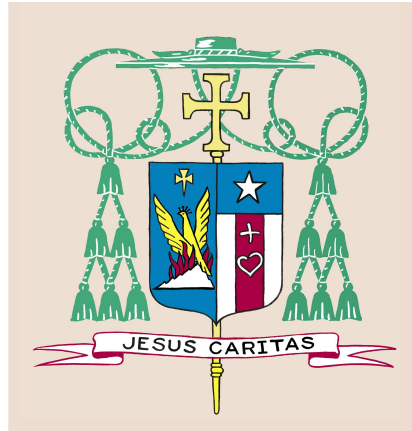


DIOCESE OF PHOENIX

***OFFICE OF CHILD & YOUTH
PROTECTION***

***STANDARD OPERATING
PROCEDURES***

November, 2003
Revised – January, 2004



My Brothers and Sisters in Christ,

When the disciples of Jesus rebuked people after they brought children "to him that he might lay his hands on them and pray." "Jesus said, 'Let the children come to me, and do not prevent them; for the kingdom of heaven belongs to such as these.'" (see Mt. 19:13-14) It is a source of grave scandal when the trust of those who bring their children to the Church is betrayed. As Bishop of Phoenix, I am fully committed to the goals that have been established by the Bishops of the United States to ensure that our churches and other facilities are safe environments where children will be prayed for, schooled and protected.

The Catholic Church defends the sanctity of human life at every stage, seeks to protect persons from injustice and does not hesitate to condemn all that afflicts the human person. The Church is firmly committed to the care of families and their children. She considers abuse or neglect of children as contrary to Christian morality and as an offense against God and against the dignity of the human person.

The Bishops of the United States have promised to reach out to those who have been sexually abused as minors by anyone serving the Church in ministry, employment, or a volunteer position, whether the sexual abuse was recent or many years ago. In June 2002, the Bishops renewed the Church's commitment to the spiritual and emotional well being of those who have been sexually abused and of their families by the approval and promulgation of the Charter for the Protection of Children and Young People.

I, Thomas J. Olmsted, Bishop of Phoenix, pledge my support to this national effort by diligently enacting policies, which safeguard minors in our Diocese. This procedure is not a new initiative, rather an extension and development of our Policy on Sexual Misconduct by Diocesan Personnel that has been in force since 1995, revised in 1998 and was predated by earlier policies from 1991. As our understanding of sexual abuse grows, this policy and its procedures will be reviewed and revised.

We, as a Diocese, will work with parents, educators, civil authorities and various organizations in the community to provide the safest possible environment for minors. Additionally, Diocesan officials will respond promptly to any allegation where there is reason to believe that sexual abuse of a minor has occurred, whether recently or many years in the past.

In October 2003, this current revised Catholic Diocese of Phoenix Sexual Misconduct Policy was promulgated. This policy demonstrates a collaborative effort between local public authorities and the Diocese of Phoenix. A goal of this effort is to raise everyone's awareness of what the Church hopes to accomplish through its "Safe Environment" training program. It will be important to share with parishioners information concerning the advances that are being made in education about this important issue on an ongoing basis, as well as a person's rights and responsibilities and the support systems that are available.

In his First Letter, St. John wrote, "Beloved, we are God's children now; what we shall be has not yet been revealed. We do know that when it is revealed we shall be like him, for we shall see him as he is." (1Jn. 3:2) The wonder of God's saving love is constantly revealed in our midst through human instruments that are made of clay. While fragile, we reflect the glory of the one true God who created us in his image. I invite you to join with me in a cooperative effort to provide an environment that is welcoming and safe for our children. A place where parents can entrust their children with confidence that they will experience the love that God has for them and find blessing.

Sincerely yours in Christ,

+ Thomas J. Olmsted
Bishop of Phoenix

DIOCESE OF PHOENIX

The October 2003, the most current revised policy on Sexual Misconduct for the Diocese of Phoenix was promulgated. This policy demonstrates the collaborative effort between the local public authorities and the Diocese of Phoenix. Our goal is to raise everyone's awareness of what the Church hopes to accomplish through "Safe Environment" training. It will be important to continue to share advanced educational information with our parishioners about their rights, their responsibilities and available systems of support throughout this process.

As leaders in the Church founded by Christ, those who minister within our parishes and institutions must always seek to uphold Christian values and conduct. In addition to following the Gospel and its mandates, they will want to act properly at all times in the light of contemporary society and its needs. These Standard Operating Procedures for the Diocese of Phoenix does not presume to provide the answers to all of the ethical questions. It does, however establish a set of procedures to help delineate boundaries by which ethical questions can be evaluated.

