

**DIOCESE OF PEORIA
POLICIES AND PROCEDURES
RELATING TO ALLEGATIONS OF
SEXUAL ABUSE OF MINORS
BY PRIESTS OR DEACONS
OR BY LAY EMPLOYEES OR VOLUNTEERS**

I. PREAMBLE

In accord with the “Charter for the Protection of Children and Young People”, the United States Conference of Catholic Bishops promulgated “Essential Norms for Diocesan/Eparchial Policies Dealing with the Allegations of Sexual Abuse of Minors by Priests or Deacons” as approved by the Apostolic See. The Charter addresses the Church's commitment to deal appropriately and effectively with cases of sexual abuse of minors by priests, deacons, and other Church personnel (i.e., employees and volunteers). 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 occurred many years ago. They stated that they would be as open as possible with the people in parishes and communities about instances of sexual abuse of minors, with respect always for the privacy and the reputation of the individuals involved. They have committed themselves to the pastoral and spiritual care and the emotional well-being of those who have been sexually abused and of their families.

In addition, the Bishops work with civil authorities, parents, educators, and various organizations in the community to make and maintain a safe environment for minors. In the same way, the Bishops have pledged to evaluate the background of seminary applicants as well as all Church personnel who have responsibility for the care and supervision of children and young people.

The Diocese of Peoria will implement these Norms diligently, compassionately, and fairly. This Policy and the procedures set forth herein will be reviewed on a regular basis, at least annually, by competent Diocesan authorities and Diocesan legal counsel. The following policies and procedures are intended to implement these goals.

II. PROHIBITION OF SEXUAL ABUSE OF MINORS

Under the Universal Law of the Church, the sexual abuse of minors by a cleric is a grave delict (offense) reserved to the Holy See, and the offender is subject to severe penalties, including dismissal from the clerical state, if the case so warrants. Even a single verified act of sexual abuse of a minor — past, present, or in the future — by a priest or deacon will lead to the permanent removal from the ministry. An act of sexual abuse of a minor by a lay employee or volunteer — past, present, or in the future — will lead to a

permanent dismissal from any role within the Diocese or any Diocesan organization or institution.

Additionally, under both Federal and Illinois civil and criminal law, the sexual abuse of minors is a grave crime and an offender may be subject to severe penalties, including but not limited to incarceration, fines, and/or monetary damages.

III. CAVEAT AND OTHER OBJECTIONABLE CONDUCT

Even conduct that does not constitute sexual abuse may be offensive or may create misunderstanding or embarrassment. Experience has shown that actions by a priest or deacon with minors such as hugging, patting, tickling, or similar “horseplay,” even if intended innocently, may be misconstrued. Priests and deacons must be especially careful, therefore, to avoid such conduct, especially when other adults are not present. The Diocese of Peoria will provide separately a Code of Conduct applicable to all personnel (use of such term includes volunteers working regularly with children) and all personnel will receive training regarding the Code of Conduct.

Similarly, lay employees and volunteers should refrain from engaging in any non-sexual physical contact with minors under their care, if there is any realistic possibility that the contact may be misunderstood by the minor or found objectionable by the minor’s parents.

IV. DEFINITION OF SEXUAL ABUSE OF MINORS

- 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. This includes, but is not limited to, sexual contact with the intimate parts (genital area, groin, anus, inner thighs, buttocks, or breasts) of a minor for the purpose of sexual gratification or arousal or for the purpose of degrading or humiliating the minor. Deliberate touching of the intimate parts of a minor, a request to touch the intimate parts of the adult, the exposure of the intimate parts of the adult to a minor, or requesting the minor to expose his or her intimate parts also constitute sexual abuse. Sexual abuse of a minor also includes the acquisition, possession or distribution of pornographic images of minors for the purposes of sexual gratification. A minor is a person who has not yet reached his or her eighteenth birthday.
- 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 (Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, USCCB, 1995, p. 6).
- A canonical offense against the Sixth Commandment (c. 1395, §2) need not be a

complete act of intercourse. Nor, to be objectively grave, does an act need to involve force, physical contact, or a discernible harmful outcome. Moreover, imputability (moral responsibility) for a canonical offense “is presumed upon external violation.” (c. 1321, §3. Cf. cc 1322-27)

- If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians may be consulted and the opinions of recognized experts may be obtained (Canonical Delicts, p. 6). Ultimately, it is the responsibility of the Bishop of Peoria, with the advice of the Diocese’s Sexual Misconduct Review Board, to determine if the allegation warrants further action.

