



## **POLICY AND PROCEDURES REGARDING SEXUAL ABUSE OF MINORS**

### **POLICY**

The vast majority of clergy<sup>1</sup>, striving to grow in holiness and to minister among God’s people in often challenging circumstances, lead exemplary lives of dedication and service. They have offered themselves and sacrificed for their communities in order to proclaim the Kingdom of God and to witness to the Gospel of Jesus Christ as ordained men. Tragically, however, some have transgressed not only criminal and canon law, but also even the limits of human decency by the sexual abuse of children.

Sexual abuse against minors<sup>2</sup> on the part of clergy is among the most serious of offenses to be reckoned with in our Church today. Such horrendous acts not only harm those who have been abused, but wound the rest of the Church community and society as well. The Diocese of Brooklyn denounces all sexual abuse, particularly the sexual abuse of children on the part of clergy, which His Holiness Pope Benedict XVI has called “egregious crimes.”<sup>3</sup> The Diocese wishes to do everything possible to see that all people, particularly children and young people, are safe in all pastoral settings. Excuses and rationalizations for such criminal actions will not be accepted.

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<sup>1</sup> The term “clergy,” as used herein, is understood to be coextensive with bishops, deacons, Diocesan priests, and Order priests, who serve within the territory of the Diocese of Brooklyn.

<sup>2</sup> A minor is defined as any person who is not yet eighteen years of age, or one who habitually lacks the use of reason, in compliance with the *Charter*.

<sup>3</sup> Pope Benedict XVI, “Address to the Bishops of Ireland on their ad Limina Visit,” October 28, 2006.

The Diocese will continue to respond and reach out with compassion to anyone who has been sexually abused by a clergy member. The pain that has been endured is overwhelming and heart wrenching. We nonetheless believe in the power of God's merciful love to help bring about healing, growth and a renewal of hope. The Diocese will continue not only to assist the persons who have been abused but also continue to seek to prevent such abuse in the future.

The principal objectives of the Diocese of Brooklyn in promulgating the updated *Policy and Procedures Regarding Sexual Abuse of Minors*<sup>4</sup> are to:

- Protect all children and young people from being harmed by sexual abuse on the part of clergy members;
- Indicate the seriousness with which allegations of sexual abuse are received and the way in which they are dealt with;
- Demonstrate our desire to respect the rights of all persons involved, and to deal with all of them in a way that is just, compassionate and charitable.

This *Policy* seeks to outline ways to eliminate sexual abuse against minors by clergy, employees, or volunteers of the church, to reach out with healing and compassion to those who have been abused, and to act justly and responsibly toward the clergy members against whom allegations have been made. While a written policy has been in place since 1987, it is the intent of the Diocese to incorporate what has been learned over the years as well as the new provisions initiated under the authority of the Church. When needed, revisions will be made in order to reflect improved ways to reach these objectives.

This *Policy* provides the overview of the process, and incorporates by reference the Reporting and Referral Policy, the Codes of Conduct for Clergy, Employees and Volunteers, the DRB Bylaws, the DRB Protocols, the [Whistleblower Policy](#) and the [Monitoring Procedures](#). These policies will continue to be published on the Diocese's website, and in publicly accessible places at the parishes and schools in the Diocese.

## PROCEDURES

On November 13, 2002, the United States Conference of Catholic Bishops (USCCB) approved "Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons." These *Essential Norms*, having received the required canonical *recognitio* from the Holy See on December 8, 2002, together with the *Charter for the Protection of Children and Young People*, which was approved by the United States Conference of Catholic

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<sup>4</sup> In compliance with *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, #2.

Bishops on June 14, 2002,<sup>5</sup> were the basis for the Policy and the Procedures of the Diocese of Brooklyn issued in 2003.

The *Charter* was updated in 2005 and again in 2018, and both revisions were approved by the fully body of U.S. Catholic bishops at the June 2005 and June 2018 Plenary Assemblies, respectively.

The *Essential Norms* were updated in 2005 and approved by the full body of bishops at the June 2005 General Meeting. On January 1, 2006, they received the *recognitio* of the Holy See, and on May 5, 2006, the United States Conference of Catholic Bishops promulgated the revised *Essential Norms*.

On April 16, 2024, the Diocese entered into an Assurance of Discontinuance with the New York Attorney General. The *Assurance* set forth additional requirements for responding to allegations of sexual abuse of minors.

