share recommendations of the Review Board with the Provincial Council as needed.

H. Conflicts of Interest

1. Any Review Board member who is related by blood or marriage to, in any kind of employment, financial or business relationship with, in any kind of professional or spiritual counseling relationship with, or who would have any other conflict of interest or the appearance of a conflict of interest with the alleged victim or the accused, shall inform the Chairperson of the conflict and recuse himself or herself from all deliberations concerning the particular matter in question.
2. Any Review Board member who determines that he or she has a conflict of interest or the appearance of a conflict of interest with the Missionaries of the Precious Blood itself or with the work of the Review Board, shall inform the three Major Superiors and the Chairperson of the conflict and shall resign from the Review Board.

I. Conditions of Membership

1. The Review Board members will serve as volunteers but will be compensated for any expenses incurred in fulfilling their responsibilities.
2. Review Board members will be reimbursed for reasonable expenses incurred in attending meetings of the Review Board or in otherwise performing their duties as members of the Review Board.
3. The Missionaries of the Precious Blood, Cincinnati Province, indemnifies and holds harmless all Review Board members for any and all claims, lawsuits, damages or other actions, including but not limited to reasonable costs of defense, which may arise from their service on the Review Board which involves a Member of the Missionaries of the Precious Blood, Cincinnati Province. However, the Province does not indemnify Review Board members for intentional tortious or criminal acts.

J. Role of Review Board

1. To be an advisor to the Major Superior.
2. To demonstrate accountability to the public.
3. To facilitate the processes and practicalities of creating and maintaining the safest possible environments:
 - Review and assist with policy development.
 - Provide a mechanism of “clearing” a falsely accused individual.
 - Make recommendations for new cases and investigations.
 - Make recommendations for old cases.
 - Review and assist with the development of Safety Plans.
 - Review and assist with modifications to existing Safety Plans.

Section 5. Supervision and Care of Members Who Have Abused Minors or Vulnerable Adults

These procedures describe the elements of a pastoral care framework which will be developed for each Member of the Province about whom a credible accusation of sexual abuse has been made. Most of these procedures address cases where the accusation is that of abuse of a minor or vulnerable person.

The purpose of this framework is to:

- assure the Church and the public, especially children and minors, of all reasonable measures to prevent any future occurrence;
- provide a structure within which the Member can continue his life in the Missionaries of the Precious Blood as a definitively incorporated Member of a Society of Apostolic Life;
- provide appropriate care for the Member and the opportunity for such personal conversion and rehabilitation as may be needed;
- guide superiors, the Member, and others in determining work, place of residence, and other activities;
- encourage Member communities in welcoming and supporting the Member in his desire to continue his life as a Member within this framework; and
- assure all of both proper care and appropriate limits with respect to one who has abused in the past.

It is intended that all of the elements below be adapted in a Safety Plan for each Member, depending on such factors as severity of the accusation(s), notoriety, age and health of the Member, and the recommendations of the Province's Review Board. The framework, however, sets out the elements to be developed in writing for each Member about whom a credible accusation of sexual abuse has been made. These are reviewed by the Review Board, and shared with the Member, his superiors, and, as appropriate, Members of his local Member community. The Safety Plan shall be signed by the Member and the Provincial Director.

A. Evaluation and Therapy

1. A Member about whom a credible accusation has been made may be asked to submit to a professional evaluation as to his psychological condition and proclivity to harmful behavior in the future.
2. The Member is free to decline to participate in an evaluation. If he agrees to an evaluation, the Provincial Director or his delegate will arrange for the evaluation.

3. Subsequent to that evaluation, the Member may be asked to participate in such inpatient and/or outpatient treatment as recommended by the evaluating professionals, as well as such other physical, psychological, and spiritual rehabilitation as may be recommended by such professionals or the Review Board, as well as the terms of his Safety Plan.
4. The Member may be required to report to the Provincial Director or his delegate in person or in writing periodically (e.g., monthly, quarterly or annually, as appropriate to the situation), describing his progress in terms of work, therapy, spiritual direction, community life, and such other matters as may be appropriate.
5. Information resulting from such evaluation, treatment and correspondence is the property of the Member. It will always be shared with the Member.
6. The Provincial Director may further agree to have the information available to the Review Board.