V. DEFINITIONS

- “Credible” allegation, accusation, or information means that, under all the circumstances known at the time of the determination, a prudent person would conclude that there is a significant probability that an incident occurred or has been perceived as having occurred. As described in these Policies, the determination that an allegation, accusation, or information is “credible” is the result of a consultative process, and is the opinion of the Diocese, it is not a legal determination.
- “Diocese” encompasses the Roman Catholic Diocese of Peoria in accord with canon 369 of the Code of Canon Law; all parishes and other inferior canonical juridical persons whose competent ecclesiastical superior is the Bishop of Peoria or Administrator of the Diocese of Peoria; The Catholic Diocese of Peoria Corporation as chartered by the State of Illinois; all other corporations (including parish corporations) having the Bishop of Peoria or Administrator of the Diocese of Peoria as their presiding officer; and all institutions, agencies, and organizations sponsored by these canonical or civil entities.
- “Personnel” includes all persons (clergy, religious, and laity) who are employed by, or volunteer in any of the entities encompassed by the Diocese. Of special concern are those in supervisory capacities or in particularly sensitive areas, such as: those who work with or around children, the very elderly and the physically or mentally infirm, those who counsel others, and generally those who work with people who are less capable of protecting themselves.
- “Reasonable cause” means a prudent estimation based on trustworthy information that an incident occurred or has been perceived as having occurred.
- “Allegation” means any information or report received by or in possession of the Diocese suggesting possible sexual misconduct against a minor. An allegation does not have to be in the form of a direct report from an individual victim, but can be from any source, including third-party reports, anonymous reports or documents.

VI. DISTRIBUTION OF POLICY

- A copy of this Policy will be posted on the Website of the Diocese.
- This Policy will be incorporated into all Diocesan personnel guidelines and printed in the Employee Handbooks.
- This Policy will be communicated to the competent ecclesiastical superiors of all members of religious institutes and societies of apostolic life who serve as personnel of the Diocese.
- All clergy, religious and lay staff of the Diocese, Diocesan parishes, and Diocesan institutions should be acquainted with the seriousness of the sexual abuse policy of the Diocese. Pastors/Administrators should inform parish employees/volunteers of this policy. Principals should inform all school employees of this policy. The Diocese shall so inform Diocesan employees.
- This policy shall be made known to alleged victims who report sexual abuse.
- This policy shall prevail over any contradictory policy or procedure in the Diocese.
- A signed acknowledgment of receipt and understanding as well as an agreement to be governed by this policy will be required of all personnel of the Diocese. The signed acknowledgments of receipt and understanding of these guidelines will be returned by the above personnel to the superior or supervisor and filed in the appropriate personnel file. All priests incardinated in the Diocese of Peoria will be required to have a signed acknowledgment of receipt and understanding in their file. A copy of the required acknowledgment is attached to this policy as Appendix A.

VII. MAINTENANCE OF SAFE ENVIRONMENT AND PASTORAL CARE FOR VICTIMS

A. SAFE ENVIRONMENT PROGRAM

1. In order to guard against incidents of sexual abuse of minors by personnel of the Diocese, the Diocese maintains a Safe Environment Program designed to prevent, identify, and respond to abuse, to provide appropriate education and training to Diocesan personnel about inappropriate behavior and warning signs of possibly abusive behavior.
2. The Bishop of Peoria appoints a Safe Environment Director, charged with operation of the Safe Environment Program and education training and monitoring of programs.
3. Prior to beginning service, all Church personnel are required to undergo a

background check.

- All clergy, religious, and employees, as well as volunteers who work with children will complete a DCFS CANTS background check.
- Digital fingerprints with both FBI and Illinois State Police results are required for all clergy, religious, and school employees.
- Parish employees and all volunteers who work with children will complete an electronic criminal history check through Selection.com.