It is the intention of the Bishop of Brooklyn that the revised *Policy* comply with the requirements of the revised *Charter*, *Essential Norms*, and the *Assurance*, as well as with other applicable canonical directives. The Diocese adopts the following description established in the revised *Essential Norms* as to what constitutes sexual abuse:

Sexual abuse shall include any offense by a cleric against the Sixth Commandment of the Decalogue with a minor as understood in CIC, canon 1395 §2, and CCEO, canon 1453, §1 (*Sacramentorum sanctitatis tutela*, article 4, §1).<sup>6</sup>

This Policy also applies, where specified, to improper conduct, which is conduct that does not constitute abuse but that nonetheless violates the Diocese’s Codes of Conduct, which are intended to, among other things, prevent improper sexual touching, sexual activity, the display or sharing of pornography with a minor, and the creation of pornography involving a minor.

## **I. REPORTING AN ALLEGATION**

The Diocese of Brooklyn takes allegations of sexual abuse against minors with the greatest seriousness. Every instance of sexual abuse against a minor by a clergy member, employee, or volunteer of the Diocese, including members of Religious Orders who work, teach, or minister in

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<sup>5</sup> These are referred to as *Essential Norms* and *Charter* respectively. Subsequent references are to the revised texts.

<sup>6</sup> “If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians should be consulted, and the opinions of recognized experts should be appropriately obtained (Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, Washington, D.C.: 1995, National Conference of Catholic Bishops, p. 6). Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a qualified review board, to determine the gravity of the alleged act,” *Essential Norms*, endnote 2 of *Preamble*.

a diocesan parish or in the Diocese itself, will be reported to the appropriate District Attorney in Kings County or Queens County.

It is the policy of the Diocese of Brooklyn that all such incidents, as well as allegations of violations of the Codes of Conduct, which are intended to prevent improper sexual conduct with minors, be reported to its own toll-free Reporting Line at 1-888-634-4499 or via the online form available at <https://dioceseofbrooklyn.org/protecting-children/report-sexual-abuse/>. The Reporting Line number and the web address will continue to be posted in prominent locations in parishes, schools, and on the Diocesan website. The person responding to the call will ensure that all allegations of abuse of minors are transmitted both to the appropriate law enforcement officials and to the appropriate representatives of the Diocese of Brooklyn and that all allegations of improper conduct with minors are transmitted to the appropriate representatives of the Diocese of Brooklyn. This person, while an attorney, does not provide legal counsel or any service to the Diocese of Brooklyn, other than that which is described in this *Policy*.

In addition, if the allegation is of an incident of abuse involving an alleged victim who is currently under the age of 18, the allegation will also be reported to the New York Police Department Special Victims Division by a representative of the Diocese for immediate follow up. This will ensure a prompt response by trained professionals in this area, as well as initiate an immediate and timely investigation by law enforcement, with the objective of obtaining as accurate of an assessment of the situation as possible.

While some individuals may initially speak to a clergy member or another pastoral minister of their own choosing, allegations of sexual abuse are not investigated at the parish level and should be reported to the toll-free Reporting Line or online form indicated above. All Diocesan clergy, employees, and volunteers must encourage all complainants who report abuse or related improper conduct to them to report such allegations to the Reporting Line or corresponding online form. Diocesan clergy, employees, and volunteers must either ensure that all allegations they receive are reported to the Reporting Line or other online form, unless such report would violate the priest-penitent relationship of the Sacrament of Reconciliation. The person making the allegation of sexual abuse against a minor will also be reminded of his or her right to report it directly to the local authorities. The complaints that the Diocese receives will be handled in a manner that protects the confidentiality of the complainant and the alleged victim, such that the complaints are disclosed only on an as-needed basis to those involved in responding to the allegation, including in the investigation and review of the allegation. As further explained in the [Whistleblower Policy](#) any retaliation against a complainant who reports information in good faith is prohibited. While the absolute confidentiality of the Sacrament of Penance may never be compromised, the Diocese of Brooklyn is committed to full cooperation with the civil authorities in the reporting and investigation of any such allegations not bound by the seal of Confession.<sup>7</sup>

The Diocese is committed to encouraging individuals to come forward with such allegations, so that they may be investigated and addressed. To that end, the Diocese will publish in the Diocesan newspaper, *The Tablet*, and post in all schools and parishes in a prominent location, no less than four (4) times per year, as well as publish on the Diocese's website, a statement urging

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<sup>7</sup> *Essential Norms*, 11.

victims of sexual abuse and related improper conduct to report such misconduct to the Reporting Line or online form.