This document is not intended to supersede canon law, civil law, or any other ethics document in use within the Diocese. It establishes ethical practices that our Church is expected to adhere to in the performance of their duties.

The conduct of Church leaders, both public and private, has the potential to inspire and motivate people, or scandalize and tear down their faith. Our leaders must be aware of the responsibilities that accompany their work and they need to know that God's goodness and grace support them in their ministry.

Standard Operating Procedures

1. To Promote Healing & Reconciliation with Victims/Survivors of Sexual Abuse of Minors

The Diocese of Phoenix has established an outreach plan to every person who has reported that they have been a victim of sexual abuse by a member of the clergy. This plan includes widely promoting information and access to the Office of Youth Protection in both English and Spanish through the diocesan newspaper called the Catholic Sun; distributing copies of the policy and outreach pamphlets to every registered household in the Diocese, and having all of this information posted on the Diocesan website at all times. The outreach plan does not send unsolicited letters or make personal telephone calls to victims who do not come into the office or reach out for support. A victim's right to privacy and confidentiality must come first above all else.

Safe Environment Systems training has been developed and is provided throughout the diocese as collaboration between the YPA and the Vicariate for Christian Formation and Education. The Vicariate for Christian Formation and Education was assigned the responsibility of providing training throughout the Diocese of Phoenix. The purpose of this training has been to provide an awareness of what constitutes a safe environment, to promote and see an the revised Sexual Misconduct Policy and Arizona State laws that protect children, youth and vulnerable adults from any kind of abuse. A secondary benefit of the training is that people will know where to seek out resources in a confidential manner.

Outreach efforts are being made to internal networks within the church such as the men's, women's, teen and children's ministries. External networks are being developed to reach out to victims of sexual abuse with therapy and social service programs throughout the valley. Outreach includes telephone calls and individual meetings with the Bishop or his representative for victims who want to facilitate the pastoral and reconciliation process. It is appropriate for these interactions to take place after any criminal or civil litigation procedures have been completed. The Bishop or his representative also makes frequent public appearances to reach out to those who would like to speak with him.

All reports of sexual misconduct are directed to the Office of Child and Youth Protection's Youth Protection Advocate (YPA). Reports are called in on a telephone, faxed in on a facsimile machine, e-mailed via computer or made in person. All reports are responded to within 3 business days. As reports are made, each situation is considered to determine the need for a referral to public authorities and law enforcement. All reports are logged into a central and individual intake file and are submitted as appropriate for recommendations by the professional Review Board. Any situation involving a minor (under the age of 18 years or a legally defined "vulnerable adult" is an automatic report to local law enforcement authorities. In the case of a required report, YPA will document the "DR #" (law enforcement report number) for verification of report status. The YPA gives the victim or their legal guardian written information regarding counseling assistance provided by the diocese. After law enforcement has concluded it's investigation, all cases reported are referred to the Moderator of the Curia ("MOC") and the diocesan attorney due to the liability for the insurance carrier during the relevant time period. If the accused person is connected to a specific department (see

organizational flowchart), the Director of that department will also be notified after law enforcement has completed its investigation. All cases are evaluated by the Review Board to provide recommendations to the MOC or the Bishop.

When law does not require a report, the YPA offers reporting adults pastoral and therapeutic services with a choice of pre-approved professional clinicians located throughout the diocese who have had substantial training in this particular field. Regardless of jurisdiction of the reported information, the YPA offer services and work in collaboration with social service agencies that provide high quality care in multiple areas. The YPA has the adult reporter sign a statement regarding their wishes about reporting the situation to law enforcement that will be honored regarding their wishes about informing law enforcement about the situation (statement attached). Persons reporting abuse are offered a spiritual advisor and /or a support coordinator to assist them with their individual needs. The MOC and the diocesan attorney are notified and will determine if anyone else will require notification. If the situation has become high profile or the pastor would like additional support, the Community Response Team (CRT) will meet with him to offer their assistance.

2. To Guarantee an Effective Response to Allegations of Sexual Abuse of Minors -

Specific steps are taken to ensure that all situations that should be reported to local law enforcement authorities are referred immediately. Attached to the Diocesan Policy on Sexual Misconduct is a copy of the approved Code of Conduct for clergy and all other church personnel in positions of trust. This Code has been agreed to and signed by all personnel entrusted with the safety and well being of our children. When a report of abuse of a minor is made to Diocesan personnel, only basic questions are asked to establish that a crime has been committed. Who what, when and where are the only questions asked of a minor before placing a call to law enforcement or Child Protective Services (CPS). In collaboration with law enforcement, this has been determined as the best method to reduce trauma to the child that can be caused by the interviewing process. The parent or guardian of the child is provided with written information from the YPA that will include information regarding supportive services for the child and their family. When a victim is over the age of eighteen but is legally vulnerable due to physical or mental impairment, the same procedures will be followed as in the case of a minor.