B. ASSISTANCE TO VICTIMS

1. The Diocese of Peoria recognizes that sexual abuse of minors often causes serious and continuing emotional and psychological problems for the victim. The Diocese is committed to providing victims of such misconduct with appropriate pastoral care and professional assistance to address these consequences of abuse by any personnel of the Diocese. The Victim Assistance Coordinator, appointed by the Bishop, coordinates assistance for persons who report to have been sexually abused as minors. It is the policy of the Diocese that victims must be treated justly.
2. The Victim Assistance Coordinator shall promptly contact any individual who reports having been sexually abused as a minor by any personnel of the Diocese. Contact should be made for the purpose of offering whatever concern or solace may be needed, with no comment as to the truth of any accusation. Medical, mental health, and spiritual assistance may be offered according to the specific situation presented.
3. Under the direction of the Victim Assistance Coordinator, competent counselors and social workers are available to provide appropriate assistance to persons making an allegation that any personnel of the Diocese sexually abused them when they were minors. This outreach will be made regardless of whether the alleged abuse was recent or occurred many years in the past. The outreach will include the offer of counseling, spiritual assistance, support groups, or other social services, as agreed upon between the victim and the Diocese.

C. SEXUAL MISCONDUCT REVIEW BOARD

1. The Diocese maintains a Review Board which functions as a confidential consultative body to the Bishop of Peoria in discharging his responsibilities. The functions of this Board may include:
 - i. Advising the Bishop in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry or dismissal from employment or service to the Diocese as a lay person;

- ii. Reviewing Diocesan policies for dealing with sexual abuse of minors; and
 - iii. Offering advice on all aspects of these cases, including the offering of assistance to victims whether retrospectively or prospectively.
2. The Review Board is appointed by the Bishop and composed of at least five persons of outstanding integrity and good judgment. The members of the Review Board will be selected based on a variety of relevant skills and experience. The skills and experience may include psychology, social work, children's rights, law enforcement, Canon law, civil law, personnel administration, and pastoral care. The majority of the Review Board members are laypersons who 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 of Peoria. At least one member should have expertise in treating individuals who have been sexually abused as minors. The Bishop appoints the members. The Promoter of Justice participates in the meetings of the Review Board. The Bishop may designate a member to chair the Review Board in his absence.

VIII. PROCEDURES FOR REPORTING TO THE DIOCESE SUSPECTED SEXUAL ABUSE OF A MINOR OR FOR MAKING A COMPLAINT OF SEXUAL ABUSE

- A. All persons, whether parishioners or Church personnel, who have actual knowledge of, or have reasonable cause to suspect an incident of sexual abuse by any Church personnel, have a serious moral obligation to report the incident or allegations to civil authorities. First and foremost, any individual should contact the Illinois Department of Child and Family Services at 1-800-252-2873. A report should also be made to the Victim Assistance Office at 309-677-7082.
- B. The reporting statement may be made by telephone, by mail, or by e-mail. The reporting statement should include the name and contact information of the complainant, the name and position of the person alleged to have engaged in the misconduct, and the details of the incident or practice.
- C. Under Illinois law, certain personnel are considered mandated reporters and must report to the Illinois Department of Children and Family Services (DCFS) any situation in which they have reasonable cause to suspect physical or sexual abuse of a minor. (See Section XI, below) Failure to report may result in disciplinary action.
- D. Reports of sexual misconduct involving bishops of the United States and reports of their intentional interference in a sexual misconduct investigation should be made to the Catholic Bishop Abuse Reporting Service (CBAR) by calling 1-800-276-1562 or reporting online at www.ReportBishopAbuse.org.

- E. If a cleric is advised in a confessional setting of sexual abuse, he shall not violate the seal of the confessional. A cleric faced with such a confession should encourage the penitent to make disclosure of the alleged sexual abuse outside the confessional setting.

IX. PROCEDURES FOR INVESTIGATION OF ALLEGATIONS

A. REQUIREMENTS OF INVESTIGATION

When an allegation of sexual abuse of a minor is received, an investigation will be initiated and conducted promptly and objectively. In the case of a priest or deacon, the investigation will be conducted in harmony with Canon law including appointment of an Investigator for this purpose. The Diocese will obtain legal advice, both civil and canonical, as soon as possible. (c. 1717).

An allegation of sexual abuse of a minor received against a cleric whose name is already on the list of credibly accused clerics is investigated no differently than if the accused cleric had no previous accusation. The same intake procedures are followed, all allegations are reported to the appropriate civil authorities, the same investigative steps will be taken and the same pastoral care will be offered to the victim. The allegation will not go before the Sexual Misconduct Review Board, however, since the cleric has already been removed from ministry.

An allegation of sexual abuse of a minor received against a deceased, resigned or laicized cleric is investigated no differently than if the accused cleric was still alive. The same intake procedures are followed, appropriate civil authorities are notified, the same internal investigative steps will be taken, and the same pastoral care will be offered to the victim.