## II. RESPONSE OF THE DIOCESE TO AN ALLEGATION

A representative from the Diocese will respond to the person making an allegation within five (5) business days. The Diocese has appointed a **Victims Assistance Coordinator** “for the immediate pastoral care of persons who claim to have been sexually abused when they were minors by priests or deacons.”<sup>8</sup> The **Victims Assistance Coordinator** speaks and acts in the name of the Bishop and of the Diocese, attempting to bring the compassion and healing of Christ to one who may have been harmed by an ordained minister of the Church. Through the **Victims Assistance Coordinator**, the Diocesan Bishop will offer to meet directly with the alleged victim. In conjunction with the **Victims Assistance Coordinator**, the Diocese will offer to provide independent professional counseling selected by the person making the allegation. Many victims have suffered for years with the lingering effects of sexual abuse. This offer of professional counseling seeks to provide a means of support of and a manifestation of pastoral concern for the victim of the alleged abuse.

The **Vicar for Clergy** will be available for the advice and counsel of any clergy member concerning whom an allegation of sexual abuse of a minor has been made. As per Canon 1722, the Bishop, at any point once an allegation is made known, may impose an immediate, although temporary, administrative leave on the clergy member, in order to protect any of the faithful who may be at risk.<sup>9</sup> When the Diocese receives an allegation of abuse or improper conduct against a living clergy member that at least seems to be true, including members of Religious Orders, other than a clergy member that has been relegated to a life of prayer and penance, a representative of the Diocese will implement and document in writing reasonable precautionary measures designed to prevent the clergy member from committing abuse during the pendency of the independent investigation as needed, taking into consideration any requests for confidentiality from law enforcement and the nature of the abuse or improper conduct allegation. The Diocese will make reasonable efforts to monitor the clergy member’s compliance with the precautionary measures, if any, put in place, and will document and report any noncompliance during the pendency of the independent investigation to the **Diocesan Review Board**.

Once an allegation is received at the toll-free Reporting Line or via the online form, it will be forwarded pursuant to the [Reporting and Referral Policies](#).

## III. DIOCESAN REVIEW BOARD

In accordance with the *Essential Norms*, the Diocese has established a **Diocesan Review Board** that assists the Bishop and the Diocese in determining and responding to allegations of sexual abuse of a minor.<sup>10</sup> This **Review Board** is composed of at least five persons and no more

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<sup>8</sup> *Essential Norms*, 3.

<sup>9</sup> *Essential Norms*, 9.

<sup>10</sup> *Essential Norms*, 4.

than nine, of outstanding integrity and good judgment, in full communion with the Church. The majority of the members of this Board are laypersons that are not in the employ of the Diocese. At least one member is a priest who is an experienced and respected pastor of the Diocese. At least one member has expertise in the treatment of sexual abuse of minors. The appointments of these members will be staggered in order to ensure continuity and may be renewed at the discretion of the Diocesan Bishop. The **Promoter of Justice**, while not a member of the Board, may participate in its meetings.<sup>11</sup>

The functions of the Board include:

- Advising the Bishop in his assessment of allegations of sexual abuse of minors and other related improper conduct, and his determination of the accused clergy member's suitability for ministry;
- Reviewing diocesan policies for dealing with sexual abuse of minors;
- Offering advice, if asked, on all aspects of these cases, whether retrospectively or prospectively.

In order to provide the **Diocesan Review Board** with sufficient information for their consideration, the **Diocesan Bishop** designates a private and independent investigative agency that investigates allegations. The professional investigator shall conduct the investigation without any personnel from the Diocese conducting or participating in the investigation other than to facilitate the logistics of the investigation or site visit, or to provide victim support, when specifically requested by the victim. Furthermore, no attorney or law firm that has provided legal services to the Diocese in connection with the defense of claims of sexual abuse of minors will have any involvement on behalf of the Diocese with the **Diocesan Review Board** investigations, determinations, or recommendations, except to assist the Diocese in ensuring that the applicable policies, procedures, and standards are implemented, or to provide background or other information to the **Diocesan Review Board** at its request.

