



FOR THE PROTECTION OF CHILDREN AND YOUTH

Diocese of Erie, Pennsylvania

SEXUAL ABUSE OF MINORS BY PRIESTS AND DEACONS

INTRODUCTION—

Children deserve to grow and mature in a safe and nourishing environment. Many, unfortunately, do not. Many become victims of sexual abuse. They suffer and their families suffer as well. The effects of such abuse are devastating and often lifelong.

Sexual abuse of minors is a sin and it is also a crime in civil and canon law. It is morally wrong and reprehensible. It cannot be tolerated in society let alone in the Church.

The first diocesan policy on the sexual abuse of minors by priests and deacons was promulgated on October 5, 1986. The policy has been amended several times, primarily to reflect a growing understanding of the problem of the sexual abuse of minors. The changes also reflect an ongoing commitment to ensure the protection of children as well as a desire to provide greater sensitivity in the Church's pastoral outreach to victims.

Since the last revision of our policy, the Ad Hoc Committee for Sexual Abuse of the United States Catholic Conference (USCCB) revised the *Charter for the Protection of Children and Young People*. It was approved by the full body of United States bishops at its June 2005 General Meeting. At the same meeting the revised *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse for Minors by Priests and Deacons* were also approved and subsequently received the *recognitio* of the Holy See on January 1, 2006. They were officially promulgated on May 5, 2006. Our diocesan policy is once again revised in order to conform to both the Charter and *Essential Norms (EN)*.

Priests and Deacons have been given the responsibility to shepherd a people in the likeness of Christ, the Good Shepherd. This policy marks a renewed commitment to the fulfillment of this responsibility, especially as it applies to the safety and protection of children and young people.

1. The welfare of victims and their families is critically important. Pastoral outreach to them will include counseling, spiritual assistance and

other social service assistance as appropriate. The *Pastoral Assistance Coordinator* will provide immediate assistance to them and coordinate whatever range of pastoral care is deemed necessary. (EN, 3)

2. The responsibilities of the Diocesan Review Board are:

- To advise the Bishop in assessing allegations of the sexual abuse of minors by priests and deacons
- To advise the Bishop in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry
- To review diocesan policies for dealing with sexual abuse of minors
- To offer advice on all aspects of these cases, whether retroactively or prospectively
- To approve diocesan policies *re* sexual abuse of minors

3. When an allegation of sexual abuse of a minor by a priest or deacon is received by diocesan authorities, the Bishop, either personally or through a delegate, will employ the following measures (EN, 6):

- Meet with the accuser to listen to the complaint, acknowledge the right and the expectation of that person to have the complaint addressed by the Church by means of proper canonical processes; acknowledge the right of that person to bring the complaint to the attention of civil authorities (EN, 11), invite the person to read and sign the diocesan Advisory Statement.
- Notify appropriate civil authorities, with due regard for the applicable laws of the state concerning the reporting of child abuse (EN, 11).
- Initiate and conduct a preliminary investigation promptly and objectively (c. 1717).
- Meet with the accused to give notice of the allegation and the investigation.
- Advise the accused of his canonical rights, including the right and responsibility of the accused to retain his own civil and/or canonical counsel.

- Ask or even strongly encourage the priest or deacon to undergo a psychological evaluation.
- Exclude the priest or deacon from all sacred ministry, including the public celebration of the sacraments, and prohibit the priest or deacon from remaining in his assigned residence or any other place deemed inappropriate by the Bishop. The priest or deacon will be prohibited from having contact with minors. These exclusions or prohibitions remain in effect pending the outcome of the investigation and any subsequent canonical process (c. 1722).
- Take care to safeguard the right to privacy and good reputation of all parties associated with the incident(s) under investigation, especially the accuser and the accused (c. 1717, §2).

4. When the investigation is completed and there is sufficient evidence of sexual abuse of a minor, the Bishop will notify the Congregation for the Doctrine of the Faith. The accused will be likewise notified of the results of the investigation (*EN*, 6).

5. In every case, canonical penalties will be applied only in accord with the norm of canon law. (*EN*, 8a)

6. When a single act of sexual abuse of a minor by a cleric is admitted by the accused or established after appropriate civil and canon law processes, the priest or deacon will be removed permanently from ministry and, if warranted, dismissed from the clerical state (*EN*, 8). The priest or deacon may voluntarily request laicization (*EN*, 10). No permission or recommendation for transfer to another diocese or religious institute will be given for a priest or deacon who has committed even a single act of sexual abuse of a minor (*EN*, 12).

7. If extenuating circumstances such as age and infirmity do not warrant a petition for laicization or dismissal from the clerical state, the cleric will be required to live a life of prayer and penance. He will be prohibited from celebrating the sacraments of the church and forbidden to represent himself publicly as a priest, and to wear clerical garb. (*EN*, 8b)

8. When an accusation is proved to be unfounded, the Bishop will take whatever steps are appropriate to restore the individual's good name and reputation. (*EN*, 13)

The failure of a cleric to cooperate with any provisions of this policy will result in further actions or penalties according to Church law.

**Most Rev. Donald W. Trautman, STD, SSL.
Bishop of Erie**

**Promulgated following the approval of the Presbyteral Council on
October 5, 1986**

+ Michael J. Murphy, Bishop of Erie

Amended and approved by the Presbyteral Council on May 11, 1993

+ Donald W. Trautman, Bishop of Erie

Amended and approved by the Presbyteral Council on October 6, 1997

+Donald W. Trautman, Bishop of Erie

Amended and approved by the Presbyteral Council on March 8, 2002

+Donald W. Trautman, Bishop of Erie

**Amended and approved by the Presbyteral Council and the Diocesan
Review Board on June 16, 2003**

+Donald W. Trautman, Bishop of Erie

**Amended and approved by the Presbyteral Council and the Diocesan
Review Board on August 15, 2007**

+Donald W. Trautman, Bishop of Erie