All allegations against deceased, resigned or laicized clerics are submitted to the Sexual Misconduct Review Board except where the accused cleric already appears on the Diocese's list of credibly accused clerics. If, after appropriate investigation, allegations of abuse against a deceased cleric are presented to and substantiated by the Sexual Misconduct Review Board, the Diocese will add the cleric's name to the list of clerics with credible allegations of sexual abuse of a minor.

B. NOTIFICATIONS OF REPORT

Once the Office of the Vicar General is in receipt of any report of sexual misconduct against a minor by any current personnel of the Diocese of Peoria, the Bishop will be informed immediately. The Vicar General shall notify the alleged offender of the allegation made against him or her. The Vicar General shall further notify the Diocesan attorney and insurance carrier/administrator as appropriate. They shall also notify, if applicable, the superior or supervisor in the case of a lay employee that charges have been made against the alleged offender and should keep the superior advised of the status and outcome of the proceedings.

C. CONFIDENTIALITY

All personnel of the Diocese who are involved in the investigation and disposition of the report of sexual abuse, including the members of the Review Board, will refrain from publicly commenting on the report. Any public statements about the report or about any action taken in response to the report may be made only with the explicit approval of the Bishop. Any media contact or inquiries regarding an incident of sexual misconduct by personnel of the Diocese must be directed to the Director of Communications.

If a victim requests information concerning other possible abuse allegations against the alleged offender, the Diocese will confirm, if applicable, the existence of other substantiated allegations against that cleric. The Diocese will not provide details regarding those prior allegations.

D. INTERIM MEASURES

The Bishop of Peoria may immediately place on administrative leave the priest or deacon from ministry temporarily and may immediately suspend any lay employee or volunteer, if the circumstances appear to the Bishop to warrant immediate action pending completion of the investigation. The alleged offender 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 alleged offender. This policy favors immediate restriction to protect any possibility of abuse. Clergy should understand that this policy is necessitated by their status.

E. INVESTIGATION OF ALLEGATIONS

1. Each reported allegation will be promptly investigated under the direction of the Office of the Vicar General, with care taken not to interfere with any confidential or civil/criminal investigation, and with a high level of Christian care, concern, and confidentiality for the alleged victim, the family of the alleged victim, the person reporting the incident, and the alleged perpetrator. Ongoing information about the investigation of the incident will be provided to the Bishop of Peoria.
2. The alleged offender shall be given the opportunity to rebut before the Bishop or his designee any evidence against him.
3. Unless circumstances warrant in a particular instance, the investigation ordinarily will be conducted in accordance with the following guidelines.

F. PROCESS FOR INVESTIGATION

1. When there is a report made or cause to believe that sexual abuse by a priest, deacon, lay employee or volunteer of this Diocese has occurred, notice should be given immediately to the Vicar General at (309) 671-1550; or the Victim Assistance Office at (309) 677-7082. Any employee, cleric, non-Diocesan cleric, or religious of the Diocese or parish to whom such a report is made or who has reasonable cause to believe that sexual abuse by a lay person, religious, or non-Diocesan cleric employed by or in this Diocese or in a Diocesan parish has occurred has the responsibility to give such notice. Once the Vicar General has been notified, he shall immediately notify the Bishop.
2. Any person to whom alleged abuse by a priest, deacon, lay employee or volunteer of this Diocese is first reported should attempt fully to document the report. This should include a description of the alleged abuse, the date(s) of the alleged offense(s), the alleged offender(s), the alleged victim(s), and the manner and circumstances in which the report was first made. This report should be provided immediately to the Vicar General, who will inform the Bishop immediately.
3. All appropriate steps will be taken to protect the reputation of the alleged offender during the investigation. The alleged offender will be encouraged to retain the assistance of civil counsel (and in the case of a priest or deacon, canonical counsel).
4. If the alleged victim is not the source of the report, the Victim Assistance Coordinator will endeavor to contact the alleged victim to obtain information directly from her or him. The alleged victim and any other witnesses will be encouraged to submit a written description of the incident or incidents, but it will be made clear that the report will be investigated even without a written complaint.
5. The Victim Assistance Coordinator will attempt to identify and contact any other persons, in addition to the alleged victim, who may have relevant knowledge about the allegation.
6. The Vicar General will promptly notify the alleged offender about the substance of the report. The Vicar General will interview the alleged person to obtain the offender's response to the allegations contained in the report. The offender will be informed of the right to obtain counsel in connection with the investigation and any ensuing proceedings.
7. The Vicar General will immediately notify the Bishop of any information developed in the course of the investigation that, in their judgment, warrants immediate attention. In all events, within approximately thirty days following the initial receipt of the report, the results of the investigation, even if not yet completed, will be conveyed to the Bishop and

to the Sexual Misconduct Review Board.