All Diocesan officials, clergy, employees, and volunteers must provide any material information, including but not limited to documents that they obtain that relate to abuse or improper conduct allegations that are under review by the Review Board, to the Review Board promptly.

The **Diocesan Review Board** is an independent Board, and is governed by the **DRB Bylaws** and **DRB Protocols**.

The **Review Board** is generally charged with investigating allegations of abuse of or improper conduct with minors against living clergy members who have not been relegated to a life of prayer and penance. If the Diocese receives an abuse or improper conduct allegation against a clergy member who is deceased, who has been laicized, who has been relegated to a life of prayer and penance approved by the *Dicastery for the Doctrine of the Faith*, or who is included in the [list of Priests with Substantiated Claims of Abuse](#) published on the Diocese's website, the Diocese shall determine whether to appoint an independent investigator to investigate the

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<sup>11</sup> *Essential Norms*, 5.

allegation and shall document the reasons for its determination. In making that determination, the Diocese will consider, among other things, whether: (a) the abuse or improper conduct allegations implicate personnel other than the clergy member being investigated, such as through allegations that the personnel failed to monitor such clergy member or failed to adequately respond to abuse or improper conduct allegations made against such clergy member; or (b) the investigation is likely to provide material information that would improve the Diocese's policies, as well as other factors in the Diocese's discretion. If the Diocese chooses to appoint an independent investigator to investigate the allegation, it may also refer that investigation to the **Diocesan Review Board** for its assistance and evaluation, in which case the DRB Bylaws and DRB Protocols would apply, except that the timing of the appointment of the investigator and the investigation would be within the discretion of the Diocese and the **Diocesan Review Board**, provided that the investigation is conducted in a reasonably timely manner.

#### **IV. INVESTIGATING THE ALLEGATION**

##### **MEETING WITH A PERSON MAKING AN ALLEGATION**

The **Victim Assistance Coordinator** will meet with the person making an allegation and offer any necessary counsel and assistance. Any person making an allegation will be given an opportunity to submit documentation or other evidence regarding it. Given the Special Victims Division's response to support victims, the Victim Assistance Coordinator will refrain from contacting alleged victims, until after the conclusion of their investigation.

##### **MEETING WITH THE CLERGY MEMBER**

The **Vicar for Clergy**, accompanied by the Promoter of Justice or one of the Territorial Vicars, will meet with the clergy member concerning whom an allegation has been presented. The Diocesan Bishop or Vicar for Clergy may designate an alternate representative to meet with the accused in unusual circumstances. In a case where a law enforcement investigation is actively being conducted, the clergy member will be informed of the allegation at the conclusion of the investigation. The Vicar for Clergy will explain the nature of the allegation and offer him a written account, based on information provided to the person who received it. The clergy member may bring with him a *canonical* advisor to this meeting. When necessary, the Diocese will supply *canonical* counsel to the clergy member.<sup>12</sup>

The **Vicar for Clergy** will advise the clergy member that the matter has been presented to the appropriate law enforcement authority. He will also remind the clergy member of his right to retain civil as well as canonical counsel.<sup>13</sup>

Even an anonymous complaint will be brought to the attention of the clergy member concerning whom it is made.

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<sup>12</sup> *Essential Norms*, 6, 8A.

<sup>13</sup> *Essential Norms*, 6.

## THE CANONICAL INQUIRY

Whenever the Diocesan Bishop has knowledge of an allegation which at least seems to be true, which determination he makes within twenty (20) business days of the Diocese's receipt of the allegation, he initiates a canonical inquiry and refers the case to the **Diocesan Review Board** within five (5) business days of making his determination, unless he determines that such an inquiry seems entirely superfluous.<sup>14</sup> When the case is formally assigned to the Diocesan Review Board by the Chancellor at the direction of the Bishop, the Diocesan Review Board considers the case pursuant to the procedures set forth in the **DRB Bylaws** and **DRB Protocols**, and as detailed above. At the conclusion of the DRB's process, the **Diocesan Review Board** advises the Bishop in writing of its assessment of the sufficiency of the evidence, the suitability for ministry of the clergy member, and any other aspect of the case. Accompanying its recommendations will be supporting documentation, including the reasons for coming to the conclusions that it has reached.

