



Clergy Misconduct & Abuse of Power

This document is provided to answer questions about how the Archdiocese of Denver handles misconduct and/or abuse of power by members of the clergy, i.e., Cardinals, Bishops, Priests, and Deacons. It is not meant to present the topics exhaustively nor serve as a form of policy; rather, it is a starting point to answer questions that are being asked. The Archdiocese addresses misconduct in four areas: prevention, reporting, immediate response, and ultimate outcomes.

Prevention

How does the Archdiocese screen men who apply for seminary or permanent diaconate formation?

The application process for entering seminary and the diaconate is multi-layered and stringent. The men first enter a discernment process with the Director of Vocations or the Director of Deacon Formation through retreats and one-on-one conversations. These interactions help the directors evaluate the man on a personal and informal level. All areas of life pertaining to a priestly discernment are discussed with the director including sexuality, academics, family-of-origin experiences, and prayer life. Once the man begins to understand and demonstrate evidence of a call to the priesthood or the diaconate, and once the director has separate and converging evidence that the man is called by God, then he may begin the formal application process.

What does the formal application process for seminary and diaconate formation entail?

The application, currently a 24-page document, asks many direct and probing questions about a man's discernment of the priesthood or the diaconate, his family life, religious experiences, educational background, and financial situation. The following items are also required:

- A comprehensive psychological evaluation, which includes a battery of psychological tests and an interview with a trained Catholic professional who evaluates the candidate's compatibility with the state of life he is pursuing (This evaluation addresses an applicant's emotional health, family background, psycho-sexual health, and ability to maintain boundaries.)
- An autobiography and four letters of reference from family, friends, associates, and at least one priest
- A physical, along with blood-work
- A criminal background check

Once an applicant has completed these steps with the Director of Vocations or the Director of Deacon Formation, and if there are no impediments or other issues identified, then he is scheduled for an interview with the seminary board of review and a personal interview with the Archbishop. At any point during the process, a man can be asked to delay entrance into formation, or to discern a different vocation.*

What policies are in place that govern the conduct of men in formation and members of the clergy?

The Archdiocese has a comprehensive Code of Conduct that must be followed by all bishops, priests, deacons, seminarians, consecrated lay people, employees, and volunteers who have regular contact with minors. The code, currently a 33-page document, stresses that behavior towards others is the essence of discipleship, and that public and private conduct has the potential to inspire and motivate people, but also the potential to tear down their faith.

What does the Code of Conduct include?

The code includes standards of ministerial behavior and boundaries, a policy regarding sexual misconduct and child abuse, and a social media policy. It also includes harassment reporting procedures, Colorado Child Abuse and Child Sexual Assault Reporting Act Requirements, and Colorado Elder Abuse and At-Risk Adult Abuse Reporting Requirements.

How is the conduct of clergy monitored?

All priests, deacons, seminarians, consecrated lay people, employees, and volunteers who have regular contact with minors are required to complete a Safe Environment training program. This program teaches how to identify signs of misconduct and best practices for making churches, schools, and communities safer. Further, the Code of Conduct instructs that all signers, even if they are not considered a Mandatory Reporter by Colorado Law, are expected to report incidents of abuse, neglect, or suspected abuse of children, elders, or at-risk individuals. Clergy are surrounded each day by people who have been through the Safe Environment training program and who have signed the Code of Conduct. Such individuals are expected to help set the standard of behavior and call out any problem behavior, especially that of clergy.

How does the Archdiocese ensure that clergy from another diocese are screened?

In order for a priest or deacon from outside the Archdiocese to function in a ministerial capacity, a letter of good standing must be received by the Vicar for Clergy office from the priest or deacon's home diocese. This letter affirms that the priest or deacon has never been accused of misconduct with a minor, that his background check is clear, and that he has completed a Safe Environment training program.

After the initial training and screenings, how often are prevention methods updated?

Background checks are run on all priests and deacons every five years. Five years after completing the Safe Environment Training Program, priests and deacons complete the State of Colorado Mandatory Reporter on-line training program.

What does the Archdiocese do to help children and youth protect themselves from abuse?

Every year in the Archdiocese, between 20,000 and 25,000 children and young people are trained in ways to keep themselves safe.

- *Called to Protect for Young Children*[™] is designed to teach children in grades K-5 the skills they need to recognize boundary violations that may precede abuse, to remove themselves from uncomfortable situations, and to tell a trusted adult when someone has crossed a boundary with them.
- *Called to Protect*[™] for Youth is the first comprehensive program specifically designed to teach middle and high school youths self-protection skills. The program uses a three-part DVD series and guided group discussions to teach young people how to recognize their personal boundaries, how to respond if someone tries to violate their boundaries, and what to do if someone is sexually abusing them or someone they know.

Of course, adults cannot hold children and teenagers solely responsible for their own safety, but they can be trained to play an active role in keeping themselves, their friends, and their activities safe.

How is the Archdiocese held accountable for its prevention practices?

The Archdiocese participates in a United States Conference of Catholic Bishops (USCCB) annual audit on the *Implementation of the Charter for the Protection of Children and Young People*. The curriculum for training adults and children in abuse prevention and reporting, information on how parishes are reviewed for compliance, and reports on any accusations that were made and their credibility, are reviewed annually by an independent outside firm. Periodically, this audit is accompanied by in-person interviews of all archdiocesan personnel involved with child and youth protection. The Archdiocese has participated in the audit since 2004 and has always been found in compliance.

*For those applying to the diaconate, the application process also includes the man's wife, whose support is required for the process to move forward. Men applying for the diaconate must have a stable marital relationship for at least five years. The children of the individual applying for the diaconate are also asked questions as appropriate concerning their father's desire to become a deacon.



