

<b>Subject:</b> ALLEGATIONS OF SEXUAL ABUSE OF MINORS BY CHURCH PERSONNEL OTHER THAN CLERICS	<b>Secretariat:</b> Ministerial Leadership	<b>Number:</b> ML-I <b>Page:</b> 1 of 3
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**Purpose:** To establish a protocol for dealing with allegations of the sexual abuse of minors by Church personnel other than clerics.

**Applicability:** All non-clergy Church personnel.

**Definitions:**

*Church Personnel:*

- All persons directly employed by the Diocese of Pittsburgh or any parish within the Diocese; and,
- All persons who provide any volunteer services to/for the Diocese of Pittsburgh and to/for any parish within the Diocese.

*Minor:* Any person under eighteen (18) years of age.

*Sexual abuse of a minor:* Sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification. Sexual abuse has been defined by different civil authorities in various ways, and these norms do not adopt any particular definition provided in civil law. Rather, 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 (USCCB, *Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, p.6). A canonical offense against the sixth commandment of the Decalogue (CIC, c. 1395 §2; CCEO, c. 1453 §1) need not be a complete act of intercourse. Nor, to be objectively grave, does an act need to involve force, physical contact, or a discernable harmful outcome. Moreover, “imputability [moral responsibility] for a canonical offense is presumed upon external violation ... unless it is otherwise apparent” (CIC, c. 1321 §3; CCEO, c. 1414 §2). Cf. CIC, canons 1322–27, and CCEO, canons 1413, 1415, and 1416. This definition is contained in the *Essential Norms* that were adopted by the bishops of the United States. The norms received the *recognitio* of the Apostolic See on December 8, 2002, and became effective as particular law binding all dioceses and eparchies of the United States on March 1, 2003.

<b>Effective Date:</b> June 1, 2003	<b>Revision Date:</b>	<b>Number of Revisions:</b>
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<b>Policy and Procedure:</b>	
I.A.	<p>When an allegation of sexual abuse of a minor is made, the Church will respond both pastorally and administratively.</p> <p><i>I.A.1. The Church shall provide assistance to the minor and his/her family with the offer of spiritual support and psychological counseling as needed.</i></p> <p><i>I.A.2. The civil and canonical rights of all involved will be respected while the Church seeks to offer assistance.</i></p> <p><i>I.A.3. A pastoral support team will be put in place to provide assistance to parishes or communities affected by the allegations.</i></p> <p><i>I.A.4. Any allegation of sexual abuse involving a minor may be brought by the minor, his or her parent(s) or guardian(s), or anyone else with knowledge or a reasonable suspicion that sexual abuse has occurred.</i></p> <p><i>I.A.5. The Office of the Secretary for Ministerial Leadership will work with the Office of Civil Legal Services to report promptly all allegations of the sexual abuse of minors to the appropriate civil authorities as well as to comply with all civil law obligations. Any mandatory reporter who receives an allegation from a minor will comply with the requirements of the Child Protective Services Law. Even though the diocese will have informed civil authorities, all persons communicating an allegation of the sexual abuse of a minor will also be encouraged to turn the allegation over to the civil authorities.</i></p> <p><i>I.A.6. The alleged victim of sexual abuse or another individual bringing the allegation will be interviewed by the Office of the Secretary for Ministerial Leadership. If the Church employee or volunteer does not work in Central Administration, then the pastor or other supervisor of the employee or volunteer will participate in the interview. When possible, the allegation should be in writing and signed by the party making the allegation.</i></p> <p><i>I.A.7. The Church employee or volunteer will also be interviewed by the same persons set forth in the preceding paragraph. At the beginning of the interview it should be determined that the employee or volunteer is aware of their civil and canonical rights. If the allegation is deemed to be credible, the employee or volunteer will be suspended immediately. In the case of an employee, the temporary suspension will be with pay.</i></p>

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<p>I.A.8.</p> <p>I.A.9.</p> <p>I.A.10.</p>	<p><i>After the preliminary review has been conducted, a decision will be made by those conducting the interviews whether the employee or volunteer is to continue on suspension, be reinstated, or dealt with in another manner including termination of employment.</i></p> <p><i>Further action may be taken later. The circumstances in which further action might be taken include, but are not limited to: (a) a retraction of the allegation; (b) an admission by the employee or volunteer; (c) the institution of or the resolution of either criminal charges or a civil action, (d) or the receipt of any other relevant information at any time</i></p> <p><i>If at any time it is determined that the allegation is unfounded, then appropriate steps will be taken to affirm the employee or volunteer in their work and to repair any damage to their reputation.</i></p>
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