B. Public Ministry as a Member

1. An ordained Member found to have abused a minor or vulnerable person would not be allowed to function publicly as a priest or deacon, including public celebration of the sacraments, use of the title "Father" or "Reverend" in public communications, and the wearing of clerical attire.
2. In the case of a Brother, he would not be allowed to function publicly in external ministry associated with a religious congregation (e.g., school teaching, coaching, parish staff work) or use of the title "Brother" in public.
3. No clerical or distinctive religious attire would be allowed for a Priest or Brother who has abused a minor or a vulnerable person.
4. For a Member credibly charged with sexual abuse of an adult, the Provincial Director will consider the nature and circumstances of the allegation and the advice of the Review Board in determining removal from, suspension from, or restrictions on public ministry.

C. Appropriate Work

1. If physically and mentally able, the Member who has been removed from public ministry should engage in appropriate work in support of the ministries of the Province or in other service to people in need.

Such employment might include the following:

- internal work in a community of the Province, such as a place of retirement;
 - administrative work for the Province;
 - remunerative non-ministerial work to support the ministries of the Province;
 - service to people in need;
 - performing landscaping work on the grounds of a Member community.
2. Where appropriate, Members restricted or removed from public ministry may need vocational assessment and/or occupational counseling to assist in determining meaningful and useful work. The Provincial Director should consult with the Member involved to determine his interests and capacities and to promote his initiative in developing work opportunities, where appropriate.
 3. In all cases, the service of prayer for the Missionaries of the Precious Blood and the Church would be a valuable contribution to the Congregation.

D. Place of Residence

1. Any restricted Member would be allowed to live only in a Member community or other appropriate supervised place of residence, as determined by the Provincial Director.
2. No separate apartment (except at St. Charles Center), private home, or other domicile would be allowed as a permanent residence for the Member.

E. Community Support and Community Roles

1. The local community can and should play an important part in helping a Member who has been restricted and who wishes to continue his life as a Member.
2. Member communities should welcome the restricted Member as a brother.
3. It may also be appropriate for a mentor to be appointed for the Member who would assist and support him in his efforts to maintain his program of care and treatment.
4. A restricted priest Member, within the community, as allowed by Canon Law, would be permitted to preside at the Eucharist only with Members present or in private, lead community prayer, hear confessions of Members only, and perform community jobs and other responsibilities.

5. A restricted Member would not be allowed to serve as Local Director.
6. Upon the recommendation of the Provincial Director, the Local Director shall, as appropriate, inform all or part of the community in which such a Member shall live of the fact that a Member is so restricted and the appropriate specific terms of his Safety Plan, so that the community can assist him in achieving his goals.
7. Communities may need the advice and consultation of appropriate professionals to assist the community in readying itself to receive the restricted Member and to provide him the necessary care and support.

F. Contact with Others

1. Under no circumstances would a Member credibly accused of abuse of a minor be allowed in contact with minors without the ongoing supervision of other adults present at the time.
2. Similar prohibitions may be applied to a Member credibly accused of abuse of an adult.

G. Travel, Vacation, Retreat

1. For a Member credibly accused of abuse of a minor, vacations alone or with minors, even supervised, would not be permitted. Vacations should be restricted to Member communities or travel with other Members.
2. Retreats in locations alone would not be permitted, and retreats would be restricted to Member retreats or retreats with other priests and religious
3. Other travel may be restricted to that related to assigned work or family visits; if appropriate, a Member companion for travel also may be required.
4. Additional specific permissions for travel may be required from the Provincial Director.

H. Driving

1. Restrictions may be placed on driving alone or having use of a personal vehicle.

2. Some restricted Members may be required to request specific permissions for use of house cars from the Local Director, to keep a driving log or to drive only with other Members.

I. Publications and Publicity

1. Restrictions on publications, letters to the editor, web-pages, radio and television appearances, email, and the use of social media may be appropriate.
2. Sensitivity for victims would dictate caution with regard to photographs of a Members about whom a credible accusation of sexual abuse has been made being displayed in Member publications and institutions, especially those in service to minors.
3. In some cases a Member's use of mail, phone, and internet may need to be regulated.

