

Safe Environment Coordinator/Victim Assistance Coordinator Conference

Omaha, August, 2012

Help for Bishops in Rebuilding Trust

God bless you. Your commitment to the care of victim/survivors of past abuse in the Church and to the safety of children in the Church today is a true manifestation of God's grace. What you do every day builds up the body of Christ and allows the light of Christ to shine more brightly in the world.

More than twenty years ago I had your responsibilities in the Archdiocese of Cincinnati. I am confident that you are much better equipped to fulfill the task and even have a better idea what the task is. I am certain that you are doing a better job. I think we all are.

PART 1—A LONG WAY TOWARD HEALING

You understand that I must be cautious in making that assertion: that we are collectively doing a better job. Most Catholics and the public in general apparently believe that the Church's handling of the sexual abuse of minors is barely more correct or effective today than it was ten years ago.

The May issue of *U.S. Catholic* reported on a survey of 300 Catholics it had conducted. The article, "Needs improvement: Readers rate the bishops' response to church sex abuse", does not describe the survey's methodology. So, the survey's objectivity and scope is unclear.

The bottom line, though: thumbs down for the bishops. For example, 59% of the respondents said that the bishops have done the bare minimum, while only 9% think that the bishops have done a good job of being transparent about past cases of abuse. 55% say the bishops are less likely to cover up abuse cases today than in the past. Remarkably—and this will certainly disappoint you—34%—just over one-third—believe that "parishes and schools are now safer for children thanks to safeguards implemented in the last 10 years."

For the last few years I operated with the conviction that consistent implementation of the “Charter for the Protection of Children and Young People”, coupled with some decent publicity, would turn public opinion around. I now know this was an illusion.

One early sign that I was wandering in a hall of mirrors was the reception given to John Jay College’s *Causes and Context Study*. For those willing to take the study seriously, there were and are invaluable data and insights, not only about the past crisis but also about preventing a similar mess in the future. Unfortunately the study received relatively light coverage in the media, and where it did, emphasis was often placed on minor but sensationalistic aspects. Many Catholics, I suppose predictably, viewed the document through pre-adjusted political lenses. All in all, there was little enlightenment that might have helped people understand what had actually happened.

More recent pinpricks to my bubble were the incidents in Philadelphia and Kansas City, Missouri. Even though both cases are unique in character and distinctively local, and even though neither has played out fully, there has been a widespread indictment that “the Church” and “the bishops” have failed to keep their commitments.

My real drop to earth came at a dinner table in Baltimore last November. I was fortunate to be with a couple who have been my friends for 35 years, one of their adult sons and his new wife. Toward the end of the meal, I broached the subject of child abuse in the Church, something we had discussed on other occasions. This time, though, I asked their view on how we pastors could make headway toward healing the great wound affecting the entire Church. Our dinner took place, by the way, during the USCCB general assembly.

As active parishioners, they were aware of many of the steps that have been taken because of the Charter. They knew about background checks, training requirements for youth workers and children, codes of conduct, review boards, audits, outreach to victims, reporting obligations and removal of offenders.

Their attitude of polite acquiescence turned almost hostile when I mentioned “an entirely different spirit of openness and accountability”. Published policies and administrative practices are not enough to convince my friends that all is well. Like the people in the *U. S. Catholic* survey, the abuse experience has touched them at a very deep level. Many Catholics in this country and elsewhere remain hurt, angry, cynical and confused. Their trauma is not something that will just go away with time.

There is an additional complication in our Catholic trauma: those partly responsible for causing it are the ones trying to heal it. Although a few bishops themselves abused children, most of the sexual abuse of minors was perpetrated by priests, technically presbyters. Nonetheless, bishops are seen by many as an even larger part of the problem because of the perception of how they handled abuse cases brought to their attention.

All kinds of explanations and excuses have been offered for what many bishops considered at the time to be serious and responsible actions, prior to 2002 and the Charter. For example, Cincinnati had a published policy from 1993 until 2002 that made allowance for select offenders to be reinstated in a very circumscribed ministry under certain conditions. To the best of my knowledge, no one ever complained about the existence of that policy. However, in 2002 its application became the basis for much outrage.

The thing is, at this point, nobody cares about explanations and excuses. Something awful happened for which no explanation or excuse will do. We are beyond the realm of carefully constructed reason. We are in the realm of trauma.

That is why it is so difficult for bishops to be the lead agents of healing and restoring trust. Even though many of the bishops who led dioceses prior to 2002 are dead or retired, in the minds of people, the croziers are in the hands of the same people. Besides, even without the abuse scandal, some Catholics don't like bishops anyway!