G. REPORT TO SEXUAL MISCONDUCT REVIEW BOARD

The information conveyed to the Sexual Misconduct Review Board by the Vicar General and Victim Assistance Coordinator must include the following information:

1. Unless the allegations are already well-known or unless personally identifying information is otherwise necessary, an anonymous reference to the alleged offender together with a description of the alleged offender's age, current clerical assignment and date of ordination, if applicable, and a general history of prior assignments;
2. An anonymous reference to the alleged victim (as well as to the person who initially submitted the report, if not the alleged victim), describing the alleged victim's gender, current age, and age at the time of the alleged incident(s), marital status, and current employment;
3. A complete and thorough recapitulation of the facts as alleged by the victim or of any other person who reported the alleged incident, including:
 - i. The circumstances that led to the person's decision to make the report, especially if the alleged incident occurred a long time in the past; and
 - ii. Any professional psychological counseling or treatment the alleged victim has received that may be related to the alleged incident.
4. A copy of any written statement submitted by the victim or any other person (with personally identifying information redacted to preserve the anonymity of the person);
5. A description of all efforts to locate and contact any other persons with relevant knowledge of the alleged incident, including any persons who may have been suggested as witnesses by the priest, deacon, lay employee or volunteer who is the subject of the report;
6. A complete and thorough recapitulation of the facts as reported by such other persons, including the witness's views about the probable credibility of the allegations;
7. A description of further investigative steps the Vicar General and Victim Assistance Coordinator recommend be taken before the Review Board makes any final recommendations to the Bishop;
8. Any conclusions the Vicar General, and Victim Assistance Coordinator wish to offer about the weight of the allegations and the reliability and credibility of any persons who submitted information, including the alleged

victim and the accused priest, deacon, lay employee or volunteer.

H. RECOMMENDATIONS BY REVIEW BOARD

After receiving the information obtained in the investigation, the Review Board:

May request that further information be pursued by Diocesan Officials, or immediately proceed to make a recommendation to the Bishop.

The recommendations the Review Board may make to the Bishop include (but are not limited to) the following:

1. The allegations are not supported by sufficient evidence or otherwise are not credible and the matter should be closed without adverse action regarding the alleged offender;
2. The allegations appear credible, but no final conclusions should be reached pending receipt of:
 - i. A report of psychiatric or psychological evaluation of the alleged offender, if the alleged offender is willing to allow the release of such report to the Review Board;
 - ii. A similar report from the alleged victim's professional psychiatric or psychological counselor, if the alleged victim is willing to authorize their release to the Review Board; or
 - iii. Additional specific information that still may be available.
3. The allegations appear to be supported by sufficient, credible evidence and steps should be taken:
 - i. To remove the priest or deacon from the ministry, either by consent (including retirement) or in accordance with the procedures provided by Canon law, if the priest or deacon contests the findings; or
 - ii. To terminate the employment of a lay employee or to terminate the service of a lay volunteer
4. The Review Board is unable to determine that there is sufficient credible evidence to support the allegation (in cases involving allegations against deceased, resigned or laicized clerics).

I. DETERMINATION BY THE BISHOP

1. The report and investigation will be referred to the Bishop of Peoria in accordance with Canon Law and subject to the provisions of canon 1722.

The Bishop of Peoria and his advisors will review the report reflecting the results of the investigation as well as the recommendations of the Review Board. If the alleged claim appears substantiated, then after consultation with competent Diocesan officials the Bishop of Peoria will instruct the Vicar General to notify the alleged offender of the Bishop's determination and the alleged offender may be permitted freely to resign from his/her ministry, or may be relieved from the exercise of any function or responsibility or ministry and/or employment in the Diocese and placed on administrative leave pending the outcome of any further investigation, including an outside investigation, such leave to be with or without pay and/or benefits as the Bishop may decide. The alleged offender's name will be added to the public list of clerics with credible allegations of sexual abuse of a minor.