J. Information for Members and Others

1. The Provincial Director, in consultation with the Review Board, will determine whether and/or how to inform the Province Membership—in general terms—of those Members who have been restricted.
2. The Provincial Director, in consultation with the Review Board, will determine whether and/or how to inform others who may have a need to know—in general terms—of those Members who have been restricted.

K. Written Protocol for Those who Supervise Members on Safety Plans

1. The Supervisor of a Religious Priest or Brother on a Safety Plan is appointed by the Provincial Director.
2. A Monitor may also be appointed by the Provincial Director in those cases where it is deemed appropriate or necessary.
3. The Supervisor may be a Member of the Congregation or a third party contracted for purposes of supervision.
4. The Supervisor will be qualified by training or experience for the role of supervision.

5. The Supervisor is an integral part of a positive, informed support system for the Member on a Safety Plan to ensure a safe environment for minors, vulnerable adults, the Congregation, and the Member being supervised.

The Supervisor will be provided with:

- Accurate knowledge of the Member's allegations and problem behaviors.
- Accurate knowledge of the Member's treatment programs and aftercare requirements.
- Accurate knowledge of the rules, restrictions and expectations in the Safety Plan. This should also include knowledge of the requirement of the Charter and Norms of the U.S. Conference of Catholic Bishops.
- Awareness of the Member's potential arousal patterns.
- Familiarity with the Member's schedule and whereabouts.
- Knowledge of and the consequences for violations of the Safety Plan.
- The ability to hold the Member accountable for violations of the Safety Plan, including imposing consequences.
- The ability to intervene in any onset of a risky or problem behavior.

The Supervisor will maintain a file on each person who is being supervised. This file will contain documentation for the following areas:

- Meet regularly with the Member for a formal review of compliance with the Safety Plan. Documentation of meetings as specified in the safety/wellness plan and any notes taken during the meeting will be kept in the file.
- Maintain all documentation of compliance and non-compliance.
- Maintain documentation of imposing consequences for non-compliance.
- Maintain all logs and records required by the Safety Plan
- Report all cases of non-compliance to the Provincial Director or his delegate.
- Provide regular updates regarding the Member's compliance with the Safety Plan.

Section 6. Care of Victims

The Province will provide a compassionate, transparent, appropriate, efficient and effective pastoral response to victims of sexual abuse by its Members. The Province, through its Victims Assistance Coordinator, will offer pastoral care to the victim, including follow-up assistance to the victim by working with them in finding a therapist or counselor, maintain a follow-up relationship with the victim-survivor, and consult with a

therapist or counselor on a treatment plan. The Province will typically offer six months of therapy, which can be extended.

Section 7. Boundary Violations

Procedure for Reporting and Responding to Boundary Violations

1. A situation may arise in which a Member observes inappropriate behaviors or boundary violations that are improper but which are not properly classified as abuse of a minor or vulnerable adult. While the actions in and of themselves do not warrant that civil authorities be notified, observing such behavior requires that appropriate notification be made and action be taken.
2. Vigilance regarding the maintenance of proper boundaries must include a system of accountability based on the standards of conduct as explained in Part I, Section I, above. It is essential that in our communities and the places where we work and minister, a transparent and effective system of monitoring and reporting is in place.
 - a. On the local level, each Member and local director is responsible for identifying warning signs and responding to those signs.
 - b. A Member has an obligation to disclose to the local director his observation that a Member has violated boundaries as established in these policies. The Member observing the situation is also free to contact a Member of the Provincial Council, the Provincial Director, the Moderator General, or the Chairperson of the Review Board.
3. If the local director confirms to his own satisfaction that boundaries have been violated by a Member, he will immediately inform the Provincial. It is advisable that the local director personally notify the Member about whom there is a concern.
4. The Provincial Director shall document all reports and subsequent interventions, remedial actions taken, plans for continued observation, and conditions, if any, placed on the Member.
5. Such documentation shall be included in files maintained by the Province. In all cases the Member about whom there is cause for concern must be informed of the contents of permanent documentation.
6. While these policies apply principally to the conduct of Members, a Member who observes inappropriate behavior or boundary violations committed by an employee,

volunteer, guest, visitor, parishioner, teacher, student or client at a place where Members live, work or minister must report this matter to the appropriate authority.