Of course, bishops aren't going away. The episcopal office is essential for the life and mission of the Church. Nor can we bishops abrogate a substantial aspect of our pastoral duty, namely, in this case the restoration of the Church's integrity in the wake of the abuse crisis. Yet, it is clear, certainly to me, that we are gravely weakened and in need of assistance.

I think back to the time of the Reformation. In so many ways the episcopacy, the regular clergy, even the papacy were discredited. Their weakness gave the reformers a huge opening and made an effective response by the Church difficult. The Council of Trent was years in the making and decades in the implementing. (By contrast Vatican II has moved with warp speed.) The founding of dozens of men's and women's apostolic orders of consecrated life was encouraged after Trent to help animate the work of the counter-reformation.

Safe Environment Coordinators and Victims' Assistance Coordinators are good candidates to assist us bishops to make the Church truly safe for children and young people *and* to break down the mistrust and anger that afflicts so many of our brothers and sisters. You are fresh faces. Most of you are lay members of the Christian faithful, with secular credentials, and without so much built-in conflict of interest. As such, you are in a position to bring new credibility and energy to this critical task.

This is the long term project we must pursue, you and I and your colleagues and mine not here today. There are the routine tasks of keeping contact with victim/survivors, arranging counseling programs, scheduling training sessions, giving talks and filling out forms. All that must be done. Your hard, consistent work will create a safe environment for our youth and will bring a measure of healing to victims. But it will not be enough to close the wound that seeps and throbs in the body of Christ.

So, I invite you to think of yourselves as something more than personnel in the diocesan curia, even more than disciples of Christ entrusted with a special apostolate. I invite you to think of yourselves as an extension of your bishop, who very much wants to bring healing to the Church but, surely like me, finds himself “disqualified”. Perhaps you can bind yourselves together with your bishop in prayer. Perhaps you can engage him in conversation about this issue and discern with him how you might strengthen his work of healing and restoring trust.

PART 2—DEFINITIONS AND RECOMMENDATIONS

In the second part of my talk, I want to address six practical issues. Four of them come from the National Review Board’s recommendations arising from the *Causes and Context Study*, and the other two might be called definitions. First, the definitions.

1. The term “vulnerable adults” does not appear in the “Charter for the Protection of Children and Young People”. The concern of the bishops in 2002 centered on the underaged who are present in our churches and schools. The emphasis remains on them. Over time, many dioceses decided on their own to include vulnerable adults in their policies, both with regard to training and reporting. That is fine.

However, it must always be understood that the Charter itself is limited to those persons below the age of 18 and, since June, 2011, those persons who lack habitually the use of reason. The 2011 addition reflects an addition in the Church’s penal code.

I mention this issue for two reasons. First, while the safety of any person deemed “vulnerable” is important, complications may arise as the definition of “vulnerable” becomes broader. Codes of conduct will become more complex, victims’ assistance coordinators and review boards will be presented with more, and maybe questionable cases, and perhaps most significantly, the Church’s goal to be a “child first” organization may become blurred. Second, we have to remember that permanent removal from ministry may be applied only to those who have sexually abused a minor as now defined in the Charter.

Perhaps also requiring clarification in this same vein is child pornography. The 2011 edition of the Charter makes provision for reporting the possession of child pornography under the age of 18, in accord with state law, and with *restricting* ministry with regard to any child pornography. However, *permanent removal* from ministry may be applied only with regard to pornography involving images of minors under the age of fourteen, in accord with the Church's penal code. Why fourteen? I have some hunches but I really don't know. Might be a topic for a doctoral dissertation.

2. The other matter calling for further definition is boundary violations. It is good that an increasing number of people, including youths, recognize that boundary violations can be preludes to sexual abuse. People are much more aware of the phenomenon of grooming. Thus, they are more inclined to report them, and we need to take them seriously, as appropriate. I suspect it is becoming customary for serious boundary violations to be investigated, reviewed and even reported to the civil authorities much in the way that allegations of abuse are.

Insofar as the protection of children is concerned, this attention to serious boundary violations, especially of a sexual nature, is commendable. However, I want to raise a caution. Boundary violations by definition are not abuse and are not explicitly treated in the Charter. Whether boundary violations are covered explicitly in diocesan policies or not, they must be handled with finesse.

For example, is administrative leave and public notice at the time of an investigation warranted? At what point is the violation considered sufficiently serious to render the lay person unsuitable for employment or the cleric unsuitable for ministry, at least with minors? In today's climate, will the public revelation of a serious boundary violation leave any choice?

3. The National Review Board spent considerable time drawing out recommendations from the *Causes and Context Study*. Many of these recommendations will be considered during the next revision of the Charter, due to begin in 2013.