2. If sexual abuse has been found not to have occurred, the alleged offender shall be reinstated or placed as the Bishop deems appropriate. The information obtained during the investigation shall be retained confidentially and apart from the alleged offender's regular employment file.
3. If a determination is made that sufficient evidence does not exist to warrant a finding, the Bishop after appropriate consultation may still take such actions against the alleged offender as he deems appropriate under the circumstances.
4. Alleged victims who report alleged sexual abuse have the right to know the general disposition of the sexual abuse investigation. Furthermore, the victim will be notified if any action has been taken as a result of the investigation.

J. APENDING LEGAL ACTION

1. Notwithstanding the foregoing, the Diocese may defer or suspend its investigation and determination if a criminal or civil claim is filed or is threatened in respect to the incident(s) at issue to allow for appropriate legal handling of such claim.
2. In the event the Diocese learns the alleged offender is the subject of a criminal investigation for child sexual abuse, the Diocese will cooperate with local authorities to determine whether a risk to children exist. If such a risk exists, for the safety of minors, the alleged offender will be withdrawn from public ministry pending completion of the criminal investigation and the alleged offender's withdrawal from ministry will be publicly announced by the Diocese. If the complainant is known, he or she will be offered pastoral services through the Victim Assistance Coordinator.

If the alleged offender pleads or is found guilty of criminal child sexual abuse, the alleged offender will be permanently removed from ministry for

the safety of minors. If the alleged offender is acquitted of criminal child sexual abuse or the civil authorities advise they have ended their investigation and will not pursue criminal charges, the Diocese will initiate or resume its own investigation, following the guidelines provided above.

3. In the event an alleged perpetrator is named in a civil lawsuit, the Diocese will immediately assess the risk to children and, if such a risk is found to exist, immediately remove the individual for the safety of minors and publicly announce the alleged offender's withdrawal from ministry or employment. The complainant will be offered pastoral services through the Victim Assistance Coordinator.

Once the civil litigation has concluded, the allegations will be investigated in the same manner as other such allegations and submitted for review by the Sexual Misconduct Review Board as appropriate.

K. ALLEGATIONS INVOLVING RELIGIOUS ORDER AND EXTERN CLERICS

Members of religious orders, as well as clergy who have been incardinated in a different diocese (extern clergy), have been and continue to be assigned to ministry within the Diocese of Peoria. While such clergy remain at all time subject to the authority and supervision of the religious order or the originating diocese where they were incardinated, the Diocese handles allegations against religious order and extern clergy as follows:

1. If the Diocese receives an allegation of child sexual abuse involving a religious order or extern cleric who is ministering or has ministered within the Diocese, the allegation is promptly forwarded to that cleric's religious order or originating diocese and is reported to the appropriate civil authorities.
2. If, at the time an allegation of abuse is received, the accused religious order or extern cleric is assigned within the Diocese, the Bishop will immediately withdraw the cleric from public ministry and remove his faculties. If the accused religious order or extern cleric is ministering within the Diocese but not pursuant to a diocesan assignment, the Bishop will immediately remove his faculties for ministry in this Diocese.
3. The Diocese will follow up periodically with the religious order or originating diocese to be informed of the outcome of its investigation, namely, whether or not the allegation has been determined to be credible, as well as the status of the cleric at the conclusion of the inquiry. If the Diocese is informed that the accused cleric has been determined by the religious order or originating diocese to have been credibly accused of sexual abuse of a minor, the religious order or extern cleric's name will be placed on the diocesan website.

L. RECORDS

The Diocese will keep appropriate written records of each reported incident, the investigation, and the results thereof. The records will be marked confidential and be kept in the custody of the Diocesan attorney.

M. JURISDICTION

In every case involving canonical penalties, the processes provided for in Canon Law must be observed, and the various provisions of Canon Law must be considered (cf. Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, 1995; Letter from the Congregation for the Doctrine of the Faith, May 18, 2001). Unless the Dicastery for the Doctrine of the Faith, having been notified, assumes direct responsibility for the case because of special circumstances, the Bishop of Peoria will proceed according to the directives of the Congregation for the Doctrine of the Faith (Article 13, "Procedural Norms" for Motu Proprio Sacramentorum sanctitatis tutela, AAS, 93, 2001, p. 787).

N. WAIVER OF PERIOD OF LIMITATIONS

Since sexual abuse of a minor is a grave offense, if the case would otherwise be barred by the statute of limitations prescribed by Canon Law, the Bishop of Peoria will petition the Dicastery for the Doctrine of the Faith for a dispensation from this prescription, while indicating appropriate pastoral or canonical reasons rendering so.