Part II. Policies for Maintaining Ethical Ministry with Adults

A. Standards of Conduct for Ministry with Adults

A **pastoral relationship** is a relationship between a Member and any person to whom he provides pastoral care, which includes counseling, spiritual direction, spiritual guidance, hearing confession or receiving confidential or privileged information. The following are guidelines for maintaining integrity in pastoral relationships with adults

1. Boundaries in Ministry

- a. For the purpose of this policy, **sexual contact** is defined as vaginal intercourse, anal intercourse, oral intercourse, or the touching of an erogenous zone of another (including but not limited to the thighs, genitals, buttocks, pubic region or chest) for the purpose of sexually arousing or gratifying either person.
- b. **Sexual exploitation** is sexual contact between a Member and a person with whom the Member has a pastoral relationship. The nature of the relationship is exploitation, regardless of who initiates the sexual contact.
- c. Members must never engage in sexual contact with any person with whom they have a pastoral relationship. This includes sexually explicit conversation, outside a counseling session.
- d. Members assume the full burden for setting and maintaining clear, appropriate boundaries in all pastoral relationships.
- e. Physical contact in pastoral relationships should be respectful and consistent with the intent to provide a safe and comfortable environment.
- f. Ministry should be conducted in appropriate settings at appropriate times and should not be held at places or times that would tend to cause confusion about the nature of the relationship for the person being counseled.

2. Supervision

- a. Members who provide pastoral counseling shall be required to have ongoing professional supervision and refer individuals to professional counseling when appropriate.
- b. Members practicing spiritual direction shall submit that ministry to peer or supervisory review with a spiritual advisor.
- c. Members in pastoral relationship are responsible for seeking the counsel and pastoral guidance of a person of spiritual wisdom should they find themselves at risk of acting on sexual or romantic attraction to a parishioner, client, or counselee.
- d. Members who provide counseling shall maintain a log of the times and places of sessions with each person being counseled.

3. Confidentiality

- a. Information disclosed to a Member during the course of counseling, advising, or spiritual direction shall be held in confidence whenever possible.
- b. A breach of confidentiality occurs when there is a disclosure of confidential or privileged information in the absence of compelling professional reasons or as required by law.
- c. The Member should discuss the nature of confidentiality and its limitations with each person in counseling.
- d. Information obtained in the course of sessions shall be confidential, except for compelling professional reasons or as required by law.
 - If there clear and imminent danger to the client or to others, the counselor is to disclose the information necessary to protect the parties involved and to prevent harm.
 - Before disclosure is made, if feasible, the counselor should inform the person being counseled about the disclosure and the potential consequences.
- e. A Member providing pastoral counseling services or spiritual direction should keep records of such sessions.
- f. With the exception of knowledge gained in the Sacrament of Penance, knowledge that arises from professional contact may be used in teaching or

other public presentations. Measures should be taken to absolutely safeguard both the individual's identity and the confidentiality of the disclosure.

- g. If a Member discovers that there is a serious threat to the welfare of a minor and that communication of confidential information to a parent or legal guardian is essential to the child's health and well-being, the pastoral counselor or spiritual director should disclose only the information necessary to protect the health and well-being of the minor.

4. Conflicts of Interest

- a. Conflicts of interest exist when a Member takes advantage of a pastoral relationship in order to further his own personal, religious, political, or business interests.
- b. A Member should avoid situations that might present a conflict of interest between a counselor and a person being counseled. Even the appearance of a conflict of interest can call integrity and professional conduct into question.
- c. If a conflict of interest arises, the Member should inform all parties. Resolution of the issues must protect the person being counseled.
- d. The Member must establish clear, appropriate boundaries with anyone with whom there is a business, professional, or social interest.
- e. Members shall not step beyond their competence in counseling situations and shall refer to other professionals when appropriate.

