

Procedure for Dealing with Sexual Abuse of Minors by Priests or Deacons in the Diocese of Rockville Centre

On December 8, 2002, the Holy See approved the Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests and Deacons. The following procedure applies these national norms to the Diocese of Rockville Centre.

The diocesan procedure defines sexual abuse of a minor according to the national norms: Sexual abuse of a minor includes sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification. Sexual abuse has been defined by different civil authorities in various ways, and these norms do not adopt any particular definition provided in civil law. Rather, the transgressions in question relate to obligations arising from divine commands regarding human sexual interaction as conveyed to us by the sixth commandment of the Decalogue. Thus, the norm to be considered in assessing an allegation of sexual abuse of a minor is whether conduct or interaction with a minor qualifies as an external, objectively grave violation of the sixth commandment (USCCB Norms).

Reporting an Incident

When a complaint of sexual abuse of a child or minor by a priest or deacon is brought to any person working for the Church, he or she is (1) to urge the complainant to notify the legal authorities immediately and assist the person to do so if the complainant wishes; (2) to call the legal authorities immediately after receiving whatever information has been provided, consistent with protection of confidential relationship and particularly that of the seal of Confession, whether or not the complainant wishes that; and (3) after having done that, to inform Mary McMahon, Director, Office for the Protection of Children and Young People. Office for the Protection of Children and Young People or the Diocesan Attorney accepting the complaint will initiate the diocesan standardized incident report form and, as a precaution, also inform the legal authorities before beginning the pastoral process which follows below.

Response to Initial Report of Sexual Abuse

An allegation of sexual abuse of a minor by a priest or deacon is made to Mary McMahon, Director, Office for the Protection of Children and Young People.

In an effort to ensure a response to those who wish to report incidents of sexual abuse of minors by members of the clergy, the Diocese of Rockville Centre has installed a dedicated telephone line for the reporting of all cases. That phone number is (516) 594-9063. If the caller does not reach someone directly, messages can be left on an answering machine connected to the phone. Those messages will be retrieved by the Office for the Protection of Children and Young People and returned as soon as possible.

The allegation is immediately forwarded to the appropriate law enforcement agency which follows its own procedures. The Diocese of Rockville Centre will comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and will cooperate in their investigation. At all times, the Diocese will advise and support a person's right to make a report to public authorities.

The alleged victim(s) is immediately offered counseling and appropriate assistance, regardless of what further steps are taken.

A preliminary investigation in harmony with canon law is then initiated and the Promoter of Justice is informed.

Steps in the Preliminary Ecclesiastical Investigation

1. The Preliminary Investigation according to the norms of Church law is carried out by the Office for the Protection of Children and Young People or those delegated by the Office for the Protection of Children and Young People.
2. All appropriate steps will be taken to protect the reputation and privacy of those involved: complainant(s), victim(s) and the accused.
3. These parties will likewise be encouraged to retain the assistance of civil and canonical counsel.
4. The priest is asked voluntarily to refrain from ministry while the investigation of the allegation is carried out.
5. Careful inquiry is made about the allegation's facts, circumstances and imputability to determine whether there is sufficient evidence that the sexual abuse of a minor has occurred.
6. The accused priest or deacon may be requested to seek, and may be urged voluntarily to comply with, an appropriate medical and psychological evaluation at a facility mutually acceptable to the Diocese and to the accused.
7. The Office for the Protection of Children and Young People will report the results of the preliminary ecclesiastical investigation to the Diocesan Bishop and the Promoter of Justice. The parties involved will be promptly notified of the results of the preliminary ecclesiastical investigation.

When there is sufficient evidence that sexual abuse of a minor has occurred

1. The Diocesan Bishop, in writing, shall remove the accused priest or deacon from his assignment and prohibit the public exercise of ministry, pending the outcome of the process.
2. The Congregation for the Doctrine of the Faith shall be notified. All directions given by the Holy See for each case will be followed.
3. The alleged offender will again be encouraged to retain the assistance of civil and canonical counsel. When necessary, the Diocese will supply canonical counsel to a priest.
4. The allegation will be reviewed by the Review Board, which advises the Diocesan Bishop in all aspects of the case.

The Review Board, established by the Diocesan Bishop, will be composed of at least five persons of outstanding integrity and good judgment in full communion with the Church. The majority of the review board members will be laypersons who are not in the employ of the Diocese of Rockville Centre. At least one member shall be a priest who is an experienced and respected pastor of the Diocese. At least one member shall have particular expertise in the treatment of the sexual abuse of minors. The members will be appointed for a term of five years, which can be renewed (USCCB Norms).

5. After consultation with the Promoter of Justice, the Diocesan Bishop decides, in writing, to proceed administratively or to initiate an ecclesiastical trial. In either case, the norms of Church law are carefully followed.
6. No priest or deacon will be returned to pastoral ministry in the Diocese who has committed even a single act of sexual abuse of a minor or who evidences negative psychopathology that poses a danger to minors.

When an act of sexual abuse by a priest or deacon is admitted or is established by canonical process:

1. The offending priest or deacon will be removed permanently from ecclesiastical ministry. He will not be permitted to celebrate Mass publicly or to administer the sacraments. He is prohibited from wearing clerical garb or presenting himself publicly as a priest.
2. No permission will be given for the offending priest or deacon to exercise ministry outside the Diocese of Rockville Centre.
3. The priest or deacon may at any time request a dispensation from the obligations of the clerical state. In cases of serious scandal or harm, the Diocesan Bishop may request of the Holy Father the dismissal of the priest or deacon from the clerical *state ex officio*, even without the consent of the priest or deacon.
4. Should the case warrant it, the Diocesan Bishop may begin the process for dismissal from the clerical state.

Should an offending priest or deacon be sent to reside outside the Diocese of Rockville Centre, the Diocesan Bishop shall forward, in a confidential manner, to the ordinary of the proposed place of residence any and all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people. - (Updated 10/2004)