O. ASSISTANCE OF COUNSEL

For the sake of due process, the alleged offender is to be encouraged to retain the assistance of civil and canonical counsel. When necessary, the Diocese will supply canonical counsel to a priest or deacon. The provisions of canon 1722 will be implemented during the pending penal process.

P. FINDING OF CULPABILITY

When there is sufficient evidence that sexual abuse of a minor has occurred, the Dicastery of the Doctrine of the Faith will be notified. The Bishop will then apply the precautionary measures mentioned in canon 1722; that is, the Bishop will remove the offender from the sacred ministry or from any ecclesiastical office or function, impose or prohibit residence in a given place or territory, and prohibit public participation in the Most Holy Eucharist pending the outcome of the process.

Q. SANCTION IN LIEU OF DISMISSAL FROM CLERICAL STATE

If the priest or deacon has either admitted culpability or been found culpable after a trial in accordance with Canon Law and if the penalty of dismissal from the clerical state has

not been applied for (e.g., for reasons of advanced age or infirmity) or prescribed by the tribunal after a trial, the offender ought to lead a life of prayer and penance. He will not be permitted to celebrate Mass publicly or to administer the sacraments. He is to be instructed not to wear clerical garb, or to present himself publicly as a priest.

R. ADDITIONAL AUTHORITY OF THE BISHOP TO TAKE ADMINISTRATIVE ACTION

In addition to the sanctions that the Bishop of Peoria or the Dicastery for the Doctrine of Faith may impose under Sections II and IX of this Policy, the Bishop of Peoria has the executive power of governance, through an administrative act:

1. To remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly ministry. (Cf. canons 35-58, 149, 157, 187-189, 192-195, 277 §3, 381, 383, 391, 1348, 1740-1747); and
2. To limit, suspend, or terminate the employment of any “at will” lay employee and to terminate the service of any lay volunteer.

S. “SINGLE INCIDENT” POLICY

Because sexual abuse of a minor is a crime in all jurisdictions in the United States, for the sake of the common good and observing the provisions of Canon law, the Bishop of Peoria will exercise this power of governance to ensure that any priest or deacon who has committed even one act of sexual abuse of a minor as described above will not continue in active ministry.

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. In addition, in appropriate cases, other canonical penalties may be imposed, which may include dismissal from the clerical state. Removal from ministry is required whether or not the cleric is diagnosed by qualified experts as a pedophile or ephebophile or as suffering from any other sexual disorder that may require professional treatment.

T. POSSIBLE ADMINISTRATIVE MEASURES

The Bishop may exercise his executive power of governance to take one or more of the following administrative actions relating to a priest or deacon (cc. 381, 129ff):

1. He may request that the offender freely resign from any currently held ecclesiastical office (cc. 187-189).
2. If the offender declines to resign and if the Bishop judges the offender to be truly not suitable (c. 149, §1) at this time for holding an office

previously freely conferred (c. 157), then he may remove that person from office observing the required canonical procedures (cc. 192-195, 1740-1747).

3. For a cleric who holds no office in the Diocese, any previously delegated faculties may be administratively removed (c. 391, §1 and 142, §1), while any *de lege* faculties may be removed or restricted by the competent authority as provided in law (e.g., c. 764).
4. The Bishop may also judge that circumstances surrounding a particular case constitute the just and reasonable cause for a priest to be allowed to celebrate the Eucharist with no member of the faithful present (c. 906); for the good of the Church and for the priest's own good, the Bishop may urge the priest to celebrate the Eucharist only under such circumstances and not to administer the sacraments.
5. Depending on the gravity of the case, the Bishop may dispense the cleric from the obligation of wearing clerical attire and may prohibit him from doing so (cc. 85-88, 284).

Any of these administrative actions will be taken in writing and by means of decrees (cc. 47-58) so that the cleric affected is afforded the opportunity of recourse against them in accord with Canon Law (cc. 1734 ff).

U. LOSS OF THE CLERICAL STATE

A priest or deacon may at any time request a dispensation from the obligations of the clerical state. In exceptional cases, the 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.

V. RESTRICTION ON TRANSFERS BETWEEN DIOCESES

1. No priest or deacon who has committed an act of sexual abuse of a minor may be temporarily or permanently transferred (released or incardinated) for ministerial assignment to another Diocese/Eparchy or religious province. Before a priest or deacon of the Diocese of Peoria may be transferred for residence to another Diocese/Eparchy or religious province, the Bishop will forward in a confidential manner to the local bishop/eparch and religious ordinary (if applicable) 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. This requirement applies even if the priest or deacon will reside in the local community of an institute of consecrated life or society of apostolic life (or, in the Eastern Churches, as a monk or other religious, in a society of common life according to the

manner of religious, in a secular institute, or in another form of consecrated life or society of apostolic life).