5. Responsibilities in Ministry

- a. Members are responsible for recognizing and respecting the power of the ministerial role.
- b. Members are responsible for giving and accepting feedback from others.
- c. Members are responsible for developing resources to meet their own spiritual and emotional needs.
- d. Members are responsible for taking care of their own health in order to avoid serious impairment of judgment that is associated with sleep deprivation, nutritional deficiencies, and excessive workloads.
- e. Members are to avoid speaking graphically about sexual activities or allowing others to do so.

- f. Members are responsible for not becoming romantically involved with those they serve in ministry regardless of who initiates the contact.
- g. Members should never show pornographic materials to those they serve in ministry.
- h. Members must never use their role in ministry to degrade or humiliate another person.
- i. Members are responsible to avoid swearing or using foul language in the presence of those they serve in ministry.
- j. Members are responsible for communicating to their local director or Provincial Director when they have concerns about their own or others' relationships.
- k. Members are responsible for maintaining boundaries with those they serve in ministry at all times.
- l. Members are responsible for recognizing warning signs of boundary violations. Some of these warning signs include the following:
 - Wearing special clothes when you are going to see a certain person.
 - Spending extra time grooming yourself when you know you are going to see a certain person.
 - Finding ways or reasons to be alone with a certain person.
 - Keeping aspects of your relationship with a person secret from others (such as how often you talk on the phone or see each other alone).
 - Giving and receiving special gifts from a certain person.
 - Neglecting to spend time with others because you want to spend more time with a certain person.
 - Sharing personal information about others with a certain person.
 - Sharing personal information or seeking help with personal problems from a certain person.
 - Excessively looking forward to seeing a certain person.
 - Fantasizing or daydreaming about a certain person.

B. Reporting Misconduct with Adults

1. Members are responsible for ensuring the ethics of ministry. Communication regarding misconduct by Members in ministry with adults is essential for continuing the integrity of these ministries
2. Members shall report misconduct with adults. Reports of suspected or known misconduct may be made confidentially (unless otherwise required to be disclosed by Canon Law) to any of the following:
 - a. The Chairperson of the Review Board
 - b. The Provincial Director
 - c. The Moderator General

Review Forum

The Cincinnati Province will work with the Conference of Major Superiors of Men (CMSM) and the guidelines it establishes for implementing standards, structures and practices that will protect children. The Cincinnati Province will contract the services of Praesidium, Inc., a national leader in risk management, to review our policies and procedures for responding to issues of child sexual abuse and be certified by this organization as being in compliance with national standards for the care and protection of children.

Credits:

- **These policies are an adaptation of the Model Policies provided by: Praesidium, Inc., © June, 2001. All Rights Reserved. Used with Permission.**

Praesidium, Inc., 624 Six Flags Dr., Suite 110, Arlington, TX 76011

Appendix

Response to Sexual Misconduct—A Guide for Victims

The Missionaries of the Precious Blood recognize that sexual misconduct by a Missionary has devastating consequences for victims and their families, for the lay and religious communities, and for the perpetrators. We have become increasingly aware of the effects of this tragic behavior and have developed a steadfast commitment to helping those affected.

This Guide for Victims is intended to provide basic information on (1) how the Province defines sexual misconduct within ministerial relationships, (2) what its procedures are for responding to complaints of sexually inappropriate behavior, and (3) to whom those subjected to sexual misconduct can turn for help.

Sexual Misconduct in a Ministerial Relationship

A Ministerial Relationship is one in which a person receives pastoral care from priests, brothers, sisters, spiritual directors and pastoral counselors, among other church workers.

Sexual Misconduct is a general term that includes sexual harassment, sexual exploitation, and sexual abuse.

Sexual Harassment is unwanted sexualized conduct or language between co-workers in a church setting. It may include, but is not limited to 1) unsolicited sexual advances and propositions, 2) the use of sexually degrading words to describe an individual or his/her body, 3) the telling of inappropriate or sexually-charged jokes, 4) retaliation against a co-worker who refuses sexual advances, 5) offers of preferential treatment such as promotions, positive performance evaluations, or favorably assigned duties or shifts in exchange for sexual favors.

Sexual Exploitation consists of sexual contact between a missionary and person receiving pastoral care from him.