The clergy member is permitted to review his file at the Chancery Office accompanied by his own canonical counsel. Documents may be reviewed at the Chancery Office and notes may be taken but copies are not to be made of the documents.

During the canonical inquiry the clergy member being investigated enjoys the presumption of innocence, and all appropriate steps shall be taken to protect his reputation. As previously mentioned, at any time in the process, the Bishop may exercise his pastoral governance in removing a clergy member from office, in removing or restricting his faculties, and in prohibiting him from exercising the sacred ministry.<sup>15</sup>

The clergy member may also be asked to undergo a psychological and medical evaluation at a professional facility specializing in the treatment of sexual misconduct and which is mutually acceptable to the Diocese and to the clergy member.

### PROCESS FOLLOWING A FINDING OF SUFFICIENT EVIDENCE OF SEXUAL ABUSE

When there is sufficient evidence that sexual abuse of a minor by a clergy member has occurred,<sup>16</sup> the Bishop shall notify the *Dicastery for the Doctrine of the Faith* for further directions on how to proceed. If the Bishop determines that an allegation of abuse is credible, he will publicize, in writing, on the Diocese's website and at each parish and school where the accused was assigned, his own determination, the bases therefore, and whether that determination was consistent with the Diocesan Review Board's conclusion. In the event that the Bishop reaches a different determination about whether there is sufficient evidence that sexual abuse of a minor has occurred than the conclusion of the Diocesan Review Board, the Bishop will respond in writing to the Diocesan Review Board stating the basis for his

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<sup>14</sup> Canons 1717-1718.

<sup>15</sup> *Essential Norms*, 9.

<sup>16</sup> *Essential Norms*, 6.



determination and will give consideration to (a) whether to institute reasonable and appropriate precautionary measures; and (b) whether to request that additional investigation be conducted. The response will be provided to the Diocesan Review Board, the Director of the Office for the Protection of Children and Young People, the Victims Assistance Coordinator and, during the term of the Monitorship described in the *Assurance*, the Independent Monitor. In addition, the written response the Bishop provides to the Review Board, or the Review Board's written recommendation, shall be posted on the Diocese's website.

If the person against whom an allegation has been made is a priest, and if he has not already done so, the Bishop shall issue a decree applying the precautionary measures of Canon 1722. The priest:

- is permitted to celebrate Mass privately only;
- is not permitted to exercise any public ministry;
- may be required to depart from his place of residence;<sup>17</sup>
- may be placed on a temporary scaled down remuneration

In cases involving deacons, the precautionary measures of canon 1722 will be appropriately adopted. In addition, in particular cases, the Bishop may issue a canonical precept by which the clergy member is:

- not permitted to wear ecclesiastical garb;
- not permitted to present himself publicly as a clergy member.

These decrees or precepts will remain in place indefinitely, unless a canonical trial results in a finding in favor of the clergy member or other credible evidence exonerating the clergy member is found and presented to the Bishop. If there is a determination made to lift a prohibition on public ministry or any other restrictions imposed by the Bishop, the reasons for such determination shall be set forth in writing and publicized by the Diocese. The Bishop will write a letter to the parish of the assignment of the clergy member, to be read to the parish by the **Episcopal Vicar**, regarding the investigation and the steps that have been taken. A letter will also be read when it has been deemed necessary to invoke C. 1722 restrictions prior to the conclusion of a determination of credibility of the allegation. The Diocese acts on the presumption that an allegation, even in a case where sufficient evidence has been found, is not proof of guilt. Due to the hidden nature of most offenses of sexual abuse, however, and in order to protect the members of the faithful, particularly the young who may be more vulnerable, it has become necessary to take the precautionary measures outlined above in the face of an allegation. It is to be understood, therefore, that such steps by the Diocese are not to be interpreted as a judgment of the guilt of the clergy member. It is recognition of the possibility that wrongdoing

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<sup>17</sup> In connection with making this determination, the Bishop will consider whether the clergy member is living in a parish or other place where minors periodically visit.

may have taken place and therefore might possibly occur again. It is this risk that underlies the decision to take responsible action at all times.

In accordance with the *Charter*, the Office of the Chancellor will coordinate the public dissemination of information regarding the investigation of the allegation and the steps that have been taken by the Diocese.