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What measures are in place for overseeing bishops and cardinals?

Bishops and Cardinals fall under the jurisdiction of the Holy See (the Vatican). Currently, the United States Conference of Catholic Bishops (USCCB) is working with the Holy See to open new and confidential channels for reporting complaints against bishops, as well as advocating for more effective resolution of future complaints. These goals will be pursued according to three criteria: proper independence, sufficient authority, and substantial leadership by laity.**

Reporting

What expectations does the Archdiocese have for reporting misconduct or suspected misconduct?

The Archdiocese strives to be a highly reliable organization creating environments that are safe for all people to live out their lives of faith. Actual or suspected abuse of minors, elders, or at-risk adults are reported to law enforcement. Questionable actions or speech which are neither abusive nor provoking a direct suspicion of abuse should nevertheless be brought to the attention of clergy and/or staff. In the event that such actions or speech are that of clergy or a staff member, it should be reported to the Victim Assistance Coordinator.

What channels exist for such reporting?

1. Abuse of a minor, by anyone:
 - Must be reported to local law enforcement or call 1-844-CO-4-KIDS / 1-844-264-5437
 - Fill out the Archdiocese of Denver Reporting Form
 - Contact the Victim Assistance Coordinator 720-239-2832 – victim.assistance@archden.org
2. Abuse of an elder or at-risk adult, by anyone:
 - Must be reported to law enforcement or County Adult Protective Services
 - Fill out the Archdiocese of Denver Reporting Form
 - Contact Victim Assistance Coordinator 720-239-2832 – victim.assistance@archden.org
3. Abuse of power or other misconduct by a priest:
 - Contact Priest Personnel – 303-715-3197
4. Abuse of power or other misconduct by a deacon:
 - Contact Deacon Personnel – 303-715-3198

**For example, in the recent case involving Archbishop McCarrick, the USCCB is pursuing an investigation and will be asking the Vatican to conduct an Apostolic Investigation that includes qualified, independent lay professionals from fields like law enforcement and psychology.

Sometimes, for a variety of reasons, people have been reluctant to report misconduct or abuse of power by clergy or staff members, how is the Archdiocese addressing this issue?

Since 2003 – and indeed even before that date – the Archdiocese has had an independent Conduct Response Team that has worked with legal counsel to address and respond to, in accordance with Church and civil law, accusations against a member of the clergy. This approach is very similar to secular “Whistle Blower” policies for the corporate world. The Archdiocese is developing a means for anonymously reporting any kind of misconduct and/or abuse of power by any member of the clergy or Church employee, that will ensure all reports are appropriately addressed.

Who would handle a case of reported abuse by a bishop or cardinal in the Archdiocese of Denver?

While no specific procedure or precedent exists for the reporting of abuse by a bishop or cardinal in the Archdiocese beyond the procedures described above, abuse or suspected abuse of a minor, elder, or at-risk adult by such persons should always be reported to law enforcement in accordance with the Archdiocese’ standard policies. For other forms of misconduct, reports can be made to the bishop of a neighboring diocese or the Apostolic Nuncio. Such reports should also be made to the Victim Assistance Coordinator. The Conduct Response Team and/or the proposed anonymous reporting method mentioned above are also avenues for reporting.

Immediate Response

What happens when a report is made about a member of the clergy?

When a credible report of abuse of a minor is made about a member of the clergy, the man is removed from ministry immediately. This is done to protect both potential victims from any further harm. In regard to other types of alleged misconduct, the Archdiocese will respond promptly and with great seriousness. If it is determined that the kind of misconduct being reported would put the safety of others at risk, (physically, spiritually, emotionally), restrictions can be placed on the ministry of the accused clergy member. It is the goal of the Archdiocese in all incidents of reported misconduct to protect victims, while at the same time withholding judgment until all investigations can be conducted. The Archdiocese does not transfer accused clergy to other dioceses or parishes unless such transfer takes place after an accused has been definitively cleared of all wrong doing.

How does the Archdiocese treat sexual misconduct of clergy with adults?

All reports of instances or suspected instances of such misconduct are investigated in accordance with the Code of Conduct. In the event of reported misconduct, the Archdiocese also investigates whether the clergy member abused his position of power, which would add to the gravity of an already grave situation. Once the details of the misconduct are better understood, the Archdiocese acts in a manner that addresses its particularities—specifically addressing whether the clergy member is suitable for ministry. These steps are taken with the intent of preserving the safety of others, while at the same time protecting clergy against potential false accusations. It is important not to judge this type of misconduct according to what society might find acceptable or unacceptable, since the Church has always taught that sexual activity outside of marriage is a sin.

Ultimate Outcomes

What happens to a member of the clergy who is found guilty of sexual misconduct with a minor or child abuse?

The consequences and penalties determined by the legal system always take precedence. Additionally, a member of the clergy who is found guilty of sexual misconduct with a minor or child abuse is permanently removed from all ministry in the Archdiocese of Denver without the possibility to transfer to another diocese. Tolerance or allowances are never made in these situations.

What happens to a member of the clergy who is found guilty of other types of grave misconduct?

If a clergy member is found guilty of grave misconduct, it is doubtful that he will ever be able to return to active ministry. Considering the nature of misconduct, it may be the case that after an extended period of time, a man may return to a limited form of ministry that takes into account his past transgressions. Additionally, transfer of a member of the clergy will never be made without a full disclosure of his past misconduct.

What happens to a member of the clergy who is found innocent or who faces an allegation with insufficient evidence?

In cases where insufficient evidence exists, and/or a member of the clergy is found innocent of an accusation after a comprehensive investigation, he will be able to return to ministry. It may be the case that his assignment will change in location or responsibility due to the length of time of an investigation and/or the damage to his reputation.