Sexual Abuse is sexual contact between a Missionary and a minor.

Sexual exploitation or sexual abuse can include physical contact or actions such as:

Sexual touch or other physical contact that makes the person being touched feel uncomfortable, such as:

- Giving a sexually charged gift (such as lingerie)
- A prolonged hug when a brief hug is customary behavior

- Kissing on the lips when a kiss on the cheek would be appropriate
- Showing sexually suggestive objects or pornography
- Sexual intercourse, anal, or oral sex

Sexual exploitation or sexual abuse can also include verbal behavior such as:

- Innuendo or sexual talk
- Suggestive comments
- Descriptions of sexual experiences, fantasies
- Sexual propositions.

Sexual misconduct—whether harassment, exploitation, or abuse by a Missionary, employee, or volunteer—is contrary to Catholic morals, doctrine and Canon Law. It is never acceptable in a pastoral relationship with a parishioner, employee, spiritual directee, counseling client, or anyone who has sought the Church’s ministry.

It is not uncommon for those who seek the Church’s ministry to feel attracted to a religious or to be flattered by his attention. A layperson’s attraction to a Missionary or enjoyment in being the object of his sexual interest does not excuse any form of sexual misconduct on his part, however. It is entirely the responsibility of the Missionary to maintain appropriate emotional and sexual boundaries with those with whom he works and/or serves.

How the Missionaries Respond to Complaints of Sexual Misconduct

The Province responds to all allegations of sexual misconduct with great care. To ensure that we handle each instance promptly, thoroughly, and compassionately, the Province has a Victim’s Assistance Coordinator, who will listen to, understand, and offer help, including appropriate psychological counseling for those affected by missionary misconduct.

The Province, through the Victim’s Assistance Coordinator and independent investigators will respond swiftly to evaluate and investigate any accusation of sexual misconduct by a Missionary. Any Missionaries who have engaged in the sexual abuse of a minor will be removed from ministry and participate in a safety plan which offers appropriate psychological treatment specific for offenders, and entails ongoing monitoring and supervision for the rest of their lives in the Congregation. The Province, consistent with the directives of the United States Conference of Catholic Bishops’ *Charter for the Protection of Children and Young People*, has established a Review Board. This interdisciplinary board of lay professionals advises the Congregation on all matters related to sexual misconduct.

Preventing Sexual Misconduct

In addition to establishing procedures for responding to sexual misconduct, the Province has undertaken a series of measures to prevent future incidents of abuse. These include extensive mandatory psychological evaluation of our candidates before they enter formation and the provision of continuing education programs for Missionaries about issues of sexuality and personal conduct.

Conclusion

It is our firm belief that our Missionaries must maintain appropriate boundaries with laypersons in order to preserve the integrity of the ministerial relationship. Moreover, we call upon those with knowledge of a Missionaries' inappropriate behavior—whether past or present—to come forward with this information so that innocent victims may be spared from further harm. In short, we ask everyone to join with us in protecting the safety of children, women and men, and with firm determination, to promote healing where there is pain.

Where to Turn for Help

If you or someone you know believes that a Missionary has violated the boundaries outlined here, we urge you to report such behavior immediately to the Provincial Director. Your case will be handled with the strictest sensitivity and confidentiality.

Contact Information for the Missionaries:

The V. Rev. Jeffrey Kirch, C.P.P.S.

431 East Second St.

Dayton, OH 45402

(937) 228-9263

The Commitment of the Missionaries

We Missionaries are concerned for any victims who may have suffered abuse by a Member of the Congregation and for the families of those victims. We will offer pastoral and spiritual support to them, as well as professional counseling if requested. Our hope and prayer is to bring some healing and peace to anyone who has suffered such abuse.

We Missionaries have dedicated ourselves to preventing sexual abuse. By establishing boundaries for healthy ministry with minors and by maintaining a constructive fraternal vigilance, we seek to provide a safe environment for all people. These efforts are supported by education and training, both during initial as well as on-going formation.

We Missionaries pledge our active cooperation and compliance with civil authorities. All allegations of child sexual abuse will be reported immediately to appropriate agents of the government.