When referring to law enforcement or CPS, the YPA will document the Department Reporting number (called the “DR”) on a standardized form that may be copied for law enforcement or CPS as requested. A file with the basic information will be opened and forwarded to the appropriate staff personnel and the confidential Review Board. If public Authorities determine that they will not be able to move forward with a case, it is the responsibility of the Diocese to determine if a case is considered “credible” and the MOC or the Bishop may designate a team to conduct an internal investigation to protect our children from further victimization. The Diocesan MOC or the Bishop may decide to apply precautionary measures such as relieving the accused of his or her duties. When a victim is over the age of eighteen but is legally vulnerable due to physical or mental impairment, the Diocese of Phoenix has determined that the same steps taken as if the adult were a minor will be implemented.

Geographical Issues that affect an Effective Response

The Diocese of Phoenix has come to realize that victims who report sexual abuse come from all parts of the country and may have been abused in other diocesan areas. Consequently we believe that it is incumbent on each Diocese or Archdiocese to assist victims by developing systems of support on a nationwide basis to reduce the amount of stress and additional trauma to each reporting person.

When victims report sexual abuse from another geographical area, the Youth Protection Advocate will document the report as if it occurred in the Diocese of Phoenix. The Advocate will offer both pastoral, therapeutic and social services in the same manner and context as for victims from our community. The Office will contact the Diocese or Religious Order regarding the complaint to request a commitment of financial support using the same guidelines as our own. In the event that the receiving Diocese or Religious Order is not willing to financially support the victim, the Diocese of Phoenix will accept the responsibility following their own policies and procedures, and address the issue through the Moderator of the Curia and/or the Bishop. To provide this continuity of services, the Diocese of Phoenix has established a Memorandum of Understanding (“MOU”) with the majority of the Religious Communities and some other Diocesan Centers to fully support and abide by one another’s policies. In the event that one of our personnel is accused of sexual misconduct outside of our area, the Diocese of Phoenix will fully support the established procedures of that area.

Pastoral, Social Services Agencies & Therapeutic Services

Designated certified Spiritual Advisors are authorized to provide pastoral services to victims of sexual abuse. The Office of Child & Youth Protection collaborates with federally approved non-profit agencies with a 501 (‘C) 3 statuses or duly approved state & local agencies. Referrals are based on geographic area and client’s needs.

The Review Board has authorized the YPA to approve private, unrestricted individual counseling sessions, not to exceed 25 sessions within a period of six months. This means that the YPA does not request any “content” information from the therapist for the first 25 sessions of therapy. For accounting reasons, attendance dates and times (the number of hours per session) are required for billing. An evaluation and prognosis report is required of the therapist at the end of six months, IF additional services are being requested. It is strongly suggested that therapist submit the signed Release of Information form and standardized treatment documentation at least 1 –2 months in advance so that it may be reviewed by a professional Clinical Review Panel “The Panel” which will be consulted to make final recommendations to the Bishop regarding on-going therapeutic needs of the victim. Based on the evaluation received, additional counseling may be authorized. The Panel is an independent group of professionals in the medical and mental health fields, who volunteer for the Diocese of Phoenix for this specific purpose.

The Diocese will not be responsible for expenses incurred due to missed appointments, telephone sessions and if a pattern of unexcused absences occurs, services may be discontinued. Payment will not be made for counseling or medication not

previously approved by the diocese. All expenses for will be sent directly to the Diocese of Phoenix, care of the Youth Protection Advocate, 400 E. Monroe, Phx, AZ, 85004-2336. Other therapeutic requirements include:

- Counselors submit a resume with verification of professional credentials, liability and specialization on an annual basis
- Counselors notify the Office of the YPA if the person interrupts or terminates the counseling for any reason
- Ordinarily, payment for counseling by the Diocese of Phoenix will cease when the Diocese is not held liable in any civil procedure. However, the Diocese in it's sole discretion may continue payment if there is judged to be sufficient cooperation with the victim and the victim's attorney
- The expense of counseling paid by the Diocese of Phoenix will be noted in any settlement agreement
- All billing for therapeutic expenses will be discontinued after two years of service or a maximum of \$50,000.00 has been expended per victim
- All providing therapists will be invited to meet with the Panel to share information and clinical insight on a regular basis