In the instructions from the *Dicastery for the Doctrine of the Faith*, the Diocese may be directed to conduct a canonical trial with regard to the clergy member against whom an allegation has been made.<sup>18</sup> Should the trial determine that a crime indicated in canon 1395 §2, has been committed, various penal measures may be imposed. These may include permanent removal from ministry, or, in some cases, dismissal from the clerical state. If the results of such referral to the *Dicastery*, including any canonical trial, affect the ability of the clergy member to publicly minister or to have any contact with minors, the Bishop shall ensure that the results of the trial are publicized on the Diocese's website and at each parish and school where the accused was assigned.

Should the trial fail to determine that a crime indicated in Can. 1395 §2 has been committed, the **Diocesan Bishop** will consult with the **Diocesan Review Board** in order to make a final determination regarding the ultimate status of the clergy member. Such a determination will include whether or not the clergy member may resume public ministry, and whether or not limitations will be imposed upon that ministry.

Canon Law allows the Bishop the right to petition the *Dicastery* to authorize an Administrative Process for the imposition of the aforementioned penal measures.

The Bishop must make the final determination regarding whether a clergy member may be permitted to resume or to remain in active ministry. For even a single act of sexual abuse of a minor, established in accord with the canonical process, the offending clergyman will be permanently removed from ministry.<sup>19</sup>

If an allegation of abuse against an employee or volunteer is determined to be credible, the employee or volunteer will be removed, as set forth in the [Employee Code of Conduct](#) and the [Volunteer Code of Conduct](#).

#### **PROCESS FOLLOWING A FINDING OF A CODE OF CONDUCT VIOLATION**

If an allegation of a Code of Conduct violation is determined to be credible, even if there are no abuse allegations made, the clergy member, employee, or volunteer will be subject to appropriate consequences. Clergy who are determined to have violated the Clergy Code of Conduct may be

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<sup>18</sup> The *Dicastery* may provide alternate instructions to the Diocese.

<sup>19</sup> *Essential Norms*, 8: "When even a single act of sexual abuse by a priest or deacon is admitted or is established after an appropriate process in accord with canon law, the offending priest or deacon will be removed permanently from ecclesiastical ministry, not excluding dismissal from the clerical state, if the case so warrants."

subject to monitoring in accordance with the [Monitoring Procedures](#). Employees and volunteers who violate the [Employee Code of Conduct](#) or [Volunteer Code of Conduct](#), respectively, may be subject to disciplinary action, including up to dismissal, depending on the nature of the violation.

## **VI. RESTORING THE GOOD NAME IF THE ALLEGATION IS FALSE**

When it has been established that an allegation is completely without merit, the Diocese will take the following steps to restore the good name of the clergy member:

- Reinstatement following consultation with the Review Board;
- Appropriate steps to disseminate information regarding the investigation and the reasons for reaching the conclusion that the allegation against the clergy member cannot be proven. The Diocese will communicate this information to the faithful by means of a letter from the Bishop to the parish where the clergyman is assigned, to be read by the regional Episcopal Vicar or another delegate at weekend Masses, and to be printed in the parish bulletin. The letter will become the basis of a news release that will be printed in *The Tablet*, placed on the Diocesan website and made available to the media;
- Copies of all decrees, including the restoration of faculties, are to be kept in the file of the clergy member.

## **VII. PREVENTIVE MEASURES**

### **PROVISIONS FOR CANDIDATES FOR HOLY ORDERS**

Consistent with established practice, each applicant for admission to Holy Orders must go through thorough professional psychological testing and evaluation in order to assess his psychosexual development and maturity. It is recognized, however, that these steps have a limited role in detecting potential sexual offenders in all walks of life. As science progresses and the understanding of sexual pathology increases, further measures will be incorporated into each evaluation. The Congregation for Catholic Education (of Seminaries and Institutes of Higher Studies) is in the process of reviewing guidelines for applicants for Holy Orders. We will implement such guidelines, as well as any new psychological tools that may emerge, in order to evaluate more carefully applicants for sacred ministry.<sup>20</sup>

In addition, all applicants for priestly formation or for the permanent diaconate shall undergo a background check as part of the application process.