These are some of the recommendations that might directly affect your work, yet which I will not develop today, mainly because they are expansions of what you are already doing. “Train diocesan personnel in *Charter* requirements, recordkeeping, state laws, mandated reporting, etc.” I assume the NRB has in mind that all diocesan personnel should be familiar with these issues, not just those who deal directly with youth protection. “Train the various segments of parish life (i.e. parish staff, school personnel, parents, children, volunteers, ushers, Knights of Columbus, Altar Society, Holy Name Society, etc.) in diocesan policies, state laws, mandating reporting, etc.” “Review written policies and procedures for handling allegations of inappropriate behavior with minors to include the revised definition of sexual abuse of a minor that includes pornography and vulnerable adults.” “Share publically, and at least annually, policies and procedures with the faithful so they understand the protections that have been established within the dioceses.”

There is one recommendation with significant potential for improving our effectiveness: “Provide for the measuring, monitoring and reporting the effectiveness of the safe environment programs required by the *Charter*.” It is unclear whether this recommendation will be accomplished at the national or diocesan level or both.

You might be surprised to know that the largest number of recommendations pertains in a broad way to priestly life. These will require attention by the bishops’ Committee on Clergy, Consecrated Life and Vocations, as well as the Committee on the Protection of Children and Young People and the National Review Board. It remains to be seen how these recommendations will make their way into the Charter, given that many of them will be difficult to put in verifiable terms.

But let this broad area of priestly life be the first of four recommendations of the NRB that I will develop a bit today. Why is it a substantial part of the recommendations?

The final purpose for the *Causes and Context Study*, and for the recommendations flowing from it, is to prevent abuse in the future. The study considered a number of situational factors that may have contributed to the abuse, particularly to the spike of abuse in the seventies and eighties. (As a side note, I want to say clearly that, almost without exception, the cases of abuse with which I have dealt are deliberate acts. While there may be situational factors that make it easier for the perpetrator to act or place more pressure on him, the blame rests squarely on him.)

The study ruled out celibacy as a significant factor, which makes sense, since many child sexual offenders are married or otherwise involved in an ongoing adult relationship. But the isolation, physical and social, in which many priests live, the lack of routine support and feedback from peers and superiors, the poor health habits of many priests, unpreparedness to cope with new social trends and, most importantly, a spiritual life that goes dry—all of these are situational factors that seemed to contribute to the spike in abuse cases.

Victims' Assistance Coordinators and Safe Environment Coordinators may seem removed from these concerns. There may be ways, though, in which you can be important partners with others in the diocese in addressing these factors. Could you be part of the process for assessing candidates for the seminary and continuing through their formation? Are there opportunities to integrate the safe environment and codes of conduct training better with the ongoing theological and pastoral education needed by clergy? Are there creative ways for pastors to fulfill their responsibilities as safe environment leaders without feeling the burden so much? Are there ways for you to facilitate clergy support groups? Could the kinds of services made available to individual victims also be made more readily available to parishes where pastors are still dealing with the fallout from past cases of abuse? Do the priests themselves, together and with the bishop, need help processing what has happened?

4. The next two recommendations fall under the category “Community at large” in the NRB’s report. That category begins with this statement: “Because the issue of child sexual abuse is not just a Catholic Church problem but is a matter that affects all facets of society, all institutions, all socio-economic classes and ethnicities, including male, female, and minors as offenders, the Church should reach out” Three recommendations follow. In the present context, I will consolidate them into two themes: collaboration and communication.

We clerics not only have a weakness for being clerical but for being very ecclesiastical. With the exception of recreational activities, we can live almost entirely within the bounds of “the church”. Lay, professional church workers can be almost as bad. If you are married, ask your spouse. It is refreshing to come upon individuals, like a priest in my former diocese of Steubenville, who is known as “Mr. Rotary”, while, I should add, still being deeply committed to his pastoral duties.

The narrowness for you might come in two forms. One is devotion to the job: blinders on, head down, barging ahead, “By God, I am going to protect children; I am going to heal victims!” Of course, there’s the audit to prepare. The other form of narrowness is tribalism: it’s the Catholic Church, the Catholic Charter, responsibility to the Diocese of X, Bishop Y is my boss, “my” review board, “my” survivors.

Thus, we have a built-in resistance to the recommendation to engage with other youth-serving organizations in the effort to protect children. Actually, though, there are two potential benefits for us, if we do collaborate with groups like scouts, athletic associations, Big Brothers, child welfare organizations and other faith communities.

First, there is always something to learn. I have no doubt that many groups have learned from us over the past ten years, and that may lead us to the mistaken notion that we are always ahead of the curve. I have the privilege to attend the annual Anglophone Conference on child protection, attended by representatives from about fifteen episcopal conferences. Perhaps the U.S. has been at this the longest, but we have no lock on good ideas.