3. To Ensure the Accountability of Our Procedures

- All procedures adhere to the MANDATORY REPORTING laws of the State of Arizona
- All procedures adhere to the Canon Codes of justice and prudence for both reporting and accused persons.
- All contacts with victims, their family members and therapists are documented according to the date and time of the interaction.
- All reports made to the Office of Child & Youth Protection (regardless of "credibility") are documented in the Central Intake log for evaluation by the professional Review Board.
- All reports of sexual misconduct will be classified as Open (receiving services) Pending (explain situation) or Closed (Services completed, Services not requested, No Open Case to offer services on.
- The Review Board meets once a month and has professional education as the topic of the meeting at least three times per year.

- Any contact from a victim’s attorney is referred to the Diocesan attorney for direction to the YPA. If services have already begun, they will not be interrupted because of court proceedings.

4. To Protect the Faithful in the Future

- All Diocesan Personnel (by definition, volunteers are included in personnel) who have direct contact with minors as part of their employment or ministry have been provided with a copy of the policy on Sexual Misconduct.
- All Diocesan Personnel who have direct contact with minors as part of their employment or ministry received training under the Sexual Misconduct Policy before they are allowed to continue in their ministry.
- Future schedules of on-going training have been established to continue to increase the public awareness of child sexual abuse.
- Safe Environment Systems called “MAPS” – Ministries, Agencies, Programs and School training programs have been instituted for all parishioners who are school age and above.
- The Office of the Child & Youth Protection has an Advocate that participates in Community Training, Service Programs and Educational Workshops to maintain a presence in the public and gather information about current resources.
- The Diocesan Public Information Officer works with the media on a daily basis to promote coverage of the on-going efforts to develop safe environments in our community.
- The Office of Human Resources is working to institute a system of background checks for all employees and regular volunteers that go above and beyond the minimum requirements. In addition to vigorously checking references, each parish and department checks the Arizona Sex Offender website on a monthly basis, and persons employed through the school system are fingerprinted and cleared by the Department of Public Safety. (Not completed as of 12/01/03)
- The Vicar for Priests checks background references and Public Safety records for all priests.
- The Director of Deacons has checked references and transfer records as well as the Public Safety records on all deaconate candidates and permanent deacons annually.
- The Vicar of Religious obtains a letter of recommendation from the Leadership Council of all religious sisters and brothers.

- The Executive Director of Christian Formation and Education has a letter of recommendation from the Leadership Council from the Community for Religious persons assigned to Catholic Schools or in Catechetical/Pastoral roles. Persons not in a Consecrated Life who do catechetical pastoral ministry with youth are asked to sign a ministry agreement form. These are attached to a checklist of other forms such as resumes, attendance of Safe Environment training and fingerprinting records.
- The Director of Vocations has all candidates screened through comprehensive psychological evaluation programs.
- Prior to ANY transfer of a priest or a deacon, a complete confidential report must be submitted to the Moderator of the Curia & the Office for the Protection of Children & Youth regarding any allegations of sexual abuse with a minor AND any other information concerning any other danger the person may present to children or young people.
- Memorandums of Understanding (MOU's) are written to provide a preventive source of understanding that will help us to respond to the need of victims as a church united in compassion and to protect the unity and common discipline of the entire church (Canon 392).
- Personnel who have direct contact with the allegations made to the Youth Protection Office are professional adults who have signed confidentiality statements and participate in continuing education training regarding the professional ethical standards of client confidentiality.

The Diocese of Phoenix has made no agreement of any kind or promised to do anything not set forth in this procedure.

Victim's Right to Privacy, Dignity and Confidentiality

It has been the experience of the Office of Child & Youth Protection that some victims/survivors DO NOT want to be identified or contacted. They have made it very clear that with the constant barrage of media regarding child sexual abuse by clergy, some would need to be “living under a rock” or “living on another planet” to not have been aware of the crisis and where to turn to for assistance.

Outreach letters have the possibility of landing in the hands of persons who do not know and have no right to know, telephone calls to a residence are a clear message when the office is identified, and anonymous messages could cause reason for spouses to mistrust their partners. For all of these reasons, this office respectfully awaits contacts to be made to us before reaching out to provide services.

Respectfully Submitted,

Jean Sokol, LCSW, LISAC
Director, Office of Child and Youth Protection
Diocese of Phoenix