2. Before the Bishop of Peoria receives a priest or deacon from outside his jurisdiction, the Bishop will obtain the necessary information regarding any past act of sexual abuse of a minor by the priest or deacon in question.

X. TRANSPARENCY AND OPENNESS; PROTECTION OF PERSONAL PRIVACY AND REPUTATION

A. DANGER OF FALSE ALLEGATIONS

Care will always be taken to protect the rights of all parties involved, particularly those of the person claiming to have been sexually abused and the person against whom the charge has been made. When an accusation has proved to be unfounded, every step possible will be taken to restore the good name of the person falsely accused.

B. PUBLICATION OF DIOCESAN ACTION

When an allegation of sexual abuse of a minor has been deemed “credible” via the Diocese’s process, the Director of Communication will publish an appropriate announcement from the Bishop of the action taken in response to the abuse. Particular announcements and information may be published to assist and support parish communities directly affected by ministerial misconduct involving minors. The Diocese will maintain a record, including information on the Diocesan Website, that lists the names of priests and deacons who have been removed from ministry under this Policy.

C. CONFIDENTIALITY AGREEMENTS

The Diocese will not enter into confidentiality agreements regarding allegations of sexual abuse of minors except for grave and substantial reasons advanced by the victim and noted in the text of the agreement.

D. OUTREACH TO AFFECTED PARISHES

The Vicar General and Victim Assistance Coordinator will be responsible for taking immediate steps to assist and support parish communities directly affected by ministerial misconduct involving minors. The outreach may consist of a parish and/or school meeting at the affected parish, an offer of counseling to members of the affected community, explanation of the response process and informing the affected community of the action taken in response to the allegation.

E. COMPLIANCE WITH CIVIL LAWS; REPORTING TO CIVIL AUTHORITIES ALLEGATIONS OR SUSPICIONS OF ABUSE OR MALTREATMENT OF MINORS

The Diocese of Peoria will comply with all applicable civil laws with respect to the reporting to civil authorities all allegations of sexual abuse of minors and will cooperate in their investigation. The Diocese of Peoria requires all personnel of the Diocese to comply with these requirements.

XI. OCCUPATIONS REQUIRED TO REPORT INCIDENTS OF CHILD SEXUAL ABUSE OR MALTREATMENT OR ENDANGERMENT

All Diocesan personnel are required to report suspected child abuse, including sexual abuse, to the Diocese as set forth in this Policy. In Illinois, the Department of Children and Family Services requires that persons engaged in certain occupations report incidents of suspected child abuse, including sexual abuse, to state or local authorities. Occupations subject to these requirements include **medical personnel** such as physician, dentist, LPN, RN, medical social worker, emergency medical technician, nurse practitioner, chiropractor, hospital administrator; **school personnel** such as teacher, principal, school counselor, school nurse, school social worker, assistant principal, truant officer, school psychologist; **social service/mental health personnel** such as mental health personnel, social workers, psychologists, domestic violence personnel, substance abuse treatment personnel, staff of state agencies dealing with children such as Department of Human Services, Department of Public Aid, Department of Public Health, Department of Corrections, and Department of Children and Family Services; **law enforcement personnel** such as employees of the court, parole/probation officer, emergency services staff, police, State's attorney and staff, juvenile officer; **coroner/medical examiner personnel**; **child care personnel** including all staff at overnight, day care, pre-school or nursery school facilities, recreational program personnel, foster parents; and **members of the clergy** which includes any member of the clergy that has reasonable cause to believe that a child known to him in a professional capacity may be an abused child.

In accordance with Illinois law (325 ILCS 5/4), all personnel of the Diocese of Peoria who are mandated reporters, including school personnel and members of the clergy, shall sign a statement acknowledging their status as mandated reporters prior to commencement of employment. The official DCFS form (**Cants 22 – Acknowledgment of Mandated Reporter Status for Employees** or **Cants 22a – Acknowledgment of Mandated Reporter Status for Clergy**) shall be used for this purpose. The signed acknowledgment form shall be retained by the employer (i.e. parish, school, institution or agency of the Diocese of Peoria) in each individual's personnel file.