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<sup>20</sup> *Charter*, 13 states: “Dioceses/eparchies will evaluate the background of all diocesan/eparchial and parish personnel who have regular contact with minors. Specifically, they will utilize the resources of law enforcement and other community agencies. In addition they will employ adequate screening techniques in deciding the fitness of candidates for ordination (cf. National Conference of Catholic Bishops, “Program of Priestly Formation,” 1993, no. 513).”

During the time of formation, psychological assistance, spiritual direction and spiritual formation provide ways to examine a candidate's psychosocial development. This includes the observation and evaluation of psychosocial behavior during his time of formation. Particularly for those who are being prepared to be leaders in the community and teachers and models of Christian morality, the spiritual, emotional and psychological maturity necessary for such a ministry needs to be measured in the light of the teaching of the Church and the integral development of the candidate.

Before and after ordination, the Diocese shall offer opportunities for continuing formation to explain and discuss personal and professional boundaries in the area of sexuality. Trained professionals from various related disciplines, including the behavioral sciences, spirituality, morality, civil and ecclesiastical law, conduct these sessions.

During the years of formation, and after ordination, candidates and clergy are to have a spiritual director, who may offer advice and assistance regarding the proper living out of the promises made at sacred ordination. In addition, counseling services are available so that the emotional and psychological dimensions of human sexuality may be discussed in a confidential environment.<sup>21</sup>

### **RECORD-KEEPING POLICIES**

The Diocese will make reasonable efforts to maintain all records relating to allegations of abuse or improper conduct by clergy, employees, or volunteers, employees, or volunteers of parishes or schools that are the subject of agreements with the Diocese, until the death of the accused or for a period of ten years (whichever is longer), including, without limitation, all records required to be made or kept by the *Assurance*. These records will be maintained in an electronic record-keeping and tracking system that is indexed by, among other things, the date of the alleged violation, the clergy member or other person against whom the allegation was made, and the parish, school or other entity with which the alleged abuser was associated. Such records will be searchable and accessible to all appropriate governing units within the Diocese, with appropriate confidentiality provisions limiting who within a given governing unit can access the system. The Director of the Office for the Protection of Children and Young People will be responsible for maintaining such records.

The records that are required to be maintained under this provision include, but are not limited to:

- Records of improper conduct allegations and the determination regarding their credibility, including the nature of the violation, the consequences imposed, and the rationale for the decision;
- Reports of violations of the Codes of Conduct related to potential sexual misconduct, including improper conduct involving minors;

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<sup>21</sup> For seminarians, counselors are available at the seminaries where they are enrolled. For an ordained priest or deacon, the Diocese will assist him to locate an appropriate counselor upon request and will assist him with the payment of the bills for this service.

- Records of monitoring of clergy pursuant to the [Monitoring Procedures](#);
- Records of monitoring clergy members' compliance with precautionary measures, if any, put in place during the pendency of an independent investigation into allegations of abuse;
- Agendas and minutes of all Diocesan Review Board meetings;
- DRB recommendations to the Bishop and the Bishop's determinations; and
- Referrals to the *Dicastery*.

## **OTHER PROVISIONS**

The Diocese continues to develop a plan that will foster the protection of children and provide them with a safe environment. To this end, the Diocese has associated with the national VIRTUS program and its PROTECTING GOD'S CHILDREN awareness and training program. All clergy, along with religious and lay employees and volunteers who interact with children, will be trained in this program and will undergo background checks. The content of the program will include the harms and warning signs of child sexual abuse, what trainees can do to prevent child sexual abuse, the Diocese's policies and procedures for preventing child sexual abuse and for acting responsibly should concerns arise.

In addition, the Diocese has adopted Codes of Conduct, which all clergy members, employees, and volunteers must acknowledge having received and read.

The Diocese will further comply with the policies and procedures set forth in the *Assurance*.

## **VIII. CONCLUSION**

This *Policy* is promulgated as the intensive effort of the Diocese to address the issue of sexual abuse of minors. It is our expressed aim to protect children from the tragedy and harm of such abuse and to continue to assist those who have already been wounded. Through just and responsible actions and increased awareness, we will continue to enhance the safe environment for our children.

By mandate the undersigned Bishop of Brooklyn, this revised *Policy* will become effective for the Diocese of Brooklyn on **January 8, 2025**, and will be promulgated by publication in the diocesan newspaper and published on the Diocese's website.