Second, by getting out of the ghetto, we can lessen the stigma of child abuse attached to the Catholic Church. By working with other organizations, we can demonstrate a positive, community-minded spirit and accomplish a more robust initiative to keep children safe.

5. If the collaboration part of “community at large” is challenging, the second part, “communication” may be more so. Of course, VACs and SECs are communicating constantly. The NRB is recommending the development of collaborative relationships with local media institutions and open communications with media outlets.

Now, people in your positions are typically advised, perhaps even directed by policy, not to have contact with the media. Responsibility for such contact belongs to the communications officer, chancellor, vicar general, etc. I believe two different aspects of communication are at issue. For crisis management, in the midst of an abuse case, yes, you may not be the designated spokesperson.

The NRB has something else in mind. We have the potential of providing not just a private, in-house service of training people in safety awareness and codes of conduct. Given our experience and our resources, we can “evangelize” the larger society through the use of the various media. Such an effort, of course, will be maximized if it is developed in concert with other community organizations.

There is more. Earlier, I invited you to consider yourselves as partners with us bishops in the work of healing the Church. Our credibility on the subject of child abuse is shredded. You may have a better chance. People--in the Church, outside the Church, and hanging on the edge—need to know that real progress is being made. With the help of diocesan communications offices, you may be able to develop relationships with local media outlets and prepare releases or other opportunities that would interest them. Please, understand. Media professionals are not fools and they tend toward the skeptical. They are not going to be coopted. Still, the Holy Spirit, given an opening, can manage.

6. The last recommendation for consideration today might rouse you from your naps. The National Review Board writes, “Develop an audit plan for auditing parishes for compliance with diocesan policies....” Anyone concerned about charter creep can now look forward to charter leap.

Frankly, I support parish audits. When all is said and done, a large portion of the Charter’s norms have to be fulfilled at the parish or school level. If application at the local level is not happening, the Charter is ineffective. Some would counter that the current national audit process includes a small, random sampling of parishes. Would a small, random sampling of dioceses provide a sufficient measure of assurance that the Charter was being implemented throughout the nation?

The question is how would universal parish audits be conducted. Many dioceses already have experience with parish financial audits. So, we would not be sailing into totally uncharted waters. The two major issues will be who would conduct the audits and how often.

In my opinion, the audits would have to be directed by each diocese, especially as the NRB views the audits as focusing on diocesan policies. A national approach would be absurdly expensive and probably unworkable. For purposes of discussion, dioceses might contract with compliance audit firms similar to Stonebridge Business Partners, might hire and train in-house auditors, or might put together teams of volunteer auditors, along the lines of school accrediting teams. We tried the last approach in Steubenville, a very small diocese with small parishes. As to frequency, again at this discussion stage, annual on-site, rolling on-site every three years, or a system currently used with the diocesan audits alternating on-site and data collection audits might all be considered.

CONCLUSION

The hushed reading room of a graduate school library is not a likely place to be exposed to the muck of child sexual abuse in the Catholic Church. Such it was for me, while writing a doctoral thesis in Ottawa, Ontario, something about a horrible mess way down in Louisiana. How could I know then what was to come, that the first licks of flame from a fire already wreaking terrible damage on the Church and thousands of once trusting boys and girls were now visible?

I was discouraged then, more than 25 years ago. I still am, partly because of what we already know, partly because of what may still come to light, and partly because of the daunting task of repairing the damage.

St. Gregory the Great compares the Church to dawn, that moment between night and day. "The dawn intimates that the night is over;" he writes, "it does not yet proclaim the full light of day. While it dispels the darkness and welcomes the light, it holds both of them, the one mixed with the other, as it were." He continues from Scripture: "When he writes, 'the night is passed' Paul does not add, 'the day is come'. But rather, 'the day is at hand'....It will be fully day for the Church of the elect when she is no longer darkened by the shadow of sin....Paul was hastening to the place which he knew the dawn would reach when he said he wished to die and to be with Christ." (From the *Moral Reflections on Job*)

Because we live as the dawn we cannot succumb to discouragement. We must be the light of Christ, even if only rising weakly over the horizon. Yesterday's victim/survivors deserve our understanding and support. Today's young people require our protection and guidance. Our brothers and sisters in Christ want assurance that the light is getting brighter not dimmer.

Since the Second Vatican Council, the Church's pastors have recognized the valuable contribution of highly trained, committed lay faithful as partners in their work. Safe Environment Coordinators and Victims' Assistance Coordinators are among some of the newer members of that cadre. As my earlier remarks suggested, you may be unique. You may be in a position to be pastoral assistants to bishops in binding up the Church's wounds and restoring trust. I hope God calls you to that task and equips you for it. I hope you accept the call and, of course, that your bishop is wise enough to embrace it.

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